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OFFICE OF  
Indian Affairs  
Rec. MAR 9

1904

<sup>143</sup>  
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Hon. J. R. Bard.  
U.S. Senate.

Mar. 2, 1904.

Enc. letter of Judge  
J. R. Lewis rel. to pro-  
test of Col. R. H. Pratt  
against allotments of  
lands to the Indians  
of Northern California.  
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Trans. to "L" Mch. 11/04

Ans'd Mch. 18, 1904 -  
h.B. 662 p. 218. (Incor. etc.)

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Pratt

MR. DARD, CHAIRMAN.  
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MR. FULTON.

United States Senate,

COMMITTEE ON IRRIGATION.

R. WOODLAND GATES, CLERK. B

Washington, D C, March 2, 1904.

Hon W A Jones,

COMMISSIONER OF INDIAN AFFAIRS.

Dear Sir:

Referring to my letter addressed to the Commissioner March 1st, with reference to the memorial of the NORTHERN CALIFORNIA INDIAN ASSOCIATION, and suggesting that provision be made in the Indian appropriation bill now pending, for an investigation by officers of the Department into the condition of the Northern California Indians:

I submit herewith, for the Commissioner's consideration, a letter addressed to me by Judge J R LEWIS, President, Department of Education, San Jose, California, and therewith enclosed an explanation and defense of the said memorial which explanation is intended to controvert statements contained in the protest filed by Colonel R M Pratt of the Carlisle Indian School.

Yours truly,

*Thomas R Dard*

(encl)

Judge J.R.Lewis  
President

16531-1904.  
(COPY).

A.E.Shumate  
Sec'y and City Supt.

Members of Board

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Joseph R.Ryland  
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DEPARTMENT OF EDUCATION

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San Jose, California, Feby. 19, 1904.

Hon.Thomas R.Bard,

U.S.Senate,

You very kindly on the request of our Indian Association, presented and have referred to the Com. on Indian Affairs our Memorial printed as Senate Document No. 131 --

The purposes of this Memorial has been attacked by Col. Pratt of Carlisle - I submit an explanation and defense of our Memorial, will you kindly have it placed before the Senate Com. on Indian Affairs.

Truly,

J.R.Lewis.

San Jose, Cal., Feb. 19th, 1904.

To the Honorable The Members of the  
Senate and House of Representatives  
in Congress, from the State of California:

On January 21st, 1904 the Honorable Thomas R. Bard on request of the Northern California Indian Association, of which I have the honor to be a member, presented to the Senate a memorial from said Association, relative to the Indians in Northern California.

The Association is a California corporation with its principal place of business in San Jose, and its members are nearly all citizens of the State of California.

This memorial was referred to the Committee on Indian Affairs and printed as Senate Document No. 131.

This memorial has been attacked by Colonel R.N. Pratt of the Carlisle Indian School, said to have been thirty-six years in the Indian service.

Many of the members of the Northern California Indian Association have passed the age of three score years, and have passed their whole lives earnestly working for the amelioration of the Indians in the United States, and have advisedly set forth the facts and conditions stated in such memorial and know whereof they speak.

My experience with the Indian tribes dates from the year 1869 as Associate Justice of the Supreme Courts of Idaho and Washington Territories, from 1869 to 1897. During this time I very often met the Indian in Court as a witness, while holding Court in the several Districts to which I was assigned; at Silver City and Boise City, Idaho, Walla Walla, Fort Collville, Yakima, and on Puget Sound in Washington, and during the past twelve years as a citizen of California I

have often met him. I have quite often met him during these years at his tent, in his home, at the work-shop, on the Reservation, in his church, at the school, on the Reservation, on his farm, and at work in the grain and hop fields of his white neighbor. He was new to me, I became interested in him and studied him as a man and brother, made special observation as to his treatment by our Government and people. I have during these years learned much about him, and his pioneer neighbors, and yet I find there is much to be learned, and even with my thirty-four years' experience I do not assume to know all about him, and in the light of my experience I signed the Memorial of the Northern California Indian Association now before Congress. I very much regret that the learned teacher at Carlisle has attacked our memorial and its purposes. He thinks he has seen in it the "Shadow" of the "Ghosts" of the Indian Reservation and has "tackled" it. The learned teacher has either not read our Memorial, or has wholly misunderstood its purport. We speak very plainly about the reservation system, and say this: "We do not wish Reservations established for them. Reservations would be very expensive for the Government, and we think undesirable for "the Indians in many ways. We ask that land be given them in "severalty, under the tenure, and with the probationary period "or greater of the general allotment act, -- and our Indians "we are convinced are ready for allotments in severalty."

The Nation has reserved for the several tribes of Indians in Idaho, Washington, and Oregon an abundance of lands for homes and has lately, at a large expense, purchased lands for the Indians in Southern California, and on the other hand has despoiled the Indians of their lands in Northern California. Should we not restore them a little of what

we have taken, a very small tract, say 20 acres for each family will be ample. These scattered tribes are in no sense farmers, they have no lands to farm, they are common day laborers, at work in the grain and hop fields, and orchards and vineyards, at mills and fisheries. Good lands can be purchased in the several localities in which they reside at from twenty to forty dollars per acre. We ask that Congress make reasonable appropriation, and make such purchase.

But the learned teacher at Carlisle calls your attention to the Home-stead law of the United States, and says that under this act the Indians can acquire homes on the public lands free from charges or fees.

You gentlemen from California well know that almost the entire arable lands of our state were included in the old Spanish grants, and all public lands, not included in such grants, which could be farmed have long since been patented by the Government, to purchasers, and in all Northern California there cannot be found a tract of public land for entry under the homestead law, fit for a white man to live upon and no Indian can make a living where a white man cannot. The idea of filing Homestead claims upon the mountain peaks of our State is absurd.

Finally as to the local common school for the benefit of the Indian children of our State, these children are enumerated in the several school districts, and such districts receive from the State and County at the rate of about Fourteen (\$14) Dollars per year for each pupil, but it is well known that the pioneer has such prejudice against the Indian, that in practice he receives no benefit from these schools, he is not tolerated in them, he is "frozen out."

If the learned teacher at Carlisle will visit our State, study its land system and public lands, visit the Indian neighborhoods and learn from observation the practical working of the local school system, and make careful study of the conditions of these Indians, I have no doubt he will reach the same conclusions we have in the Memorial we have submitted.

Respectfully,

J.R.Lewis.