

# MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSIONS

A. D. 1851--2.

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**Augusta:**

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1852.

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# THIRTY-FIRST LEGISLATURE.

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No. 45.]

[SENATE.

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*Gentlemen of the House of Representatives :*

THE information called for in your order, of the twenty-fourth of January last, respecting the Penobscot and Passamaquoddy tribe of Indians, not being wholly within the archives of the State, has forbidden that promptness of response on my part, which should ever characterize communications between the several departments of government.

The law requires the Indian agents to report, annually, only upon their financial transactions with the tribes, and they have heretofore confined themselves in their reports, strictly within such limit; hence information concerning schools and population must be sought elsewhere than in the State records.

Although, since my accession to office, I had not been remiss in collecting facts and information connected with schools, with the census, and with all matters involving the prosperity and welfare of the Indians, still much was wanting to make out that minute detail which your order seemed to call for, and which considerate and useful legislation, in their behalf, would seem to require.

I am far from flattering myself that the demands of the case will have been fully met in this communication ; such information, however, as I have been able to obtain, is freely placed before you, in the hope that it may stimulate to such measures of legislation as shall lead to a more thorough knowledge of the condition of this interesting but unfortunate class of our fellow-beings and to the advancement of their civilization and happiness.

In this connection, may I suggest the propriety of so amending the law upon the subject as to require the Indian agents, in addition to financial concerns, to embrace in their reports the census of the respective tribes, statistics of schools and progress of education, statistics of agricultural products and laborers, and of products, and of employment generally.

The Indians of our State are in a state of transition from the hunters' to agricultural, from savage to civilized life. Their forest game is so far exhausted as to afford them but partial employment, and a scanty and precarious reward for their toil and supply for their necessities. A part of them, at some seasons of the year, eke out a miserable existence by leading a wandering gipsy-like life amongst our white population, supplying them with baskets and other articles of Indian ingenuity.

The two tribes, especially the Penobscot, have abundance of land and to spare, of the first quality in the State, to give to every man, woman and child of them an ample farm for present support, and for an heritage for their offspring.

Much attention is being paid under our present wholesome law upon the subject, by the faithful agent of the Penobscot tribe, to induce them to agricultural pursuits; and laudable advancement is being made by the Indians in agricultural skill and productions.

The Passamaquoddies are not so favorably advanced in this respect, owing, perhaps, in part, to the inferior quality of their lands; but more, it is apprehended, to the want of a farmer employed by the State, (as is done in the case of the Penobscot tribe) to stimulate them to agricultural pursuits, to instruct them in its arts and make profitable their labor.

The fostering care of the State should be still further extended to induce these semi-savage beings to cultivate the soil and adopt the modes of living and the habits of civilized life.

It must be obvious to every reflecting mind, that no great progress can be made by any people in education, and in the intellectual and moral culture, pertaining to civilized man, in advance of

### PENOBSCOT AND PASSAMAQUODDY INDIANS. 3

agricultural improvement and a knowledge of the common and necessary mechanical arts.

The history of the world shows us that these are necessarily the advance guard of any degree of useful and permanent civilization. No people ever has or can arrive to any considerable degree of mental culture, till they shall have supplied their physical wants and placed themselves in a condition of comparative abundance and ease.

While physical demands press upon us with the impelling force of instinct, it is in vain that we would direct attention to intellectual and spiritual culture—to the interests of immortality.

The cravings of hunger must be appeased, the body must be protected from the pelting storm and the chilling blast, passions and instincts must be gratified, parental solicitude, and parental affection must find means wherewith to supply and indulge their objects, ere attention and labor can be bestowed upon the cultivation of the mind.

The first advances, then, towards cultivating the mind, the first step in *education* must be made by rendering mental effort necessary in the practice of those arts of industry which tend to supply our physical wants, and to the improvement of our social condition.

Of all occupations, agriculture unquestionably stands foremost in its tendency to meet this requirement.

The Indians must be encouraged and stimulated to this pursuit, in advance of any successful attempt at educating and civilizing them. This, if effected at all, must be effected by additional inducements held forth to them by the State, and perhaps by additional pecuniary aid. The agent of the Penobscot tribe writes me that he is of the opinion that the fund is not sufficient this year to carry on a school, to support the *poor*, and to continue their farming operations; and I agree with him entirely, that, if the one or the other must be neglected for want of means, it had better be the school.

The Penobscot tribe is better provided with means than the Passamaquoddy. The population of the two is about the same, consisting, as will be seen by the census herewith presented, of rising four hundred souls for each tribe. The resources of the Penobscot tribe consist in the Indian fund of fifty-eight thousand three hundred fifty-six dollars and forty-nine cents, held in trust for them in the State treasury, the interest of which is annually paid to them—in fifteen hundred dollars annually paid them under treaty stipulations—in bounties paid upon agricultural products—and in occasional special appropriations by the legislature for particular objects, together with the proceeds of the sales of grass and shore privileges on their islands up and down the river.

The Passamaquoddies have only for resource, stumpage money for timber sold from their own township, limited by law to one thousand dollars, to be sold annually—bounties upon agricultural products—and special appropriations of the same character as those for the Penobscots. The results of these resources and their application will be seen in the sequel of this communication.

Though laudably interested in agricultural pursuits, and with a degree of success that has materially improved their condition, the Indians have but taken the initiatory step towards that state of *general* interest and perfection in these pursuits, which must be attained in order to place them upon the stand of a civilized and prosperous community.

The force of habit, traditionary pride, and the example of their elders, the excitements of the chase, and the allurements of vicious idleness, but above all, the want of capital and the means and knowledge of agriculture, have thus far proved obstacles too powerful to be overcome by the demands of hunger and nakedness, and to permit their native slothfulness to be stimulated to the degree of industry necessary to supply their pressing wants.

The Indians of both tribes, notwithstanding their resources, are to a large extent, in a condition bordering upon pauperism, and they must continue so until their habits shall have been changed and the application of their labor differently directed.

In addition to the above obstacles in the way of improvement, unfortunate feuds have existed in the respective tribes, parties have been formed, discord and in some instances blood shed have arisen, the parties have been separated and scattered abroad. These difficulties, so far as the Penobscot tribe is concerned, were immediately, on my accession to office, settled by treaty between the parties and the State, sanctioned and solemnized by the Executive authority of the State. Since that the Penobscots have lived in peace and harmony. A similar procedure has been recently adopted and perfected with the Passamaquoddies, and it is confidently hoped the results may be the same.

With such difficulties in the way, it cannot be surprising that but little progress has been made with them in the establishment of schools, and the advancement of education.

In eighteen hundred and thirty-eight, thirty-nine and forty, a school was kept among the Penobscot Indians by their priest, under the direction of the governor and council, continuing six months in each of the above years. The number of scholars in attendance was about twenty-five. Some of them twenty years of age and upwards; with what educational results I am not informed.

From the last mentioned period to eighteen hundred and fifty no school was kept.

In eighteen hundred and fifty a convenient school house was fitted up by the present agent and a school kept by a male teacher for six weeks—attendance, about twenty-five. In eighteen hundred and fifty-one a female school consisting of some fifteen to twenty scholars was kept in the same tribe during nine weeks; no school is now or has since been in operation in this tribe for want of means—though the Indians themselves are anxiously desirous of one.

A school was established in the Passamaquoddy tribe in eighteen hundred and twenty-three and kept up, as I am informed, for the five or six following years, with a good degree of success.

Our legislature of eighteen hundred and twenty-three appropriated one hundred and fifty dollars for this purpose—in eighteen

hundred and twenty-six, four hundred and ninety-five dollars, and it is believed that Congress, about the same time, made similar appropriations for the same object. Since that, there has been no school amongst them. They have no school house. The agents of both tribes are desirous of promoting the interests of the Indians in *education*, as well as in *all other respects*.

Every motive of philanthropy, of humanity, of sympathy for a noble, but fallen and down-trodden race, all the inducements of State pride, of indebtedness to the Indians for sacrifices made to us, for wrongs received at our hands, should lead us to a liberal course of legislation, and to generous appropriations to themwards.





*Dr.* STATE OF MAINE, in account with

INDIAN			
1847.	To amount paid for provision and clothing,	\$3,199 31	
	"    "    ploughing,	260 38	
	"    "    services, 83 1-3 days, at \$3,	250 00	
			\$3,709 69
1848.	To amount paid for provision and clothing,	-3,220 91	
	"    "    ploughing,	446 59	
	"    "    services, 104 1-3 days, at \$3,	313 00	
			3,980 50
1849.	To amount paid for provision and clothing,	3,714 42	
	"    "    ploughing,	517 34	
	"    "    surveying,	9 50	
	"    "    attending Indians sick with cholera,	100 00	
	To 5 per cent. com. on disbursement of \$526 84,	23 49	
	"    "    "    \$654 76,	32 73	
	To amount of services, 154 2-3 days, at \$3,	494 00	
			4,891 48

*Dr.* STATE OF MAINE, in account with

INDIAN			
1850.	To amount paid for provision and clothing,	\$3,132 20	
	"    "    ploughing and harrowing,	783 83	
	"    "    ploughing and seed,	8 75	
	"    of commissions on disbursement,	382 06	
	"    of services, 105 days, at \$3,	315 00	
			\$4,621 84

PENOBSCOT INDIANS.

ARVIDA HAYFORD, *Agent of the Penobscot Indians.* Cr.

FUND ACCOUNT.

1847.				
March,	By cash received from the State,	\$940	00	
July,	“ “ “	1,200	00	
	“ “ “	1,000	00	
	“ “ for stumpage,	89	64	
September,	“ “ hay,	46	25	
	“ “ from the State to balance acc't,	433	80	
				\$3,709 69
1848.				
February,	By cash received from the State,	1,000	00	
May,	“ “ “	200	00	
June,	“ “ “	1,200	00	
October,	“ “ “	1,200	00	
	“ “ “ to balance acc't,	380	11	
	By error in casting said account,		39	
				3,980 50
1849.				
February,	By cash received from the State,	1,000	00	
May,	“ “ “	154	89	
July,	“ “ “	1,500	00	
October,	“ “ “	500	00	
	“ “ from W. B. S. Moor,	25	00	
1850.	By error in casting account,		56	
January,	By cash received from the State to balance acc't,	1,711	03	
				4,891 48

ISAAC STAPLES, *Agent for Penobscot Indians.* Cr.

FUND ACCOUNT.

1850.				
January,	By amount received from the State,	\$198	97	
	“ “ “	1,500	00	
	“ “ “	1,000	00	
	“ carried to Indian Annuity Account,	87	63	
	“ received from the State,	1,420	00	
	“ received for shore rent,	20	00	
	“ received for pasture rent,	1	00	
	“ received for sale of grass,	10	00	
	“ received for sale of oxen,	75	00	
	“ carried over to balance account,	306	74	
	“ received from Sock Alexis,	2	50	
				\$4,621 84

*Dr.* STATE OF MAINE, *in account with*

## INDIAN

1851.	To amount paid for provision and clothing,	\$3,000 00	
	“ “ omitted in former account,	50 00	
	“ “ ploughing, harrowing, and seed,	616 32	
	“ for services, 100 days, at \$3,	300 00	
	“ for 5 per cent. com's on disbursements,	120 27	
	“ brought over to balance account,	306 74	
			\$4,393 33

*Dr.* STATE OF MAINE, *in account with*

## INDIAN

1847.	To am't paid for merchandise distributed as annuities,	\$1,585 08	
	“ for com's on disbursements, at 5 per cent.,	79 25	
	“ for services, 10 days, at \$3,	30 00	
			\$1,694 33
1848.	To am't paid for merchandise distributed as annuities,	1,559 87	
	“ for commissions on same, at 5 per cent.,	77 99	
	“ for services, 10 days, at \$3,	30 00	
			1,667 86
1849.	To am't paid for merchandise distributed as annuities,	1,517 55	
	“ of 5 per cent. commissions on same,	75 67	
	“ for 10 days' services, at \$3,	30 00	
			1,623 22

*Dr.* STATE OF MAINE, *in account with*

## INDIAN

1850.	To am't paid for merchandise distributed as annuities,	\$1,412 37	
	“ of balance carried to Indian Fund Account,	87 63	
			\$1,500 00
1851.	To am't paid for merchandise distributed as annuities,	1,564 38	
	“ of commissions on same, at 5 per cent.,	75 72	
			1,640 00

PENOBSCOT INDIANS.

11

ISAAC STAPLES, (*Continued.*)

Cr.

FUND ACCOUNT.

1851.				
March,	By amount received for stumpage,		18 86	
	“ “ for hay from pub. farm,		31 84	
	“ “ for grass,		1 00	
	“ “ from State,		1,500 00	
	“ “ “		1,500 00	
	“ “ “ to balance account,		1,341 73	
				\$4,393 33

ARVIDA HAYFORD, *Agent for Penobscot Indians.*

Cr.

ANNUITY ACCOUNT.

1847.				
September,	By amount received from the State,		\$1,500 00	
	“ “ “ to bal. acc't,		194 33	
				\$1,694 33
1848.				
January,	By amount received from the State,		1,500 00	
	“ “ “ to bal. acc't,		167 86	
				1,667 86
1849.				
October,	By amount received from the State,		1,500 00	
	“ “ “ to bal. acc't,		123 22	
				1,623 22

ISAAC STAPLES, *Agent for Penobscot Indians.*

Cr.

ANNUITY ACCOUNT.

1850.				
January,	By amount received from the State,		\$1,500 00	
				\$1,500 00
1851.				
October,	By amount received from the State,		1,500 00	
	“ “ “		140 00	
				1,640 00

*Dr.* STATE OF MAINE, *in account with*

**AGRICULTURAL**

1847. December,	To amount paid Indians for bounty on agricultural productions,	-	\$242 15
1848.	To amount paid Indians for bounty on agricultural productions,	-	209 80
1849.	To amount paid Indians for bounty on agricultural productions,	-	232 55

*Dr.* STATE OF MAINE, *in account with*

**AGRICULTURAL**

1850.	To amount paid Indians for bounty on agricultural productions,	-	\$436 20
1851.	To amount paid Indians for bounty on agricultural productions,	-	816 35
1850.	To amount paid for schools by superintending school committee of Oldtown,	125 00	125 00

*CENSUS of the Penobscot Indians—1851.*

Age under	5	years,	-	-	-	-	-	-	62
5	to	10	"	-	-	-	-	-	61
10	to	15	"	-	-	-	-	-	40
15	to	20	"	-	-	-	-	-	41
20	to	30	"	-	-	-	-	-	77
30	to	40	"	-	-	-	-	-	64
40	to	50	"	-	-	-	-	-	40
50	to	60	"	-	-	-	-	-	23
60	to	70	"	-	-	-	-	-	10
70	to	80	"	-	-	-	-	-	12
80	to	90	"	-	-	-	-	-	1
90	to	100	"	-	-	-	-	-	1
Total,									432
Number of Males,		220							
" Females,		212							
Total,		432		Number of Widows,		27.			

PENOBSCOT INDIANS.

13

ARVIDA HAYFORD, *Agent for Penobscot Indians.* Cr.

**PRODUCTIONS.—BOUNTY.**

1847. August,	By amount received from the State,	\$242 15	\$242 15
1849. June,	By amount received from the State,	219 80	219 80
1850. July,	By amount received from the State,	232 55	232 55

ISAAC STAPLES, *Agent for Penobscot Indians.* Cr.

**PRODUCTIONS.—BOUNTY.**

1850. January,	By amount received from the State,	\$436 20	\$436 20
1852. January,	By amount received from the State,	816 35	816 35
1850. August 28,	By amount received from the State for schools,	125 00	125 00

Dr. STATE OF MAINE, *in account with*

1847.	To amount paid for building and repairing churches,	\$1,550 95	
	“ for provision and clothing for the poor,	384 03	
	“ additional paid out to the poor in 1846,	112 70	
	“ for seed distributed to the tribe,	227 52	
	“ of money distributed to the tribe,	502 62	
	“ paid for scaling logs,	28 50	
	“ Indian Representative to the Legisla- ture,	15 00	
	“ John Sabattis and Capt. Lewis,	2 25	
	“ Postages,	1 40	
	“ for services, 79 1-2 days, at \$3,	238 50	
	“ for 5 per cent. com's on \$2,312 63,	115 63	
	“ “ “ \$2,824 75,	141 23	
	“ of balance carried to new account,	469 59	
			\$3,789 92
1848.	To amount paid for provision and clothing for poor of the tribe, additional in 1847,	116 28	
	“ for provision and clothing in 1848,	478 85	
	“ of money distributed to the tribe,	334 95	
	“ paid for surveying,	83 50	
	“ paid for seed distributed to the tribe,	194 64	
	“ paid for postages,	2 15	
	“ paid for letters of administration taken out for estate of John Francis,	14 22	
	“ paid Putnam Rolfe, for building Priest's house,	220 50	
	“ of services, 57 days, at \$3,	171 00	
	“ of com's on \$1,382 24, at 5 per cent.,	69 11	
	“ “ \$1,460 09, “	73 00	
	“ paid Indian Representative to Legislature,	15 00	
	“ of balance carried to new account,	105 37	
			1,878 57
1849.	To amount paid for provision and clothing for poor of the tribe, additional in 1848,	17 27	
	“ paid for provision and clothing in 1849,	491 26	
	“ paid for seed distributed to the tribe,	201 38	
	“ of money distributed to the tribe,	269 72	
	“ paid for scaling logs,	38 00	
	“ paid P. Rolfe, balance for building Priest's house,	200 00	
	“ paid sundry persons for labor,	6 50	
	“ paid Priest by resolve of the Legislature,	100 00	
	“ paid Indian Representative to Legislature,	15 00	
	“ paid for postages,	1 50	
	“ of services, 50 days, at \$3,	150 00	
	“ of com's on \$2,086 37, at 5 per ct., 1848-9,	104 31	
	“ “ \$1,340 63, for 1849, at 5 pr. ct.,	67 03	
	“ of balance paid over to Peter Avery,	539 73	
			2,191 70



PASSAMAQUODDY INDIANS.

15

SYLVANUS LELAND, *Agent for Passamaquoddy Indians.* Cr.

1847.	By balance of account settled in 1846,	\$1,477 29	
	By amount received for stumpage,	2,009 63	
	"    "    from trespassers,	250 00	
	"    "    from sale of grass,	53 00	
			\$3,789 92
1848.	By balance of account brought down,	469 59	
	By amount received for stumpage,	1,382 24	
	By amount received of com's, not allowed by Council,	26 74	
			1,878 57
1849.	By balance brought down,	105 37	
	By amount received for stumpage,	2,059 83	
	By amount received for hay,	26 50	
	By amount of com's on \$200, not allowed by Council,	10 00	
			2,191 70

*Dr.* STATE OF MAINE, *in account with*

1850.	To amount paid for provision and clothing for poor,	\$486 42	
	“ for seed distributed to the tribe,	198 43	
	“ of money distributed to the poor,	299 14	
	“ paid for seed, provision, stores and farming utensils distributed under Resolve of May, 1850,	186 51	
	balance carried forward,	1,182 16	\$2,352 66
1851.	To amount paid for seed distributed to the tribe,	182 65	
	“ for provision and clothing,	492 22	
	“ of money distributed to the poor,	284 34	
	“ expenses paid out on account of the small pox among the tribe,	250 19	
	“ paid for surveying lumber,	60 00	
	“ Indian delegates to Legislature,	15 00	
	“ for taking census,	8 00	
	“ sundry small bills for labor,	14 00	
	“ com's on receipts for old demands, stumpage and grass \$3,103 18, at 5 per cent.,	155 15	
	“ com's on disbursements, 1850 and 1851, \$2,515 90, at 5 per cent., carried forward,	125 79 1,084 00	2,671 34
1852.	To amount paid Indian delegates to Legislature,	30 00	
	“ of my services from Jan., 1850, to Jan. 22, 1852, 109 days, at \$3,	327 00	
	“ of balance due the State,	727 00	1,084 00

*Dr.* STATE OF MAINE, *in account with*

## BOUNTIES ON

1847.	To amount paid bounties to Indians,	\$322 69	
	“ com's on same, at 5 per cent.,	16 13	\$338 82
1848.	To amount paid bounties to Indians,	236 06	
	“ com's on same, at 5 per cent.,	11 80	247 86
1849.	To amount paid bounties to Indians,	271 63	
	“ commissions on same,	13 58	285 21

PASSAMAQUODDY INDIANS.

17

PETER AVERY, *Agent for Passamaquoddy Indians.* Cr.

1850.	By amount of notes and accounts received of S. Leland, former agent,	\$1,219 44	
	" uncollected,	654 06	
	" collected from the above,		\$565 38
	" cash for balance of Leland's account,		539 66
	" cash from State, per resolve of 1850,		200 00
	" cash for stumpage,		1,032 12
	" cash, 1-2 bill for sealing logs,		15 50
			\$2,352 66
1851.	By amount brought forward,	1,182 16	
	" received for stumpage,	1,444 68	
	" received for surveying,	14 50	
	" received for grass sold,	30 00	
			2,671 34
1852.	By amount brought forward,	1,084 00	
			1,084 00

SYLVANUS LELAND, *Agent for Passamaquoddy Indians.* Cr.

AGRICULTURAL PRODUCTIONS.

1847.	By amount received from the State,	\$338 82	\$338 82
1848.	By amount received from the State,	247 86	247 86
1849.	By amount received from the State,	285 21	285 21

Dr. STATE OF MAINE, in account with

**BOUNTIES ON**

1850.	To amount paid bounties to Indians on agricultural productions, To amount of commissions on same,	\$107 77 7 38	\$115 15
1851.	To amount paid bounties to Indians on agricultural productions, To amount of commissions on same, at 5 per cent.,	113 05 5 65	118 70
1849.	To amount paid by James Stuart, special agent, for seed and provision to the said tribe, To amount paid by S. Leland, special agent, for seed and provision for said tribe,	100 00 50 00	150 00
1851.	To amount paid for finishing Priest's house, by Cha's S. Davis, special agent,	400 00	400 00

*CENSUS of the Passamaquoddy Indians, taken Sept., 1851.*

Age, under 5	years,	-	-	-	-	-	-	-	-	79
from 5	to 10	"	-	-	-	-	-	-	-	69
10	to 15	"	-	-	-	-	-	-	-	37
15	to 20	"	-	-	-	-	-	-	-	41
20	to 30	"	-	-	-	-	-	-	-	79
30	to 40	"	-	-	-	-	-	-	-	49
40	to 50	"	-	-	-	-	-	-	-	34
50	to 60	"	-	-	-	-	-	-	-	15
60	and upwards,	-	-	-	-	-	-	-	-	30
									Total,	433
Males,		224								
Females,		209								
Total,		433								

PASSAMAQUODDY INDIANS.

19

PETER AVERY, *Agent for Passamaquoddy Indians.* . Cr.

AGRICULTURAL PRODUCTIONS.

1850.	By warrant on Treasurer of State,	\$115 15	\$115 15
1851.	By warrant on Treasurer of State,	118 70	118 70
1849.	By cash from the State,	150 00	150 00
1851.	By cash from the State,	400 00	490 00

JOHN HUBBARD.

COUNCIL CHAMBER, }  
 Augusta, March 11, 1852. }

## STATE OF MAINE.

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IN SENATE, March 19, 1852.

*Ordered*, That 350 copies of the foregoing Communication, together with the accompanying Accounts, be printed for the use of the Legislature.

ALBERT H. SMALL, *Secretary*.