

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Public Documents of Maine:

BEING THE

ANNUAL REPORTS

OF THE VARIOUS

PUBLIC OFFICERS AND INSTITUTIONS

FOR THE YEAR

1876.

VOLUME II.

AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1876.

REPORT OF THE AGENT

OF THE

PENOBSCOT TRIBE OF INDIANS,

FOR THE YEAR

1875.



AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1875.



REPORT.

To the Honorable Governor and Council of Maine :

In pursuance with the requirements of law, the annual report of the condition of the Penobscot Tribe of Indians, for the year 1875, is hereby respectfully submitted.

There have been issued to the Agent of this Tribe warrants by the Governor and Council on the State Treasurer of the following amounts, viz :

March.....	\$1,500 00
May.....	1,500 00
June.....	1,000 00
October.....	2,500 00
Balance due as per appropriations.....	1,179 70
December, for amount expended in excess of appropriation.....	159 12
Amount remaining from Spring dividends.....	64 18
“ “ appropriation for annuity.....	46 50
“ “ appropriation for bounty on crops.....	26 50
Total amount of warrants.....	\$7,976 00

The expenditures made to or on account of the tribe for the general purposes required by the law and resolves of this State, have been as follows, viz :

Amount expended for agricultural purposes per resolve.....	\$600 00
“ “ bounty on crops, per resolve.....	400 00
“ “ goods for annuity, per resolve.....	1,800 00
Amount paid salaries Superintendents farming, per resolve.....	150 00
“ “ salary of Agent.....	300 00
Interest on trust fund expended as follows, viz :	
Paid for goods for Spring dividend.....	\$848 36
“ support poor, aged, infirm and sick.....	2,181 48
“ medicine and medical attendance.....	258 81
“ funeral expenses.....	159 21
“ wood for tribe.....	1,182 81
“ incidental expenses.....	95 33
	4,726 00
Total.....	\$7,976 00

The vouchers herewith accompanying will show the numerous items which constitute the above general charges. Among them,

however, will be noticed two sources of expenditure, which from their unusual and unexpected character, may not have been included in any specific appropriation of the last Legislature, or provided for by the general laws or treaties, but which under the advice and by the order of the Governor and Council have been paid on the above account. It will be observed that these items are about equal to the excess of the expenditures over the appropriations. The reason for these items referred to, are as follows: Frank Newell, a member of the tribe, has been confined a portion of the year in the Maine Insane Hospital on account of insanity, and the expense of supporting and providing for him while there has been \$131.86; he has since been discharged as wholly recovered. Nicola Peal Mitchell, also a member of this tribe, was sick and fell into distress in the town of Skowhegan, and the Overseers of the Poor of that town furnished him support and relief to the amount of \$29.36; both these bills have been fully paid. The above list of warrants does not include the fund derived from leases of shores belonging to the tribe, accruing during the year 1874,

Amounting to the sum of.....	\$4,855 92
Nor the further sum of.....	545 85
	\$5,401 77

Being the unexpended balance of the amount derived from the same source in 1873. These last two amounts have been distributed among the tribe per capita, according to the law approved February 11, 1873, excepting the amounts required by the special appropriations of the Legislature of 1874, which have been paid from this fund as follows:

To S. S. Committee of Oldtown for support of school on Oldtown island.....	\$220 00
To S. S. Committee of Lincoln for school on Mattanawcook island.....	100 00
To S. S. Committee of Greenbush for school on Olamon island.....	130 00
To Rev. John Duddy, salary as Priest.....	100 00
To Susup Socklexis, salary as Governor.....	50 00
To Sockbesin Swassian, salary as Lieutenant Governor*	30 00
To E. R. Alford, for old field notes and records....	50 00

* One-half of which amount he presented to the widow of Lieut. Gov. Attian Orson.

To members of the tribe under chapter 267, laws 1873, as per account rendered marked "E".....	\$4,444 00
To balance remaining to be added to said funds for dis- tribution in February next under said chapter.....	277 77
	<hr/> \$5,401 77

The shores of this tribe's islands whose leases expired this year, were on the 5th of April, 1875, again leased for a term of five years from January 1st, 1875, as follows :

Shore on west side of Orson island from the Cook so- called, to first bridge of B. & P. R. R. to Dan'l Lunt..	\$305 00
Shore of Orono island to Daniel Lunt.....	380 00
Shore on west side of Orson island, from the bridge above named to the south line of the public farm on said island, to White, Averill & Co	460 00

Yielding..... 1,145 00

Payable to the State Treasurer May 1, annually.

The appropriation for agricultural purposes was reduced four hundred dollars by the last Legislature from the amount that had been granted for several years previous. I would suggest that it is very difficult to carry out the treaty stipulations in this behalf with such reduced amount, and would respectfully recommend that such appropriation should be hereafter restored to its former amount, one thousand dollars.

Lola Coly of this tribe, on the night of February 6, 1875, unfortunately lost his house by fire, on which he had no insurance; by the same fire he lost nearly all his furniture, and also a large amount of baskets stored in the chambers of the house, and designed for summer sales. His whole loss so far as I have been able to ascertain was in the vicinity of one thousand dollars. A petition has been circulated and generally signed among the tribe, asking that an appropriation be granted by the Legislature to relieve him in his sad misfortune. I am inclined to think that such an appropriation would be just and proper. A gift by the State from its own funds for a like purpose was made in 1867, to Francis Susup, who had lost his barn by fire, and was of great benefit to the recipient, and was regarded by the tribe as a very benevolent act, and served to increase that good feeling towards the State, with the reputation of which this tribe has been so justly honored ever since the time of the lamented Orono.

The census of the tribe as taken by the Superintending School Committee of Oldtown, shows that there are now 456 members; the number not varying materially from that of previous years, while the dividends this year have been apportioned on a basis of 420 members. This discrepancy is occasioned by the provisions of the Resolve approved March 3d, 1874, making it "the duty of the Agent to strike from the rolls of the tribe persons claiming to be members thereof who have an established residence beyond the limits of this State for the period of one year then last past, &c." Under the provisions formerly regulating the distribution of dividends, such divisions must be apportioned according to the whole number in the census list, and paid over whenever called for by the proper person, a circumstance which might not happen for several years, and thereby locking up from the tribe such uncalled for portions, and compelling the State to hold the same in readiness to pay over at all times. Under the resolve now in force such division is to be made among the number known to have maintained their residence in this State. Consequently a larger annuity and apportionment is made to each member of the tribe of such articles as are provided for by treaty, as well as the fund arising from shore rents, which increased amounts are doubtless very acceptable, and highly satisfactory to such individuals of the tribe.

The extreme depression that has prevailed in all kinds of business, has had the same effect with the tribe that it has with the whites. Wages for their labor has been dropping lower and lower, and the demand for their baskets and other productions has also been much lessened at the various watering places and summer resorts, and had it not been for the increased amount derived from their shore rents, I very much fear that the amount required for the sick, poor, aged and infirm, would have been greatly increased.

While the improvement in the condition of the tribe, socially, morally and otherwise, may not be so rapid or present so sudden a change as to arrest the attention of those living near and seeing the tribe every day, yet no one, when comparing the condition of the tribe at distant periods of time, can doubt that under the watchful care of the State, and the means of obtaining education and culture it has so long and faithfully furnished them, such improvement has been actually and steadily taking place; that habits of industry, sobriety, virtue, and other desirable qualities, are more generally cultivated; that more regard is paid to their con-

versation, their personal appearance, as well to cleanliness as dress, to their manner of living, the condition and conveniences of their dwelling houses, and the neatness of the land about their homes; and their possession of horses and cattle shows they have prospered in worldly affairs, and that they have had at some time, at least, a surplus over the necessities of living, and that even now they are not compelled to sacrifice such possessions. Making their homes thus pleasant and attractive, the society of each other more agreeable, their personal property requiring their daily attention, all tend to the abandonment of the ancient habits of a roving life, and to the desire of obtaining comfortable homes, and to the procuring of such competence as shall render them assistants rather than dependants on the General Government.

In 1833, the State purchased of this tribe four townships of land, a part of the consideration for which was \$50,000; and among other things, it was agreed that that sum should forever remain in the State Treasury, and the interest thereon should be annually paid to the tribe. This constituted the germ of the trust fund held for the benefit of the Penobscot Indians. It has been, however, subjected to diminution at various times, on account of over expenditures made by different Agents, and again restored, in part or whole, by withholding a part of the interest or from some other source, until January 1st, 1864, when the trust fund then amounted to \$52,438.44. From that time to the year 1873, this fund has received additions from various sources, but principally from the increased rents of the shores of islands belonging to the tribe, which accrued under the leases made within the past ten years. Since that year, under act approved 11th of February, 1873, providing for the division of the shore rents directly to the tribe instead of adding it to the trust fund, as had been the practice prior to that act, it has not been increased or lessened, and now amounts to \$73,828.48. Had the shore rents of 1873, amounting to \$5,756.85, and 1874 to \$4,855.92, which have been already distributed among the tribe according to the provisions of that act, and the rents of 1875, now paid into the Treasury, but to be distributed in February next, been added to that fund, it would, on January 1st, 1876, amount to \$89,400.00. The mode of distribution required by that act has been very satisfactorily received, and has been of very great advantage to the tribe, in relieving their necessities and enabling them to live through these "hard times,"

when all, even the prudent whites, find it so necessary to carefully husband their resources.

The subject of the manner of holding and conducting the elections of this tribe was agitated considerably by certain members of the tribe before the last Legislature, and has been largely discussed among themselves during the past year, and will undoubtedly be again brought before the Legislature of this year. It may, therefore, be pardonable to introduce here a short sketch of their political history, as it may furnish information to some who will be called upon to determine what would be a proper and judicious disposal of the matter.

Prior to 1835, or thereabouts, as I am informed, no elections of delegate to the Legislature were held in the tribe. The Governor and Lieutenant Governor had been chosen for life, and such delegates received their appointment from the Governor of the tribe. John Attian and John Neptune were holding the respective offices of Governor and Lieutenant Governor at that time, when, either by resignation, impeachment, or from some cause, those offices were declared vacant, and a meeting for a new election called; at which time Tomer Socklexis and Attian Orson were chosen to fill the vacancies. The result was not acquiesced in by a part of the tribe, who claimed that those offices could not be vacated during the life of the occupants, and still considered Attian and Neptune their legally constituted officers. Another portion of the tribe held that the election was valid, and refused longer to recognize Attian and Neptune as officers. Since that time the portion claiming Attian as Governor has been called the "Old Party," and that portion claiming Socklexis as Governor, the "New Party."

This state of affairs continued until 1850, when an agreement was entered into and signed by the officers and principal members of the two parties, providing "that as John Attian and John Neptune were chosen according to the ancient usages of the tribe into their respective offices for life, that they should remain in said offices during the remainder of their lives, and on the decease of one or both, the vacancy should be filled by majority vote of the male members of the tribe of twenty-one years of age and upwards, in meeting duly called by the Agent. Said officers to continue for two years, and that an election should be held every year to choose one member of the tribe to represent the tribe before the Legislature and the Governor and Council." This agreement

was not, as I learn, very sacredly kept, or even much regarded by either party, but each continued to claim and recognize the same officers as before.

On the decease of Governor John Attian, the old party immediately declared his son, Joseph Attian, his successor, and he was duly inaugurated by them, according to ancient Indian custom, for life. Elections were held annually for choice of delegate. Party spirit ran high and there existed much ill feeling, which manifested itself in individual quarrels during the year, and usually at elections terminated in a general fight. The question of term of office of Governor and Lieutenant Governor continued an undecided issue, discussions and quarrels interfered seriously with their general avocations; for several weeks prior to the annual election they would congregate at Oldtown from various distant localities, consuming much time and money in addition to ordinary travelling expenses.

Finally the Legislature, evidently considering it for the best interest of the tribe, enacted a law in 1866, which provided "that the Penobscot Tribe of Indians be allowed hereafter to elect by ballot, their Governor, Lieutenant Governor and Representative to the Legislature, on the second Tuesday of September, annually, (changed in 1873 to first Wednesday in November), and that the old and new party, so called, shall be allowed to select from their respective parties, candidates for said offices, alternately, commencing with the old party for the year 1867; and the new party shall have no voice in the selection of candidates for said offices, and shall not vote in their election in those years when the old party is entitled to them; and the old party shall have no voice in the selection of candidates for said offices, and no vote in their election, in those years when the new party is entitled to them; and it shall be the duty of the Agent to preside at such elections." Since which time their elections have been held in accordance with that act, without objection being made thereto until lately. Each party has now held five elections of delegate, and at each have also voted for Governor and Lieutenant Governor, abandoning the old idea of life term. Such elections have been perfectly quiet and orderly, and, so far as I have been able to judge, satisfactory to those participating.

Within a few years about fifteen of the dissatisfied members from each of the two before named parties have united, calling themselves "Third Party," or "Outsiders," and have claimed the

same rights that have been granted to the old and new parties; that is—among other privileges—the right to hold elections one-third of the time. At the last election held by the old party (November, 1874), they having failed to agree on the nominations made as usual in caucus, two sets of candidates were voted for; the defeated portion then joined the “third party” in petitioning the Legislature the following winter for repeal of the law of 1866, and to change the manner of conducting their elections, and to allow the tribe to vote together and the person having the majority of votes to be declared elected, as was their former custom, as they claim. The old party had then held five elections under the law of 1866; the new party had held but four. These two parties then united in presenting a remonstrance against any such proposed change in the law affecting their elections. The petitioners were, after hearing, granted leave to withdraw, without attempting to indicate what may be a peaceful solution of this vexed question. I merely give the above facts to be taken and used for what they are worth.

Under the laws and resolves of the State for late years, it is made the duty of the Superintending School Committee of Oldtown, Greenbush and Lincoln, to take sole charge of the Indian schools, and to report their standing and progress. Deeming it beyond my province to interfere or particularly inquire into the management of the school affairs, beyond the fact that schools have been kept, and satisfactorily so to a majority of the tribe, as designated in the appropriation act, and have paid the drafts of the Committees to the extent of the fund granted for maintenance of schools.

GEO. F. DILLINGHAM,

Agent Penobscot Indians.