

To the Governor and Executive Council
of the State of Maine.

The undersigned, agent for the Penobscot Tribe of Indians, herewith submits a Report of the transactions of the Agency, from the 25th of April up to the 16th of December 1859. - to which time his accounts have been rendered. -

The interest of the Penobscot Indian Fund, appropriated to the use of the Tribe for 1859

was - \$ 2,956.32

Of this amount, I have received by warrant from the Treasury

\$ 1,505.00

I have charged myself with the following sums as per, account rendered Dec. 16. 1859.

33 - Cr. State of Maine in account with
Saml. W. Hoskins Agent of Penobscot Indians -

By amt. appropriated by Resolves of mar 5 th & July 25 th 1859 in favor of John Neptune and others, from Indian Fund	105.00
By Warrant in June last	1400.00
" amt. by Resolve of Apr 2 nd 1859 for Seed	400.00
By amt. rec ^d on sale of oxen to Jb. Merrill	70.00
" Warrant on Treasury in October last	1500.00
" Amt. rec ^d from Indian Public Farm as per account rendered	30.88
" balance due me from State	1462.73
	\$ 4968.61

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Disbursement during the same period

Outstanding bills against the agency April 25th 1859	132.27
Paid John Neptune and others as per Resolves 1859	105.00
Funeral Charges	55.83
Medical Services	12.55
Ploughing & Harrowing under Sect. 17. Chap. 9 R.S.	547.88
Seed - under same Section & by Resolve of 1859	533.10
Annual Spring Dividend	437.69
Clothing for poor & children between 4 & 14 years of age	113.79
Flouring in fall of 1859	81.25
Support of Poor, Medicine &c	513.03
Fall dividend in Treaty of June 29. 1818	1338.70
D. C. Merrick on Public farm, under same treaty & Sect 17. Chap 9. R.S.	200.00
Tools & supplies to public farm	50.82
Salary of agent 8 months as per Resolve of Mar. 22. 1859	300.00
	\$ 4421.91

I have also paid bounties as directed
by Chap. 9. Sect. 29 of R.S. of 1857 to
the amt. of 546.70
\$ 4968.61

For the items of disbursement, I would respectfully refer you to my account rendered Dec. 16. 1859 and the vouchers submitted therewith - and now on file.

It will be seen by inspection of the foregoing account, that I have advanced the sum of \$1462.⁷³ on the credit of the State. Of this sum, \$546.⁷⁰ becomes payable in January 1860 by the provisions of Sect. 29 Chap 9 above referred to.

The balance amounting to \$916.⁰³ is chiefly for supplies advanced to the poor - pay of Superintendant of the Public Farm, and my own salary.

By the construction of the bond given by the Commissioners of the State - dated June 10. 1833 and to be found on pages 23 & 24 of printed ^{Senate} report No 4 in Pub. Doc. 1857. - the agent of this Tribe, has annually advanced to the poor such sums as in his discretion, their necessities demanded - and the amount has been allowed him, in settlement of his accounts. I am unable to state the sum thus annually advanced by my predecessors, but from information I believe to be correct, it will be found on

inspection of their accounts, that a much larger sum has been paid, than I have disbursed for that purpose, during the present season.

When I took charge of this office, I found on the Public Farm, a very competent man, who was employed by my predecessor at one dollar per day, which included his wages and board.

He also had the use of a garden - and the keeping of one cow. I had no funds of the State in my hands to pay him, but as his services were necessary under the treaty of 1818, and the laws of this State, I continued him in that employment, and discharged the obligations imposed by that treaty, from my own funds.

I have charged in this account my own salary, fixed by Resolve of March 22, 1859 which I have not yet received.

These four items, account for the deficiency I have charged against the State.

The interest of the Indian fund for 1859 amounted to \$2,956.32. I am unofficially informed, that of this sum - fifty dollars was drawn by Rev. Mr. Baptist, - and fifteen hundred dollars, by my immediate predecessor,

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- ~~predecessor~~ - the balance was paid to myself, and is credited to the State in the first and second items of my account, of the sum of Fifteen hundred dollars thus advanced to my predecessor, he expended since Jan'y 1. 1859, \$ 848.25, and it will be found, by an examination of his accounts now on file, that there is a balance of \$ 451.75 now in his hands.

For the ~~ten~~^{Eleven} years closing Dec. 31, 1858, the total annual disbursements of this agency, exclusive of sums paid for Educational purposes, were as follows -

1848	-	-	-	\$ 5,892.80
1849	-	-	-	5,787.26
1850	-	-	-	5,907.13
1851	-	-	-	5,732.55
1852	-	-	-	8,594.28
1853	-	-	-	6,992.16
1854	-	-	-	6,115.55
1855	-	-	-	5,915.34
1856	-	-	-	6,150.00
1857	-	-	-	8,024.55
1858	-	-	nearly	<u>7,400.00</u>
Total for 11 years				\$ 72,511.62

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Showing an average annual expenditure of \$ 6,591.96 during the last Eleven years - and during the last five, an average of \$ 6,721 yearly.

My immediate predecessor expended during the first four months of the current year	\$ 848.25
disbursed by me since his resignation	<u>4,421.91</u>
Total from Indian fund & annuities	\$ 5,270.16
Bounties on agricultural products 1859	<u>546.70</u>
Total for 1859	\$ 5,816.86

It will be seen from the foregoing statement, that there has been expended ^{this year} a sum smaller by \$905 than the average of the last five years - much less than any year since 1850 - and about \$2,000 less than the average of the last three years. I shall be pardoned for drawing your attention to the foregoing facts and comparisons, for reasons which will hereafter appear.

Aware of the fact that the last Legislature made a smaller appropriation for this Tribe than in the preceding years, and that a considerable

~~proportion~~ of it had been drawn, I have endeavored to confine the expenditures within the narrowest possible limits - In doing so, I have often been in much perplexity with ^{individual} ~~members~~ of the Tribe, Having through a series of years - been accustomed to receive a larger sum - (more especially during the last three years) for the assistance of the poor and other purposes, deemed by them ~~to be~~ necessary for their comfort, and believing they have a large fund in the Treasury, I have found it difficult to make them comprehend the necessity, I have been under, in withholding the usual amount of supplies -

The Indian naturally suspicious and jealous of those intrusted with the management of his affairs, cannot easily be persuaded that this assistance is not refused from some sinister motive of the agent -

His suspicion are frequently aggravated by ~~associating~~ the whites from party or factional motives, and I have found the proper discharge of my official duties, at times truly embarrassing, I take pleasure however in saying, that there are many of the Indians who understand their own rights, and the obligations of

the State to them, sufficiently, to comprehend the facts ~~of~~ in the case - and who possess the ability, and have manifested a disposition, to explain the matter to their less enlightened brothers,

The amount of the Indian fund in the hands of the State under contract given to the Tribe in 1833 is gradually diminishing.

In 1849	it was	\$	59,898.57
" 1854	" "		55,382.81
" 1856	" "		53,060.31
" 1859	it is reported		<u>49,272.00</u>

This fund originally \$50,000 gradually increased by an unexpended balance of interest to the amount stated in 1849, since which time, the accumulation has been used to meet the necessities of the Tribe, until it is reduced below the sum fixed by that contract. The contract made by the commissioners in behalf of the State, under Resolve of March 5th 1830 has been duly ratified. By its provisions, the State assumed an obligation to maintain that fund at \$50,000. It was made in good faith by the Tribe, and the State having received a satisfactory equivalent, I respectfully submit, whether ^{the} Legislature is not -

bound to restore, and maintain the fund, to the amount fixed by the terms under which it was created,

By the provisions of the treaty of 1818 between this tribe, and the Commonwealth of Massachusetts, adopted by this State in 1820, agreeably to Section 1 divisions 4 & 5 of the act of Separation, a discreet man of good moral character, and 'industrious habits' was to be employed to instruct the Indians in the arts of husbandry, and assist them in fencing and tilling their lands. By authority of the act of March 10, 1835 a tract of land on the West side of Orson Island was set apart, and a superintendant employed to carry it on, under this provision of the treaty. This tract has been since known as the Public Farm, and is still maintained, as such, under Sect. 17 Chap 9, R.S.

When this Legislative construction of that Treaty was made in 1835, there existed a necessity for that instruction. The country adjacent to the Indian lands was sparsely settled, and imperfectly cultivated, but the rapid advancement of Agriculture in the valley of the Penobscot has obviated the —

necessity of that instruction, The Indian has around him now, on every hand, better example of cultivation, than this farm can afford him, and has long since, ceased to look to its Superintendant for direction.

The services of the man employed on this place, have gradually been diverted to other purposes connected with the interests of the Tribe. In the winter of 1858-9 by the direction of my predecessor, he drew from the Indian lands to the Widows and indigent members of the Tribe, 182 loads of wood - estimated at 150 cords. He is engaged at the present season in the same employment. Fuel near the Indian Settlement is annually becoming more difficult to procure, and this assistance is now absolutely necessary, or many of the aged, the Widows & Children, in their poorly constructed houses, ~~must~~ would perish with cold.

The expense of carrying on this farm, is not ^{in my opinion} now fully returned in its benefits to the Tribe, ~~in the opinion of the undersigned.~~

The soil is a dry alluvial loam, originally covered with a growth of soft wood, and is rapidly exhausted by cultivation - No means

are at hand, by which it can economically be restored to a productive state. During the past season the superintendent has cut on it & the low lands adjacent, sufficient hay to feed a pair of oxen and his cow, and perhaps may furnish a ton or two in the Spring for sale. It has produced about 70 bushels of potatoes and 9 bushels of Buckwheat - and some improvements have been made in draining and clearing the lands, ~~such is the~~ There is ^{with} a house and barn, much in need of repairs - together with the common ^{farming} utensils. ~~of a small farm.~~ Such is the Indian Public farm, I submit, whether it would not be for the interest of the Tribe, if an act could be passed, to lease ~~the farm~~, and authorize the agent to employ a man and team to perform the services now rendered by the superintendent, - during a brief period in the Winter and Spring.

The habits, and improvident character of the Indian ^{are} ~~is~~ such, that with few exceptions, his cultivation of the soil is crude and very imperfect & he receives but slight benefit from any instruction, in farming, that can be given him. Their lands are decidedly the most valuable ~~of any~~ in the Penobscot

valley, and yet their system of cultivation is rapidly exhausting them. The lands on which they raise grain, potatoes and vegetables, are above the present flow of the Penobscot, and whatever may have been their original capacity to produce, cannot now be relied on to return the expense & labor bestowed upon them. They keep very few cattle - have no idea of fence - and no manure to restore their fields. Their grass and grain are usually sold to the whites, before harvest - or if harvested by the owner, sold in the winter. The effect of this practice, upon their small farms, forms no exception, to the same course wherever ~~adopted~~ pursued.

The land becomes gradually poor, and without a period of repose, will ultimately become worthless.

I submit whether, the agent ought not to be furnished with a quantity of Guano, or some other fertilizer, and by a prudent application of it, teach the Indian, that his pecuniary interest would be advanced in adopting a better system of cultivation.

If the Indians can be made to see the effects, of dressing upon the soil - he will then be satisfied with a smaller breadth of land for cultivation. Saving thereby a great expense in ploughing. The value of their crops, with the increase of his bounty, would lead ~~them~~ him to watch and tend them with more care & induce him to fence, ~~his lot~~ & stock his farm with cattle. With many of them, the bounty is quite as much an object - as the value of the crops.

It is however but just, to the Indian to observe, that during the last ten years, he has improved in agriculture, and the arts of civilized life - that his efforts to elevate himself exhibit a commendable appreciation of the bounties already bestowed by the state, and demands a continuance of our solicitude for his welfare.

For these considerations I respectfully suggest, that the annual appropriation for agricultural purposes be increased to six hundred dollars, and a reduction made by a change in relation to the Public Farm, (which will be no detriment to the tribe), to meet that increase.

In several instances Indians having a certificate of occupation, have made parcel leases of their lots, and they have been cultivated by whites. Agents for this tribe, although having authority to vacate such contracts, have not deemed it expedient to interfere, when the Indian had not been defrauded. A part of the products heretofore returned as raised by the Indians have been produced by the whites on the lands thus occupied.

on these
~~on these~~ products, thus raised, the Indians leasing the
 land have claimed a bounty, and my predecessors
 under their construction of the law, have deemed
 it their duty to pay them.

In examining the authority
 of the agent to pay a bounty on the agricultural
 productions of the Indians, I came to the
 conclusion that the intention of the Legislature
 was to encourage the cultivation of the lands
 by the Indians in person, and it could not
 properly be paid ^{on} ~~for~~ any crops not raised by
 him, or under his personal supervision.
 I refused therefore to pay to the Indians, bounties
 on crops ~~raised by the white, on their lands~~
~~leased of them~~, thus produced.

The bounty, which I have thus
 declined to pay, amounts to about \$80.
 Perhaps, justice demands that this bounty be paid
 for the past year, as it was a consideration entering
 into the contract under which these lands have
 been cultivated, but I think the Indian should
 hereafter understand, that the practice is to be
 discontinued.

one of the principal causes of poverty, and distress among a part of this Tribe, as with our own people, is the use of intoxicating liquour,

When I commenced the discharge of my official duties last spring, I was immediately compelled to aid the families of those addicted to its use, to prevent starvation.

I offered a small reward, for evidence that would convict a person, under the statute against furnishing Indians with liquor.

In one case only, have I been able to obtain the evidence sufficient to convict, and in that case, the offender was committed to jail for non-payment of the fine.

It is extremely difficult to obtain the evidence necessary to establish guilt, under the statute, and when clearly found guilty, the present penalties are entirely inadequate to a suppression of the evil.

I submit, therefore, that this penalty ^{should} be increased to imprisonment for a term not less than 60 days, or a fine not less than fifty dollars.

It is now so small, that the law is set at defiance with impunity.

The census of this Tribe returned to me by the Superintending School Committee of Old Town, under the law of 1857 gives 419 persons found by them in March last,

There are several families scattered over the country, not found by them, These families, however annually return to the home of their tribe, and the total number claiming the last dividend up to Dec 16, 1859 - was 447.

There are known to be other families not included in this census and who have not been in this region during the past year.

It is not probable that a larger number than 460 will visit this agency for business or bounty in the future,

The evidence, in many cases, showing who is or not a Penobscot Indian, is not always reliable, It must be obtained from the Indians themselves. The ~~tribe~~ ^{Penobscot Indians} are connected by marriage with various other tribes in the United States and Canada - Motives of affection, and not infrequently motives connected with their ~~domestic~~ humble municipal government, constrain them to endeavor to have persons not of the tribe recognized, as such. Hence ^{different} persons taking the census - would be very likely to disagree according to their estimate of the evidence ^{presented} them.

Some of the oldest Indians, resident here, were born and spent their youth, among the Canadian tribes, children have been adopted into this, from other tribes, and are recognized among them as Penobscot Indians. It will be seen that no positive line can be drawn, as to who is, or not a member of this tribe. It must for the most part, be left to the knowledge and discretion of the agent, and the established usages ~~customs~~ of the Indians. Their number is diminishing.

I have regarded those persons of Indian blood, as Penobscot Indians, who lived among them, or were connected with them by marriage, and were received by the authorities of the tribe, into their council, and permitted to take part in their deliberations. The principal seat of the tribe is at Old Town. They have there 38 dwellings, a chapel, school house & Council Hall. There are about 30 more dwellings on islands between this point and Mattawamkeag. The Indians not residing in these houses, in some instances, yet live in abodes, as rude perhaps, as when first visited by the white man.

I respectfully submit the following estimate of sums required by the agency, to close the transactions of the past year, and for that ending December 1860,

Balance of this year \$ 1,462,73

Interest of Indian Fund 1860 \$ 3,000

Annuities treaty 1818 1,650

Agricultural purposes 1,600

Bounties 1,650

Total — — — \$ 7362,73

Officer of Indian Agency,
Old Town Dec 16, 1859 }

Samuel W. Hoskins

In Council
Jan 30 1860

Presented and
ordered on file

Attest

Wad Smith

Secy of State

4.9	67
33	56
1.6	11
5	50
1.1	61