

1877

Report of the Agent of the Penobscot Tribe of Indians

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REPORT OF THE AGENT

OF THE

PENOBSCOT TRIBE OF INDIANS,

FOR THE YEAR

1877.



AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1877.

REPORT.

To the Honorable Governor and Council of Maine:

In compliance with the laws requiring the Agent for the Penobscot tribe of Indians to make report yearly of the moral, social and physical condition of that tribe, and also an account of the receipts and expenditures of money in their behalf, the following is respectfully submitted as such report for the year 1877. The Governor and Council have issued their warrants for the benefit of the tribe of the following dates and amounts, viz :

April,	By warrant	\$2,000 00
May,	“ “	1,500 00
September,	“ “	500 00
October,	“ “	2,200 00
December,	“ “	1,535 35
	By amount received of F. Gilman, rent 5 islands	40 00
	“ “ from appropriation for annuity	250 00
	“ “ “ spring dividends	15 18
	“ “ in treasury undrawn from appropriations of Legislature, 1877	144 35
		\$8,184 88

This has been expended in accordance with the requirements and stipulations of the various treaties, laws and resolves of this State in behalf of the tribe, for the following general purposes, viz :

For agricultural purposes, per resolve		\$800 00
bounty on crops, “		400 00
annuity, “		1,800 00
superintendents of farming, “		150 00
salary of Agent, “		300 00
Interest on trust fund as follows, viz:		
For spring dividend	\$657 40	
support of poor, aged, infirm and sick	2,056 20	
medicine and medical attendance	343 42	
funeral expenses	144 45	
wood for tribe	1,068 85	
agricultural purposes in excess of appropriation	138 39	
bounty on crops in excess of appropriation	52 90	
incidental expenses	128 92	
amount remaining in treasury undrawn from appropriations of Legislature, 1877	144 35	
		4,734 88
		\$8,184 88

The accompanying vouchers will exhibit in detail the items which constitute the charges above set forth in gross amount. It will be perceived that there still remains of the appropriations of the last Legislature, an unexpended amount of \$144.35, which has not been drawn out of the State Treasury, and as all the beneficiary purposes of the appropriation acts have have been fully performed, that balance is not liable to further draft.

The fund derived from the rents of the shores of the islands belonging to the tribe is not included in the warrants specified above, but are as follows, viz :

Amount unexpended from rents accruing in 1875,	-	\$260 14
“ of rents accruing in 1876,	-	4,691 00
		<u>\$4,951 14</u>

The resolve approved Feb. 11th, 1873, required certain special appropriations for the tribe to be paid from the fund arising from shore rents. In accordance with that resolve, the above amount has been expended, as follows :

To S. S. Committee of Oldtown, for support of school on Oldtown Island,	-	-	-	-	\$250 00
To S. S. Committee of Lincoln, for support of school on Mattanawcook Island,	-	-	-	-	120 00
To S. S. Committee of Greenbush, for support of school on Olamon Island,	-	-	-	-	80 00
To Rev. John Duddy, salary as priest,	-	-	-	-	100 00
Jos. Susup Socklexis, salary as Governor,	-	-	-	-	50 00
Sockbesin Swassean, salary as Lieut. Governor,	-	-	-	-	30 00
To Sewall & Blanchard, collecting \$3,641 due as rents of shores, by suit,	-	-	-	-	109 23
To members of the tribe, as required by chapter 267, laws of 1873, as per account marked “E,”	-	-	-	-	4,020 00
Leaving balance to be added to fund of 1877 for distribution,					191 91
					<u>\$4,951 14</u>

The shore rents under all the leases issued since 1873, are due on the first day of May each year. The whole amount which fell due on May 1, 1876, was \$4,841.00; but of this amount, at the time of my last annual report, only \$1,050.00 had been paid into the State Treasury. All the other lessees

joined in a petition asking the Legislature of 1877 to release them from the full performance of the conditions of their several leases, and after fully hearing the petitioners they were granted leave to withdraw.

In the spring following, the amounts due from all said lessees, with one exception, were by Messrs Sewall and Blanchard collected and paid into the State Treasury, and under the warrants of the Governor and Council, as provided for by the resolve of the last Legislature, all this fund was drawn out and distributed as above stated. A portion of the rentals falling due May 1, 1877, have not been paid according to the terms of the leases, and suits have been commenced to enforce their collection. Whether the lessees will again ask the Legislature to relieve them from the full performance of their contract I am not at present advised.

There will expire March 10, 1878, leases from which the State has derived an annual rental of \$585. This embraces the shore of Orson island, beginning at the south line of the public farm, thence round the northerly and easterly side of the island to the head of the cove, so called. Leases now yielding nearly \$3,000 annually will expire January 1, 1879; other leases will terminate the following year, from which is now received the yearly rent of \$1,145.00. On account of the severe depression in business generally, and the lumber business in particular, it is hardly to be expected that these shores can be again leased on terms so advantageous to the State, for the present at least, and it may be a matter of some importance for the Legislature to limit to a shorter period the terms of the leases, until a revival of business.

The prospect of inevitable depreciation in shore rents would seem to necessitate a change in the law of 1873, which provides that certain specific appropriations for this tribe shall be paid from the rents derived from leases of shores,—such as support of schools, salaries of Priest, Governor and Lieut. Governor. Prior to that law these objects were provided for, and paid out of the State funds yearly. It would

seem to be no more than simple justice, that the tribe should have the full benefit of the rents of their own property, especially during this depreciated condition, and that the State should provide some other source from which to defray the expense of performing the treaty stipulations in regard to education, &c.

An appropriation of \$150 was made by the last Legislature "to defray the expenses of a Canadian Indian who had fallen into distress among the Penobscot tribe of Indians." The expense attending his sickness, and his removal with his wife and child to his home in Upper Canada, amounting to \$135.14, has been fully paid, and an account of the same has been duly rendered and allowed by the Governor and Council.

The census of the tribe, as taken by the Superintending School Committee of Oldtown, in January, 1877, shows the number to be 445.

Tomer Attian, elected Governor of the Tribe at the annual election of Nov. 1, 1876, died on the 24th day of December of that year, and under the law providing for such emergencies, a special meeting was held on the 4th of January, 1877, at which meeting Stephen Stanistans was duly elected to fill the vacancy. At the next regular annual election on Nov. 7, 1877, Joseph Susup Socklexis was elected to that office. Sockbesin Swassean was chosen Lieut. Governor, and Joseph M. Socklexis delegate to the Legislature of 1878.

Public schools have been taught during the year at the usual places, under the direction of the Superintending School Committees of Oldtown, Greenbush and Lincoln, who, I presume, will report to you the particulars in regard to each school. The appropriation made annually for support of the schools, are since 1873 required to be paid from funds derived during the year of the appropriations from shore rents, which although they may be paid into the State Treasury in May of that year, or subsequent thereto, do not come into the hands of the Agent until February of the year following, and judging from the experience of the two past years, it is not

absolutely safe to say it will even then all come into his hands. This furnishes a source of annoyance and delay in payment of teachers, and other school expenses not contemplated by the law, and if the change in the law suggested in a former part of this report should be adopted, promptness in payment of school bills would be secured, and all cause for such complaints obviated.

The plastering on the audience room of the chapel, from the length of time since it was put on, aided perhaps by the swaying of the building in severe gales and of heaving from the foundation, has become badly cracked, and in many places has already fallen off. The windows of the church are of an ancient style, composed of very many small panes. It would be gratifying to those worshipping there if the windows could be replaced in modern style, more becoming and in keeping with the external appearance of the building, as well as with the pews and other furniture of the chapel, which were supplied during the last year. I would respectfully recommend that the unexpended balance of the appropriations granted by the last Legislature be authorized to be expended in making the above named repairs and improvements in the chapel.

Owing probably to the decreasing demand for labor in the mills and woods, and on the river, and in fact, all branches of lumbering business, and the consequent lower wages paid for labor, a greater number of the tribe have given their time and labor towards tilling the soil than has been usual in previous years, yet from the unusually severe drouth, which prevailed on the Penobscot river during the last summer, their efforts in this direction have not received that recompense which it would have seemed desirable or even to have merited. Seed and plowing have been granted to eighty-two members at Oldtown, eighteen at Olamon, and sixteen at Mattanawcook. Several of the tribe residing at Oldtown, under the consent of the Lessee of the public farm, planted their portion of seed on that farm. In consequence of this

increased attention to farming, the expenditures for agricultural purposes, and payment of bounties on crops, have somewhat exceeded the amount of the appropriations for these purposes, and that excess has in each case been charged to the general fund. I would respectfully renew the suggestions contained in the report of last year, concerning the public farm on Orson island. As a model farm, it does not appear, in the manner it is now conducted, to be particularly worthy of imitation, or to afford any valuable instruction to the tribe in agriculture, and yields only an insignificant income to the State for its use. The buildings have had scarcely any repairs for many years, and are now of but little value; the barn and shed are, however, of some value, and something could be realized from them. The present lease expires March 10th, 1878. From its situation near the settlement on Oldtown island, and its accessibility at all seasons of the year, it is particularly adapted to be lotted off to the tribe for tillage, and it would be highly desirable for the Legislature to authorize the sale of the buildings, and the distribution of the land among those of the tribe, who have no farming lands, and desire such lots. Several lots have been surveyed the present year on the easterly side of Oldtown island, and assigned to members of the tribe. On a portion of those lots extensive clearings have since been made, with a view to making farms. A road of one rod in width for the convenience of these lots has been surveyed and laid out, extending nearly to the head of the island. More applications for farming lots have been made this year than in any former year, and if authority is guaranteed to lot off and assign the public farm as previously suggested, all who desire land for agricultural purposes can be supplied. The group of islands belonging to the tribe, situated near Winn, commonly known as "The Five Islands," have been leased for a term of five years, for one hundred dollars. Forty dollars have been paid the present year for the remainder of the term. A rent of fifteen dollars is to be paid annually. Another group in that vicinity, known as "Brown Islands," have also been leased

for same term, for eighty dollars, sixteen dollars to be paid annually. Both these leases provide that certain islands comprising all those suitable, shall be left in English grass, all cleared, excepting however, one of the Brown islands, numbered 133, from which no trees or wood is to be cut, reserving it for a summer camping ground for the Indians. These islands have hitherto yielded no income whatever to the tribe or the state, but parties camping on them, from time to time, were every season cutting the growth and committing other trespasses. Having received what I considered to be a very favorable offer for their use for a term of years, and believing under section 4 and 7 of chapter 9 of Revised Statutes, it was my duty to so manage the property of the tribe as to promote the best interest of the state and tribe, and to carry out the policy which the State has appeared to adopt during the past ten years of bringing all the Indian lands into a condition that shall yield a revenue, I accepted the offer, and executed leases, as above stated, deeming that the law approved February 25th, 1867, in a measure abrogated sect. 13, chap. 9 of the Revised Statutes, relieving the Governor and Council of the trouble of examining into the condition and necessities of the tribe's islands, and imposed that responsibility upon the Agent. It was passed in order to enable the Indian to reclaim his impoverished lands when he was without the necessary means to effect that object. A short lease could not induce any person to undertake that labor and outlay; he must have the land for a term sufficiently long to give him a reasonable expectation of receiving some remuneration for the necessary expenses of clearing, plowing and seeding down. This same reasoning applied to these islands, together with the further object to be attained that all trespassing would thereby be stopped; but should it be considered that section 13 should have been my rule in this proceeding, I have no doubt but that the action in these cases will be justified by the intent to promote the best interest of the State and tribe.

Some parties desirous of obtaining leases of Indian lands for improvement, as well as many members of the tribe, have been anxious to have the term lengthened, alleging that they can afford to pay better rents on long leases than short ones. There are, to be sure, serious reasons why a longer term of lease should not be granted, as well as cogent reasons in favor of so doing. I merely wish to state the fact, and call to your attention whether said law of 1867 should not be so amended as to allow leases to be given for a term of five to ten years, according to the discretion of the Agent, taking into consideration all the circumstances of the land, the owner, and of the proposed lessee.

GEORGE F. DILLINGHAM,

Agent Penobscot Indians.