

ing with them, and until this policy is changed we can hope for nothing better, and may certainly look for much that is worse.

The principle of tribal ownership is a wrong one, and is unique in the history of nations. The Anglo-Saxon race occupies this continent by the long-recognized right of conquest. This is as much a fact as though we had first landed on these shores with an army of invasion. We have taken the land and converted it to our own use, because we are the stronger in numbers, in intellectual power, and in all those forces which enable one race to dominate another. That we have made treaties with these people and have purchased their title for a consideration ridiculously small in comparison with the value of the land conveyed, does not lessen the force of this fact. We have displaced them because they could not help themselves, as has been time and again demonstrated by the subjugation of several powerful combinations of warlike tribes, confederated for the purpose of resisting our encroachments. Our purchase of title has been more for the purpose of throwing a sop to our consciences, in the form of a legal technicality, than for any other reason.

The title of the Indians, as a people, to the land, as a whole, we acquired by the long-recognized law by which civilized and powerful nations have, by acts of colonization, taken possession of regions in all parts of the globe, occupied by barbarians too weak to offer effective resistance. Unjust as it may seem, in the abstract, it is in accord with that great rule of progression which has guided the human family in its development through the ages—the survival of the fittest, the supplanting of lower forms of life by higher. Our government recognized this when it treated with England for the location of a bound-

dary line, when it purchased Florida of Spain, Louisiana of France and Alaska of Russia. Here it should have stopped, and considered its title, as a government, ample and without a cloud. I do not mean that the natives should have been deprived of any of their rights and possessions, as individuals, but that as a political body they had been overthrown and superseded, and as such their entire rights had been absorbed by the new government. When California, in 1846-47, was wrested from Mexico, all the title of the government of that province at once vested in the United States, and that, too, without violence to the individual rights of property owners, who were confirmed in their titles to such lands as they then legally occupied. This is the principle which should have been applied from the first in dealing with the aborigines of this country. Their rights as individuals should have been respected, and as tribes ignored; and much that has reddened the annals of our frontier would have been avoided.

There was, to be sure, a marked difference between the status of the Mexican citizens of California, and the natives of America, which served to complicate the question. This consisted of the fact that the former had a regular system of land titles, while the latter did not recognize, or, at least, practice, the principle of individual ownership of the soil. The land was a common heritage from their ancestors, over any particular portion of which no Indian assumed the right to exercise special control. Such being the case, had the government ignored the tribal title, there would have been nothing left the native save his personal property. This fact, however, makes no difference in the general principle, as stated above, that individual rights only should have been recognized and protected by our government. After many long years of war,