

having ". . . the necessary physical and mental qualifications to enable him to cultivate his allotment, either personally or by hired help. . ." were barred from leasing.³³ Still, this freed most of the allotted lands for leasing—only the adult male's lands were restricted. Changes in the leasing rules, occurring in 1894, 1897, 1900 and 1902, confused the agents and hampered a consistent leasing program.³⁴ But the general tenor of these revisions was more favorable to the White than to the Indian. By 1902 an Indian male was required to retain only forty acres of land for his own cultivation; hence the remainder of his and his family's land could be leased. The length of leasing time varied between one and five years depending on the type of lease, and in general the Indians could lease if they did not benefit from the improvement of their allotments " . . . by reason of age, disability, or inability." ³⁵

It was the hope of the federal officials to protect the Indian's allotment by leasing the land to Whites. This would quiet the demands for further reduction of Indian lands. In addition, the Indian's unbroken lands would be brought into cultivation, improvement would be placed on the allotment in the form of houses, fences, wells, and orchards which would be of great value to the Indian after the expiration of the lease. Further, the Indian would benefit from the lessons derived by watching the White farmer at work.³⁶ Rarely, however, was the lease contract of lasting value to the Indian. Improvements were seldom placed on the land, lease contracts were broken with impunity because of the reluctance of the courts to hold in favor of the Indian, trespass could not be prevented, and Whites often refused either to move from the Indian's land once leased or to pay the money due the Indian. If a contract was agreed to, the lessor often removed his crops and left the country without paying the lease money.³⁷ "Informal leases" were always a source of worry to the agents. Because farmers and cattlemen offered small sums or gifts to Indians for the use of their land without the agent's knowledge, land was thus obtained for a fraction of its value.³⁸ Indians did not materially gain additional knowledge through the leasing process either. Although complete statistics are not available,