

TRANSFER OF INDIAN BUREAU.

MARCH 14, 1876.—Read twice, committed to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. SPARKS, from the Committee on Indian Affairs, submitted the following

REPORT:

[To accompany bill H. R. 2677.]

The majority of the Committee on Indian Affairs, which was charged with the inquiry of the expediency of "transferring the management and control of Indian affairs from the Interior to the War Department," by the reference to said committee of the House of sundry bills on that subject, having had the same under consideration, beg leave briefly to report:

That, basing their views upon as full and complete an investigation of said subject as the time and facilities afforded them admitted, and regarding said inquiry—

First. As to the comparative cost of the management and control of Indian affairs in the two Departments;

Secondly. As to the promptness and efficiency of the management of said affairs;

Thirdly. As a means to the maintenance of peace and to the protection of life and property of our citizens inhabiting our extensive Indian frontier, as also to the protection of life and property of the Indian tribes themselves;

Fourthly. As to the efficient and successful consummation of the well-known and universally-approved policy of the Government in allotting to and keeping the Indian tribes upon well-defined reservations, and aiding and supplying them in their necessary wants, &c.;

Fifthly. As to the encouragement and prosecution of christianizing, civilizing, and educational efforts in their behalf, and their advancement in agriculture and ability to support themselves by industrial pursuits; as also to the various other phases and presentments of the subject—are of the opinion that the transfer should be made, and to that end have prepared and herewith submit the accompanying bill as a substitute for those referred to the committee, and recommend its passage.

The committee, also, herewith submit the testimony and statements of distinguished, well-informed, and experienced gentlemen, which it is prayed may accompany this report as a part thereof.

A. M. SCALES, *Chairman.*
WM. A. J. SPARKS.
A. R. BOONE.
CHARLES H. MORGAN.
CHAS. E. HOOKER.
LA FAYETTE LANE.

Remarks of the Hon. John K. Luttrell before the Committee on Indian Affairs, relative to the proposed transfer of the Indian Bureau from the Interior Department to the War Department.

WASHINGTON, D. C., February 17, 1876.

Mr. Luttrell said, that from a residence of nearly a quarter of a century in the Indian country and having opportunities of observing the management of Indian affairs, he was satisfied that the present system was wrong. A few years ago the Indians cost us but three or four million dollars per annum; now it amounts to over eight millions, although we have the Pacific Railroads, by which we can transport supplies cheaper than before. The management of the Bureau since it has been under the control of church-members has been bad in his section of the country. The agents would do very well to teach and pray for the Indians, but they were totally unfit to manage them or to expend judiciously the fifty or hundred thousand dollars intrusted to each of them. They were not men of business. On the contrary, the Army officers are practical business men, and are honorable, straightforward, and honest, and it is very rarely that a case of defalcation or malfeasance in office occurs among them. Mr. Luttrell mentioned the cases of the Shasta Indians, who reside in his vicinity, consisting of three men, five women, and eight children, for whom an appropriation of three or four thousand dollars a year was made, and who never received any of it, either in money or goods, although the appropriation was regularly expended, as he learned from the Department, and of the Klamath and Modoc Indians, for whom appropriations are made for sustaining a flour-mill, a farm, and a school, yet there never was a mill there, no farming was ever carried on except last year, when 60 bushels of wheat were raised, and from an intimate acquaintance with them he would say that not one knew a letter in a book. He also referred to the Hoopa Valley reservation situated in a fine grazing-country, the agent for which (a minister and former book-peddler in his district) had sold 500 head of cattle belonging to the Indians, for \$8 or \$8.50 a head, and then bought back the beef of 40 head for the same amount as he received for the 500 head, thus giving the contractor a clear profit of 460 head of cattle. On his complaining of this to the Indian Bureau the agent pretended that he had no grazing for them, although the Army officers at Camp Gaston, near by, assert that they were kept on the reservation all the time. The Round Valley reservation is also situated in a fine grazing-country, and propositions have been made by some of the very best men in his district to take charge of the Indians, feed and clothe them, and furnish them with a physician, minister, and teacher free of cost to the Government, for just what they could make out of the grazing-lands on the outside. There is a lumber-mill operated on this reservation, yet the Indians lived in brush-shanties, as they did twenty-five years ago, and no returns, so far as Mr. Luttrell could ascertain, are made of the receipts from the mill; and a thrashing-machine belonging to the Indians was rented all over the county by the agent, while the grain on the reservation went to ruin. Many of the Indians have left the reservation, are doing well for themselves, have money in the bank, and have organized a grange to regulate the price of their labor. All these things would not have occurred, Mr. Luttrell asserted, had Army officers been in charge. These clerical agents make all sorts of promises to the Indians. Many of them are not fulfilled, and an Indian is like a child; if you once break a promise to him he will look with distrust on you ever after; and furthermore, if he makes a promise to you to do a certain thing he will do it. He seldom knew, even in California, of an Indian to tell a falsehood. Army officers never make any wild promises to the Indians; they tell them only what they have authority to do, and carry out what they say they will do. In response to an interrogatory of Mr. Seelye, in regard to Major Wynkoop's promise to Black Kettle and his tribe to protect them, which was afterward violated by the military, Mr. Luttrell replied that he was not familiar with the facts in that case. The Modoc war, Mr. Luttrell continued, grew out of the land speculations of the Indian agents and their attempt to remove the Indians from the home of their fathers, and if the military had been allowed their own way in the matter there would have been no trouble. If you want an economical management of the Indians, and have them controlled as they should be, you must place them under the control of the military, and then the ministers, if they desire, can go among them as the representatives of their respective churches and teach them. Another evil resulting from the appointment of ministers as Indian agents, was the fact that there were a great many Indians in Southern California who had embraced the Catholic faith and were devout Catholics, and the placing of Protestant ministers over them caused dissatisfaction and discontent. Mr. Luttrell thought that the Indians were not fitted for citizenship; many of them, the Diggers for instance, were very degraded, and other tribes were fast declining from venereal diseases.

MR. SEELYE. Is the time likely to come when all parties concerned, the Indians, the State of California, and the United States, might be benefited by the transfer of the Indians from the care of the United States to the State of California?

MR. LUTTRELL. Well, sir, if you would transfer the Indians and their lands to the State of California, I think, with the knowledge we have of them, we would take care

of them. We would at once cut up their reservations into little tracts, and tell them to locate on them; that it was theirs, and they would go on and sustain themselves and do much better. Mr. Luttrell alluded to the case of McKee, who had a claim before the committee. He was superintendent of Indian affairs many years ago in California, and went among the Indians and conciliated them, and made treaties with them, and expended considerable sums of his own money for the purpose. In one of the treaties all the land south of a certain line was ceded to the Government, and all north reserved to the Indians; but the settlers pay no attention to it, and the Indians have been waiting twenty years for the Government to fulfill their contract. Mr. Luttrell did not think that any harm would come to the Indians by being brought in contact with the soldiers; and he thought the discipline the Army officers would maintain would have a salutary effect.

The CHAIRMAN. I will ask you, Mr. Luttrell, whether, from your knowledge of the Indians of the whole country, would it be good policy or bad policy to transfer them from the Interior to the War Department?

Mr. LUTTRELL. My honest conviction is that it would be a good policy; would save many millions of dollars to the Government; and think that is the opinion of a majority of Army officers.

In the above remarks, Mr. Luttrell desired it to be understood that he refers to the wild Indians, and not to those semi-civilized or civilized.

Mr. Luttrell read to the committee the following letter from a prominent citizen of his district:

ROUND VALLEY, *January 27, 1876.*

DEAR SIR: Deeming it a matter of some importance that you should be informed as to the manner in which the affairs of Round Valley Indian reservation are conducted, and the conduct of the agent in charge, Rev. J. L. Burchard, I will give a few of the facts relating thereto, and in doing so shall relate only such facts as are notorious in this locality, and which can be established by disinterested testimony of the best men in this community. To relate everything concerning this agency would make this communication altogether too lengthy. I shall, therefore, confine myself to a few leading points.

First as to the agent, Rev. J. L. Burchard. I would say that he has been guilty of various and numerous acts which might be deemed misdemeanors in office, if not something worse; also general mismanagement.

It is a fact well known in this community, and I think is not denied by the agent, that it is his custom to issue clothing and rations, purchased and sent here for the benefit of the Indians, to the white employés and their families, and is also in the habit of issuing or allowing members of his own family to take Government clothing for their own use. He also sent clothing to persons at a distance from the reservation. (Oakland,) and not employed thereon. He also employed a man by the name of Howard to draw up and circulate for signatures, among the citizens here, a paper laudatory of his conduct and management as agent, for which service he paid the said Howard in flour, meat, and other products of the reservation.

For offenses of this character he was arrested about the 1st of December last, brought before the United States court commissioner, and held to answer before the United States circuit court.

There is a case also pending against him in the church, in which he is charged with "attempting to alienate the affections" of the wife of one of the employés of the reservation, and improper proposals. The lady in question is, and has been for years, a member of the Methodist Church in good standing, one of his own flock, I may say, whom he has known from childhood. Her veracity is not questioned by any one who knows her, unless it be by some one who is entirely subservient to Burchard's will. She has been on the reservation with her husband about two years, and has always been noted for her zealous labors in teaching the Indians in church and Sunday-school.

A large crop was raised on the reservation last year, but through want of proper care and attention on the part of the agent, a great deal of it was destroyed in the field; a great deal of hay was also destroyed after it was stacked, by allowing stock to run to it at will, and the consequence is they are now short of forage to put in the new crop. Mr. Brown, who was the head farmer last year, asserts that in consequence of the agent having no discipline on the reservation he was unable to induce the Indians to aid in protecting the crop, and the herdsman, whose duty it is to keep the stock in its place, failing to do so, a large portion of the crop was destroyed. Mr. Brown says the agent's attention was called to the matter repeatedly, but without effect.

There was, however, enough of the crop saved to subsist the Indians, and supply all the absolute wants of the service, but if it had been all saved, and more produced, as might have been done, it would have been of great value to feed to hogs and other stock, thereby producing something to aid in making the reservation self-sustaining. The reservation-lands, however, are so productive, and there are so few Indians, that if they save only half of an ordinary crop they would have plenty for subsistence, which is probably one reason why so little care is taken of what is produced.

The Indians themselves care but little for the authority of the agent or employes. They do not like the plan of doing all the work in common, and they will not perform much labor in that way. It is getting so now that it is about all the agent can do to get work enough out of the Indians to plant and harvest the crops. The majority of them, before they went on the reservation, had been in the habit of working for wages and supporting themselves; they know they can provide for themselves, and that their labor is in demand throughout the country; hence they are dissatisfied, and will not perform any extra labor without extra pay, that is, they will not work at the saw-mill, grub and clear ground, split rails, or do any such work without they are paid regular wages in cash. The Indians who work at the mill receive seventy-five cents per day. There is a great deal of the choicest land on the reservation that is overgrown with brush, and requires clearing, but it is not done because the Indians do not like that kind of work. It is not because the Indians are indolent and averse to labor, for they are excellent hands, and work cheerfully and faithfully when they are paid for their labor.

A good many of them are permitted to find employment among the settlers here, and in that way get money to supply their wants. In sheep-shearing they make from two to four dollars per day. They would prefer to go and take care of themselves, and I know I hazard nothing that they are just as competent to do so as the average southern negro.

Under Burchard's administration the reservation has been far more expensive than under any former agent. He has a greater number of employes, and pays larger salaries.

Captain Fairfield was agent four years, from 1866 to 1869, inclusive. During his time there were about the same number of Indians on the reservation as now, and the product was greater than at present. I inclose herewith a comparative list, showing the number of employes and amount of compensation paid each, in Fairfield's and Burchard's time, from which it will be seen that the force employed by Burchard is nearly double (numerically) that employed by Fairfield, and the compensation greatly increased. The list shows only the regular employes under Burchard. A good many others are employed irregularly about the mill, getting out timber, hauling lumber, &c.

A decrease in the number of employes, and a general reduction of salaries seems to be called for—more especially as the employes are being clothed and fed at the expense of the Government, which has not been the case under any former agent. The position of farmer is the most difficult and responsible of any other and the salary is not too much; but with the exception of clerk, the pay of all the rest is excessive, more especially that of herdsman; the services of a competent person for that position can be had for from thirty to thirty-five dollars per month.

Including the families of the employes, there are between forty and fifty white persons who draw rations of food from the reservation and who receive more or less clothing from the same source. That is also one cause of dissatisfaction among the Indians—they do not like the idea of working for the support of so many white people. I am informed also that about twenty Indians, male and female, are used as servants and waiters in the families of employes.

There are many persons to my certain knowledge who would be willing to lease the reservation, and for the use thereof agree to support and provide for the Indians without expense to the Government, but I don't suppose the Indian Department would enter into an arrangement of that kind. I would submit a proposition myself if I thought there was probability of its acceptance.

One thing is certain, however, and that is, that if the reservation was properly managed the appropriation usually allowed it might be reduced one-half or more without detriment to the service.

The best thing, no doubt, that could be done with this reservation, would be to convert it into an asylum or infirmary for the old and infirm, and as a home for those Indians who chose to remain on it, leaving the others to scatter out and provide for themselves. A school might also be maintained on the farm. That would suit the Indians much better than the present system.

Another system would be much more satisfactory to the Indians—that is, to divide the lands among the Indians, giving to each family a certain part for their own use and management.

Very respectfully, your obedient servant,

G. E. WHITE.

Hon. J. K. LUTTRELL,
Washington, D. C.

Comparative list of employés on Round Valley Indian reservation under Captain Fairfield and J. L. Burchard.

Captain Fairfield's time, from 1866 to 1869:

Captain Fairfield, agent.....	\$125	per month
Kendrick, farmer.....	60	per month
Updegraff, blacksmith.....	60	per month
Weston, carpenter.....	60	per month
Tuttle, herdsman.....	65	per month
Denell, assistant blacksmith.....	60	per month

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Burchard's time:

Rev. J. L. Burchard, agent.....	\$125	per month
Melindy, physician.....	100	per month
Adams, clerk.....	75	per month
Handy, farmer.....	80	per month
Brown, assistant farmer.....	80	per month
Frazier, miller.....	80	per month
Hopper, blacksmith.....	80	per month
Clayton, carpenter.....	80	per month
Van, herdsman.....	75	per month
Kellog, teacher.....	75	per month

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Statement of Hon. J. W. Throckmorton, before the Committee on Indian Affairs, in regard to the proposed transfer of the Indian Bureau from the Interior Department to the War Department.

WASHINGTON, D. C., February 17, 1876.

MR. SPARKS. Please state your knowledge of the Indian tribes, and give your opinion as to the propriety or impropriety of transferring the management and control of Indian affairs from the Interior to the War Department, and your reasons for such opinion.

MR. THROCKMORTON. I have been very intimately connected with the semi-civilized Indians of this country, the Choctaws, the Osages, the Caddoes, the Kickapoos, and some other tribes, and pretty intimate with the wild tribes of Texas for the last thirty years, and have had more or less to do with them. My opinion in regard to the transfer of the Indian Bureau from the Interior Department to the War Department has long been fixed that it would be better that the transfer should be made. The reasons are a great many, but the first and most important one is, that it will afford greater protection and more security to life and property to the white people on the frontier; and to illustrate that I beg to call your attention to a few facts. In an Indian reservation in the Indian Territory, is situated Fort Sill, one hundred miles from the Texas boundary-line, on the Red River. Our State has an Indian frontier from the Red River to the Rio Grande. The frontier of our State, if you take the two lines of it running from Red River to the Rio Grande south, and then up the valley of the Rio Grande, embracing El Paso and that region, is, perhaps, over one thousand miles in extent. Those of us who have been living there for many years, know that there has not been a year both before and since annexation, that there has not been more or less depredation upon our people by the Indians; and since the war the depredations have been very extensive. Hardly a week passed, until within the last twelve months, but some outrage was committed. Our people lost their property, their wives and children were murdered or captured, and they went to the Indian reservations to find them; and they generally found their property and their relations who were spared, there. You have already before you petitions and bills for the indemnification of people who have paid ransom for their wives, and children, and property. Girls are ravished almost under the very eyes of these Indian agents, and they are powerless to protect them or to return the property. I will name an instance of that kind, where a bill in regard to it is pending before your committee. A train belonging to citizens of Texas was employed by the Government to transport its supplies to the frontier posts under contract with the Government. They were to be furnished protection and a military force whenever they penetrated an Indian country. That was not done. The Indians attacked the train within seven miles of Fort Richardson. The teamsters made a desperate fight. One of the men was shot so that he was paralyzed and could not get up, and continued firing with his six-shooter, on the ground, until all his comrades but one were killed, when he implored him to fly and leave

him. The Indians tied that man to the wagon-wheel and burned him, and his bones were found there afterward, and his cries were heard by his retreating comrade. General Sherman had passed over there but a short time before, and he would have been killed had they have got hold of him. These Indians retreated to the Fort Sill reservation, where General Sherman was at the time, and boasted of their depredations. General Sherman had them seized and sent to Fort Richardson; and on their way there one of the chiefs made a desperate effort to escape, and was killed. The other two were tried for murder, and are now in the penitentiary. I mention this as an instance to show that these Indian agents have no control over the Indians, and the Indians have no respect for them. I listened with great attention to Mr. Luttrel's remarks about the truthfulness of the Indians. These wild tribes, the Comanches and Arapahoes, and the Indians on the Fort Sill reservation, will not tell the truth if they can find a lie to tell; and there is no dependence to be placed in any treaty-obligation they may make. There is no instance, I do not think, where property has been captured and traced up to these reservations, that it has been returned. Is this Government so powerless that it cannot enforce its treaty-obligations upon these wild Indians? Is there not bad management somewhere when our property is stolen, and our wives and children taken into captivity day after day and year after year? The evil lies with these Indian agents. The Indians respect the military and fear them. I think the saving to the Government would be \$500,000, and perhaps more, by this transfer. The incidental expenses and salary of each Indian agent is eight or ten thousand dollars, and there are seventy-five of them. The Army officer has a regular way of receiving, receipting, and accounting to the Government for all supplies that come to his hands. As a rule they are honorable men and well educated, and it is incumbent upon them to discharge their duties thoroughly. They are constrained to do it. There is no question but what many of these agents are ignorant and bad men, and I think will be obviated by the employment of Army officers.

I have always believed that there was in some of these agencies an encouragement to the Indians to steal and take captives. When I was acting as executive of Texas I procured the release of seventy-five women and children from captivity, and it was through the instrumentality of the Indian agents that it was done, and we had to pay for all of them. During the last twelve months there has been great amelioration in the condition of our border settlements, and the Army has been much more efficient and active.

Mr. BOONE. Do you not think that it would be better for the Government to leave the religious training of the Indians entirely to the churches and to the missionary societies?

Mr. THROCKMORTON. No question about that. The Indians themselves laugh at this thing of religious training, and they make use of it for the purpose of getting more from the Government. They think they can manage the preachers pretty well, and their lying and deception succeeds better with them than with the military. In my remarks I refer to the Indians in a wild state. I think where the Indians are cultivating the ground or are self-supporting the military should have nothing to do with them.

WASHINGTON, D. C., February 18, 1876.

Remarks of Hon. Gustave Schleicher, of Texas, before the Committee on Indian Affairs, on the proposed transfer of the Indian Bureau from the Interior Department to the War Department.

Mr. SPARKS. State to the committee your knowledge of, and connection with, the Indian tribes of our country.

Mr. SCHLEICHER. I have lived on the borders of Texas since 1847, and I have frequently been brought in contact with the Comanches, the Kiowas, and the Apaches, what are called the wild Indians. I never met with any others. These wild prairie Indians I know very well; have traveled over their country and have frequently been in their camps, and have known many of the chiefs personally.

Mr. SPARKS. Please give your opinion as to the propriety or impropriety of transferring the control or management of Indian affairs from the Interior to the War Department, and your reasons for such an opinion.

Mr. SCHLEICHER. I have for many years thought that our plan of dealing with savage people was founded in mistake of their character. The Indians, like any savage people, only respect power, and we will only be able to get along with them when we have rewards and punishments concentrated in one person. They are brought to look upon the military with fear and hatred because they punish them, and that is the only relations they have with the Indians. The agents furnish them their food and clothing, and they look upon them with contempt because they have no power, and their deal-

ings with the agents is to get as much out of them as they can, and circumvent them as much as possible. The only way to deal with the Indian is to combine the two in one person, to have the rewards in one hand and the punishment in the other, and therefore I have always been under the impression that the only correct mode of dealing with them is to place them under the control of the War Department. There is another reason why I think the transfer should be made, and that is, on these out-of-the-way settlements it is difficult to supervise the agents. In the Army they have a stricter system of accounts; they are more easily controlled, and moreover, as a body, they are more honest officers than those whom you take temporarily from civil life, and for one reason, which is at the bottom of all civil-service reform, and that is this: If you take an equal number of men anywhere, and their crimes will be in proportion to the temptations by which they are surrounded. An Army officer is put into the Army with the knowledge that he will remain there for life, or during good behavior; he is provided for until he ends his days with a decent compensation, provided he commits no embezzlement or misdemeanor. A man who is taken from civil life and appointed to a Government position, knows that he can hold the office but a few years, and then he will be turned adrift. He is, therefore, naturally tempted to make all he can out of his position, and to line his pockets in every way possible during the short time he will be allowed to remain in office. An Army officer has the fear always before his eyes that if he does anything wrong he will lose his life-position, and therefore my experience and my reason is that they are a very honest body of officers because they have less temptation, and what temptation they have is on the right side. They are tempted to do right to retain their life-positions. Again, the system in the Army of distributing quartermaster and commissary stores is the result of many years' experience, and it has been brought as near perfection as possible. There is a very strict supervision over everything, and these men are trained to it. I have heard and known of cases where Indians did not receive their supplies, when the soldiers stationed at the same place did receive theirs; the contractors making some excuse that the roads were bad, or something of that kind, while the contractors for the Army who came over the same roads and met the same difficulties knew they could not evade their responsibility and had to furnish the supplies. From an economical point of view, there could be considerable saving in using Army officers as agents. There is always a surplus of Army officers under our plan of keeping up a skeleton Army to be filled up with men in case of trouble, and these officers can be employed for this purpose. The staff corps are larger than are necessary, and then, too, many of the officers on the retired-list could be employed on certain service. I believe, therefore, that it would be an advantage for the Army in keeping, without being a dead charge on the Government, these extra officers that are necessary for the present military system.

Mr. BOONE. What would be the effect, in your judgment, on those tribes who are making rapid strides toward civilization, of the transfer of their management from the Interior to the War Department?

Mr. SCHLEICHER. I do not believe they could be worse off, for this reason: I have always found the Army men to be very kind and attentive, and very strict business men. They are raised to be so. They are kind-hearted, and I never heard of a single case where an Indian was treated unkindly by an Army officer. I have never seen those half-civilized tribes, however, that you speak of, and know nothing about them.

Views of Maj. J. W. Powell on the propriety of transferring the Indian Bureau from the Interior Department to the War Department.

WASHINGTON, D. C., February 19, 1876.

I have been engaged for the last eight years, first under the auspices of the Smithsonian Institution, and lately by act of Congress under the direction of the Secretary of the Interior, making studies of the languages, habits, and customs of the Indians west of the Rocky Mountains. Prior to that time I was among the Indians somewhat, but my investigations proper began about eight years ago. During those years I have devoted a greater part of my time in studying the habits, customs, and mythology of the Indians. I have drawn a line on this map running through the main front ranges of the Rocky Mountains, and in considering the question before the committee a distinction should be made between the Indians west of that line and the Indians east of that line. Their conditions are very different. The Indians west of that line number, perhaps, one hundred thousand, and they are broken up into little bands. In California there are about ten thousand Indians. They are not organized into confederacies, and within that region there are about forty languages spoken, and many dialects of those languages. This country in California set aside for the Indians is arid, and only about two per cent. of it can be redeemed by irrigation. In the little valleys or patches fit

for cultivation the white men have settled, and the Indians have been driven to the mountains or compelled to live on the arid plains. There are more than one hundred languages spoken by the people inhabiting this area, numbering, perhaps, one hundred thousand people. Now, for linguistic reasons, they are not united. Their languages differ one from another as much as the English differs from the Chinese. They are radically different, and there is no means of communication, except by signs, between one tribe and another. And then if you find one thousand people speaking one language, you will find that people divided into ten, twenty, or thirty little bands, and each little band, varying from ten to two or three hundred, occupying a defined territory, and, to a limited extent, cultivating the soil. There is no confederacy at present, and they are hopelessly divided, and thoroughly subjected and subdued. They are there as beggars; they are not there as hostile people. They come down to the settlements, beg a little bread, pick up the offal thrown out from the kitchen, go back to the mountains, gather herbs, kill rabbits, and wander backward and forward over the plains, and are thoroughly subdued, and everywhere fully appreciate the hopelessness of contending against the Government of the United States, but are continually begging for lands and homes. You see from that that they are not hostile, not organized in large bands hostile to the United States, and there is no reason why those Indians should be governed or managed by the military authorities. There are two difficulties in the way of managing the Indians by the military authorities. One of them I will illustrate by calling your attention to the enlistment of a company or regiment. You go to New York or New Orleans and enlist a thousand or a hundred men. Who are they? What men do you obtain? I need not answer that question. Take a hundred of those men and put them on a reservation, and what is the effect of it? It simply turns the regiment into a pandemonium of prostitution. I know just what I say. I have lived many years among those Indians. I have treated hundreds and hundreds of cases of venereal diseases. I have managed to get along well with them on the reputation of being a medicine-man. The people are wasting away by these diseases; and to a person who has witnessed the effects of these diseases and investigated the matter at all, it is a frightful and shocking state of affairs, and you have only to think of the class of men who are enlisted in the Army to appreciate what I say. The better class of Indians understand this, and have scores and hundreds of times talked with me concerning the matter. I wish to be understood that in these remarks about the influence of the soldiers I do not refer to the officers, but simply to the enlisted men. The officers, so far as my experience goes, are very honorable gentlemen. There is another view of the matter which I wish to present. Now we treat those Indians yet to some extent on the theory that they are criminals, that they are the enemies of the Government, and that we must drive them from the lava-beds and their abodes. I think the proper treatment of a people who have been subdued, who are begging for their lives, who are anxious to become farmers, and are begging for land that they might become agriculturists and herdsmen, should be altogether on a different plan or method. And what is wanted is men to go out there and teach them to hold the plow, to hoe, and to plant corn, and teach them the multiplication-table, or something of that kind.

Mr. BOONE. You spoke of the Indians being broken up into little bands and not hostile; how about the Modoc hostilities, how did they come about?

Major POWELL. Formerly, the Modocs were given a reservation of land which they could cultivate. There are only little patches of land in that country which can be irrigated and where farming is possible. The settlers wanted this land, and the Government moved the Indians from it and gave them another reservation. The Indians went up there and found, so they claimed, that they could not cultivate the soil; that it was barren and arid, and they could not make a living, and they returned to the old reservation, and the effort was made to remove them back again and drive them away from the land which was first set apart for them for a reservation. You must appreciate the condition of those Indians. They are beggars, and living in a most pitiable condition; yet, when aroused and driven to extremity, they can wreak the most terrible vengeance. They are savages, and are treacherous and cruel to their enemies as they are faithful and honest to their friends.

Mr. SPARKS. When you speak of the Indians being subdued, do you refer to all west of the line you have drawn?

Major POWELL. Yes; from British America to the Mexican line. There are two or three exceptions among the Indians in this area, not to their subjection but to the subdivision of the people. For instance, there are 10,000 Navajoes, and they are pretty well united and speak one language; and there are 5,000 Apaches who speak different dialects of the same language and with difficulty understand each other. My experience teaches me that if you will only give these Indians in this area some land, and give them a little superintendence and the means by which they can become farmers, all of them can be made to cultivate the soil. There is no difficulty whatever, only give them the land. In California and Nevada it would, perhaps, be impossible to give them land without purchasing it, as the Government land that is of any account has been

taken up; but there is plenty of land in the Territories that belongs to the Government that could be given them.

Mr. SPARKS. How about the qualifications of the agents out there?

Major POWELL. I think they do not fall below what they have been for some time past. I think the chief difficulty is not in the integrity of the officers, but in their executive ability. The men who are paid \$1,500 a year are hardly competent to attend to the business. I think the reasons why this Bureau should not be turned over to the War Department are, first, that the presence of the soldiers is bad; and, secondly, you want men who will teach them the multiplication-table and to plow, sow, &c.

Mr. BOONE. Do the agents do that now?

Major POWELL. Yes, sir; farmers are employed to do that sometimes, but the agent helps them. Another difficulty the Indian agent experiences is the want of a manual of accounts by which they might learn to keep accounts and thus avoid trouble in settling them. In regard to the Indians east of the line, they are pretty thoroughly subdued, but not all of them. They are united into confederacies. The Sioux, for instance, number some 15,000 or 20,000, and can be marshaled as one great body, have horses and guns, and roam about the plains killing buffalo. They should be managed in a different manner from the other Indians. The discovery of gold in the Black Hills and the going there of white men will probably lead to the Sioux being settled on a reservation farther west. Their reservation now is too large. My opinion is also that the Indians should not be consulted as to their reservation. Wise men should be sent out to select it for them. You might as well consult a child as to what school he wanted to go to.

Mr. BOONE. Your opinion is, I suppose, that the Indians west of that line ought not to be turned over to the military department, but that the others should be turned over.

Major POWELL. No; I do not think the Indians of the plains should be turned over to the War Department. I think they should be overawed by strengthening the forts on the plains, but the agencies should be managed by civilians.

Mr. BOONE. Would the fact of the Indians being under military control interfere with the efforts of the peace missionaries and religious associations in the moral training and education of the Indians?

Major POWELL. It would be very hard for me to say. In many cases it would not and in other cases it might.

Views of Hon. John Hancock, Representative from fifth district of Texas, in regard to the proposed transfer of the Indian Bureau from the Interior to the War Department.

WASHINGTON, D. C., February 19, 1876.

Mr. SPARKS. Please state to the committee your knowledge of, or connection with the Indian tribes.

Mr. HANCOCK. I have had more or less intimate relations with the Indians all my life. I have, unfortunately, been a frontiersman. I used to live near the Cherokees, when they lived in Alabama and Georgia, and they emigrated a little in advance of me. I followed after them, and went beyond them to the western boundary of Texas. I have been brought in contact with them all my life, principally as a citizen, sometimes as a soldier, and since I have been here I have looked considerably into the subject. I have also traveled in Mexico and seen a great deal of their mode of dealing with the Indians. Of course, I have not made this a specialty, but these matters have come incidentally under my observation.

Mr. SPARKS. Please give your opinion as to the propriety or impropriety of transferring the control and management of Indian Affairs from the Interior to the War Department.

Mr. HANCOCK. I answer that question in view of the present policy of the Government, which is a very marked change from what has heretofore been the rule—the feeding-policy which is now adopted—that the Indians would be better under the control of the Army, not of the Department itself, but of the commanding officers. I quite agree with the remarks of my colleague, Mr. Schleicher, whom I heard yesterday, and I will not go over his ground. I will premise by saying that we have not succeeded, but have uniformly failed in all our efforts to civilize or Christianize the Indians, so far as the Government is concerned. I believe that the five tribes alluded to by Mr. Gunter are indebted for their civilization rather to their proximity to the whites than to any missionary efforts. This is indicated by the admixture of white people among them, and their civilization can be attributed to their Arkansas, Georgia, and Missouri blood. On the other hand, the Spanish governments, in Central and South America, have succeeded much better with the Indians, and they have done that by an entirely different process from that which we have adopted; and I think I do not overstate the mark when I state that of the nine million of people in Mexico

to-day, seven million of them are Indians, and not more than one-half of the remainder would be found to be pure Castilian blood. Captain Potter, who is probably the best authority we have on the subject, estimates that not more than one in eight has Castilian or even is mixed with Castilian blood. The process adopted in that country has been rather duplex in its conditions. The military, perhaps, have not exerted so much influence over them as the Church; and, without passing upon the merits or demerits of the different denominations, all who are familiar with the subject will readily agree that the Catholic Church has superior facilities for exerting an influence upon the minds of the ignorant, and especially the savage mind, wherever it is brought in contact with it. It is hardly necessary to say that I am no Catholic, but we must do justice to all. And this brings me to the point I started from, that the policy of the Government, since General Grant has been President, has been a radical change, and instead of killing and subduing the Indians by war, the effort is now being made to localize him, to settle him down, and to give him such governmental aid in the way of food and clothes as will enable him to live. Without that aid it is very apparent the Indian cannot exist for any considerable length of time. Probably ten years would so completely exhaust the resources of nature, upon which he has heretofore subsisted, that there would not be enough game, buffalo, elk and deer, or of fowl or fishes, to subsist one-fourth of the present number of Indians that are reckoned among the wild tribes. There is no instance, and I think Professor Seelye will agree with me, where the civilization of any of the human family found in the state of nature has been accomplished, except by compulsion, without assistance of some kind, and without observing that requirement which is laid upon all the descendants of Adam, to earn their bread by the sweat of the face. The Indians must be civilized. It is no use in saying that you cannot do that. The president of Mexico, Juarez, was a full-blooded Indian, without a drop of alien blood in his veins. Some of their best historians, and one of their best poets, was a full-blooded Indian; and as you travel through Mexico you find Indians everywhere in a high state of civilization for that country. It is practical and can be done. The Indians in our country have as much capacity and adaptability for the pursuits of civilized life as the Indians south of the Rio Grande. But the first thing toward civilizing an Indian is to fix him at some place, give him a local habitation, confine him to certain limits, within which he will have all the rights consistent with his interest and his welfare. Hence, you must break up his tribal relations, and put each Indian upon the same plane of right and responsibility, and amenable to the same rule and regulation as every other Indian. When that is done there will be no trouble in controlling his actions. The Army alone can do that. By this transfer I would not, by any means, interfere with the methods now employed for the education of the Indian or his instruction in religious duties. These things could remain as at present. If we permit the Indian to continue to rove over the prairie, hunting and fishing, and committing depredations, his extermination as a people is not far distant. I think humanity requires that he should be cared for so far as can be done, and this is the only way that I can see how it can be done. The present system of managing the Indians is very objectionable in several particulars. It is unnecessarily cumbersome as to the number of persons employed, the want of immediate and direct responsibility, and the means of ascertaining the efficiency or fidelity of the persons intrusted with these agencies. They cannot be reached readily, and the character of the persons selected cannot always be known. If you look over the agencies you will find that persons have been designated by the Secretary of the Interior and by the religious associations in good faith, who have not acted satisfactorily when they were brought to perform the practical duties pertaining to their positions. I think many of the superfluous officers of the Army could be utilized as Indian agents and many of those on the retired list would be glad to serve. This would save a great deal of expense not only in the salaries of the Indian agents but in the purchase of clothing and supplies and dealing them out to the Indians. The Pay Department could disburse the annuities without much expense. The supplies purchased for the Army and the Indian should be purchased as near to them as possible, thus saving expense. In regard to the morality of the soldiers, I do not think that the effect on the Indians would be any worse than it is now, perhaps not so bad. We all know that they are now used to control the wild Indians. There is no necessity for mingling the soldiers with the Indians. If you make Army officers Indian agents they would then have increased power; they could eject the worthless and vicious white people who go among the Indians and demoralize them. I think of late years the moral condition of the Indian has been improved. His condition is better understood by those in contact with him than by the humanitarians whose knowledge of him is what they derive from books and seeing him on exhibition; one of the means employed in South America to improve the Indians is to make a soldier out of him. That is done in the Argentine Republic.

Mr. SPARKS. Under your plan would you bring the Indians under martial law?

Mr. HANCOCK. Yes, sir; and try them by court-martial until they become sufficiently civilized to manage those things themselves.

Views of Hon. S. B. Elkins, Delegate from New Mexico, in regard to the proposed transfer of the Indian Bureau from the Interior to the War Department.

WASHINGTON, February 19, 1876.

Mr. SPARKS. State your knowledge of, or connection with the Indian tribes.

Mr. ELKINS. Such knowledge that I have is derived from a residence on the borders of Missouri from an early day, and for the last ten years in the Territory of New Mexico, and traveling to and from that Territory over the plains. I was for four years district attorney of New Mexico, and was occasionally called upon to enforce the Indian-intercourse act. That has, perhaps, given me more correct knowledge of the Indian question than anything else. In my Territory we have part of the Navajoes, the Apaches in the south, and occasionally Indians from the plains and Texas come in. Then we have the Pueblo Indians, occupying the best land in the Territory and distributed into about twenty villages. These lands were given to them by the Spanish government in 1600. These Indians are semi-civilized. They live in villages and have their own council and municipal regulations for the prevention and punishment of crime. They are agriculturists and stock-raisers, and are self-supporting. The Government has an agent among them, but he does nothing; I believe he distributes a few seeds and agricultural implements. They have schools and teachers. They are subject to the civil law and authorities of New Mexico the same as any other citizen, except that they do not pay taxes. These Indians are quiet, law-abiding, and industrious, and no troops are necessary to control them. Although they are classed by the authorities here with the other Indians this should not be so; they are intelligent and industrious. This man Juarez, of whom Judge Hancock spoke, was one of them. The Navajo Indians ten years ago were in open war with the people in New Mexico, and had been hereditary foes of the people for centuries. The troops succeeded in subduing them and placing them upon a reservation, and now they are quiet and peaceable. I think the only way of controlling the Indians is to confine them to certain limits and to teach them obedience; you cannot get along in any other way. You must teach the Indian to fear you, and that you can only do by force. The Navajoes are now active and industrious. They work for wages, as no other Indians will do except the Pueblos. They have some 90,000 sheep, and that does more to keep the peace than anything else. I think in a few years they will be self-supporting. This cannot be accomplished without the Army. As to the Apaches they are wild and hostile, and I am informed will not work except by compulsion. I think the Army should be employed to keep the Indians on their reservation and to compel absolute obedience to the Government. I would have schools on every reservation and compel the Indians to attend them. The New Mexican Indians are entirely different from those of the plains, but I think generally the management of Indian affairs should be placed under the control of the War Department. There is but one modification of this opinion, and that is, I don't believe Army officers are as competent for preserving peaceful relations with the Indians as those who are now charged with that duty. It is out of their line of duty, and I don't think they would exercise that care to prevent war that Indian agents would. But looking at the question apart from that, I believe that the affairs of the Department would be better managed under the Army. The men generally appointed are men who have no knowledge of Indian character, and are easily imposed upon. If you should appoint men from my country who know the Indians I think it would be better.

Views of R. Q. Mills.

Mr. SPARKS. State your knowledge of, or connection with the Indian tribes of this country.

Mr. MILLS. My knowledge of the Indians commenced with my settlement in Northwestern Texas, twenty-four years ago, on the line of the Texas frontier. There was one military fort in the western part of the county in which I lived, and one north of me in a county but recently taken from the one in which I lived and still live. Indian incursions have been a part of the history of that country ever since I have been there, and how to prevent them and protect the people has been the constant inquiry among us. It is a prominent question before every session of our legislature, and with the exception of the years of the war scarcely a session of our legislatures or of our constitutional conventions has been held that we have not called the attention of the Federal Government to the constant invasions of our frontier, and asked it to interpose for our protection.

Mr. SPARKS. Please give your opinion as to the propriety or impropriety of transferring the control and management of Indian affairs from the Interior to the War Department.

Mr. MILLS. I very decidedly favor it, for the reason that the Interior Department has no system of government for the Indians; the War Department has. The Interior Department ignores all idea of force in dealing with the Indians, and that is an element in

all governments, even among the most civilized people. With all the murders, robberies, kidnapping of women and children, and other crimes too horrible to mention, committed by Indians on the frontier of Texas, I have yet to hear of one case of punishment of the perpetrators by any officer of the Interior Department having control of them.

The Interior Department relies on moral force, I believe, as the only means of governing Kiowas and Comanches, when the best community in the United States cannot be governed by it. The vicious everywhere have to be restrained by force. We have everywhere among us, courts for the trial of offenses, and jails and penitentiaries for their punishment, and, as Blackstone says, it is lost labor to say "Do this" or "Avoid that," unless we also declare this shall be the consequences of your non-compliance. The object of those who have the control of the Indians now may be to civilize, Christianize, and elevate them in the scale of being; and if this object were carried out by men under them perfectly honest and sincere, it would fail without the use of force. But when the administration of the laws and regulations is committed to the hands of agents who seek those places for profit to themselves, then the Indians are injured, the Government is defrauded, and the whole people on the frontier are made to suffer.

The officers of the Army will deal justly by the Indians, and carry into effect, as I believe, in good faith, the laws of Congress, and so deal with the Indians as to control them, and prevent them from committing depredations on the settlements near them. On the frontier of Texas, until within the last year or two, there was not a full moon that some crime was not committed by them—large droves of horses stolen and carried away; and during the last Congress, I laid before the Indian Committee a letter of a citizen of Texas who had lost \$100,000 worth of cattle, a great many of which he found in New Mexico. They had been stolen and carried away by Indians and those acting with them, and sold to the people of New Mexico; and he sued and recovered some of them, Hon. Mr. Elkins, now a Delegate from that Territory, being his counsel.

Mr. SPARKS. To what do you attribute that?

Mr. MILLS. To corruption in the officers and agents having them directly in charge. They induce them to go down and steal horses in Texas, and they carry them off in the Northwest and sell them. As General Stanley has just told you, they, the agents, are getting rich. It had gotten so unsafe for life and property that the frontier was receding, as General Sherman testified two years ago. Things are better now. Texas has troops on the frontier constantly protecting it, and in a number of instances they have come up on the Indians and punished them severely. Under the administration of the Interior Department twelve months ago, a party of 150 warriors, mounted and armed with the United States cavalry rifle and Army six-shooters, with ample store of ammunition in metallic cartridges, came boldly on our settlements painted for war, and were encountered by a detachment of State troops, and, after a most obstinate battle lasting till in the night, they were driven back to the reservation.

Mr. SPARKS. You think if the Indians were under the control of the War Department that state of things would not exist?

Mr. MILLS. Yes, sir; General Stanley has just told you that an Army officer is like everybody else—made honest by the fear of punishment. Perhaps there is another reason for his honesty. The Government takes him in his youth and teaches him to be a gentleman, as well as to learn mathematics and French. Education is everything in making a man; the same child, taken in infancy and properly surrounded and instructed, may be made an honest man or a thief. The officer of the Army is instructed by precept and example from his youth up that he is the representative of the honor of his Government. He has the fire of true courage in his bosom that teaches him to bear himself like a lion against the enemy, and like a lamb in his dealing with the weak and defenseless under his guardianship. In the Regular Army, from an acquaintance from boyhood I should say, among the officers, the gentleman is the general rule. There may be exceptions, but they are rare. Not only, as General Stanley says, is there a power *over* them, but there is a moral power in them, and the two together make him a better guardian of the interests of the Indian.

Mr. SPARKS. As to the question of economy how would that be?

Mr. MILLS. A great many officers would be dispensed with and the money required from the Government would be less in amount and would be more economically and honestly expended, and there would be no such thing as agents and contractors getting rich in two or three years, as we have heard.

Mr. SPARKS. What is your idea of the moral effect upon the Army and the Indian under the proposed transfer?

Mr. MILLS. The wild Indian don't know much about the moral law, and what he learns from corrupt agents and contractors would have been better unlearned. Morals are always taught more successfully by example than by precept, and the Indian would, I think, be more impressed by the example of honest men than by the precepts of dishonest ones. Neither the one nor the other will affect the moral question much.

Views of Hon. H. B. Strait, Representative from Minnesota, on the proposed transfer of the Indian Bureau from the Interior to the War Department.

WASHINGTON, D. C., February 26, 1876.

MR. SPARKS. State your knowledge of or connection with the Indian tribes of the country.

MR. STRAIT. It is not very extensive. I have been a resident of Minnesota for the past twenty years, and from 1855 to 1862 we had the Indians among us—the Sioux. The Winnebagoes were in the lower part of the State and are now there, a portion of them.

MR. SPARKS. You have mingled with them more or less?

MR. STRAIT. Yes, sir; I have been more or less among them, and at the outbreak of the Indian war, in 1862, I was ordered on the frontier. I was then in the Army and preparing to go South.

MR. SPARKS. What is your opinion as to the propriety of transferring the Indian Bureau from the Interior to the War Department?

ANSWER. From what I have seen of the management of the Indians, I am led to believe that it would be beneficial for them to make the transfer. I cannot say that I believe it will be beneficial to the interests of the War Department or for the interest of the soldier; I think that the Indians will be likely to be better managed and kept upon their reservations, and it could be done at a less expense. I think this: that the officers who could have charge of them are men that are engaged in the special profession they are assigned to and would be likely to better care for the Indians. I think, for instance, the transportation of supplies would be better done by the Quartermaster's Department than it is now. I think they would be likely to get better rations from the Commissary Department and get them more regularly than they do now. I think contracts for purchases are made much cheaper by Army officers than they are by Indian agents.

MR. SPARKS. Then you think it would be for the interest of the Indian as well as for the Government that the change should be made?

MR. STRAIT. I do. I think it would be better for the Indian and a saving to the Government. I have my doubts about its effect on the *morale* of the Army; I think it would be affected somewhat, I do not know to any very great degree, but I think it would be affected more or less by coming in contact with the Indians. One objection urged to the transfer is, that they cannot be civilized under the management of the War Department. I do not believe in that, for I do not see why an Army officer cannot just as well select good men to take charge of the agricultural pursuits that they may be assigned to or may be called upon to do as well as an Indian agent. All that you expect of Indians is the herding of cattle and doing a little plowing and cultivating a little corn. These are about all the pursuits he is likely to become accustomed to. The Winnebago Indians of our State, I am told, are doing very nicely under the present management. I think lately they have had very good officers in charge of them. General Sheridan stated before the Committee on Military Affairs a few days ago, not that he was authorized to say as coming from the Secretary of War, but he felt authorized to say, on his own part, that the Secretary of War would reduce the appropriation for the Army proper—leaving out the artillery and other branches—from three million to five hundred thousand dollars, from the transfer of the Indians from the Interior to the War Department. That was pretty strong, but his explanation was that the Indians now are scattered generally all over the country, and the cost of transporting the Army that is called upon to protect these different posts and the settlers about them is so very great that it could be largely reduced. The Indians, he said, would be brought together and be much more likely to be kept upon their reservation. I think that is the case myself. I have no doubt that in a great many instances the Army is called upon to protect the settlers about the post when they are really not needed for that purpose.

MR. SPARKS. It is a fact, is it not, that the Army is employed in protecting the agencies, and is located in squads at or near many of the different reservations?

MR. STRAIT. I so understand.

MR. SPARKS. Is it not a further fact that there is a great difficulty in managing the Indians because they are scattered—that they are inclined to scatter?

MR. STRAIT. Yes, sir. They go off into hunting-parties; the agents have not the power to control them, except through the military; if the military were in charge they would have all the power. My knowledge of the Indians is, that they believe in what an Army officer tells them. You can only control an Indian through fear, and I think they would be afraid of Army officers; but whatever they tell them they look upon as a fact; they rely upon any statement made by an Army officer. If an Army officer tells them to remain upon their reservation they will be more likely to do it than if a civilian told them so.

MR. BOONE. It being a fact that the Army is all scattered about the Indian country at present, is it any more likely to hurt the *morale* of the Army than the present system?

Mr. STRAIT. Possibly not; and at the same time I have my doubts whether that would not be the case. There is this: you place the Indians in charge of Army officers; they will have all the purchases to make, the rations to issue, and the handling of the money of the Indians, and that will bring down odium and assault upon the Army officers, perhaps unjustly, but it necessarily must affect the Army in that respect—bring down some reproach upon them.

Mr. BOONE. From your knowledge of Army officers generally, and the character of men that compose it, would they be as likely, in your opinion, to promote the religious and educational interests of the Indians as the present peace commissioners—as the present agents?

Mr. STRAIT. I would hardly like to say as to that.

Mr. BOONE. Would they afford the necessary facilities? Would they be as willing to do it?

Mr. STRAIT. I think they would.

Mr. BOONE. I would like to get your opinion upon this point: whether or not it is not better for the Indian, for his religious training, that he should be treated like every other man—that he should be accessible to every religious interest that sent out missionaries?

Mr. STRAIT. I do.

Mr. BOONE. Don't you think it is bad policy to farm out our Indian reservations to any particular denomination?

Mr. STRAIT. I think so; I think there should be allowed free choice.

Mr. BOONE. You are aware that there is a feeling on the part of some that if the War Department takes charge of this business, that they will exclude every religious and educational interest, that they will govern them by force of arms, and that there will be collision and bloodshed.

Mr. STRAIT. I do not believe that.

Statement of Hon. J. P. Kidder.

WASHINGTON, D. C., February 26, 1876.

Hon. J. P. Kidder, Delegate from Dakota Territory, appeared before the committee, and, upon being asked his opinion, from his knowledge of the Indians, in regard to the propriety or impropriety of transferring the Indian Bureau from the Interior to the War Department, stated that he had considered this subject a good while, and had come to the conclusion that it would be better to make the transfer proposed, and that he adopted the views of Mr. Schleicher, as given before the committee on this subject, in their entirety, and as fully covering his own. Mr. Kidder left Vermont in 1857 and went to Saint Paul, Minn., and went from there, in 1865, to Dakota, and since he left Vermont he has spent his time on the frontier.

Views of Hon. Thomas M. Gunter, Representative from the State of Arkansas, in regard to the proposed transfer of the Indian Bureau from the Interior to the War Department.

WASHINGTON, D. C., February 19, 1876.

Mr. SPARKS. Please state your knowledge of, or connection with the Indian tribes of our country.

Mr. GUNTER. I will state, Mr. Chairman, that my knowledge of the Indian tribes is confined particularly to what is known as the five civilized tribes. I have never traveled very much among what are known as the wild tribes. I live on the border of the Indian country, in the western part of Arkansas, and I have lived there ever since the year 1852, and before the war I traveled a great deal among the Cherokees, Creek, and Seminole tribes. Hence my knowledge is confined to these five civilized tribes.

Mr. SPARKS. Will you please give your opinion as to the propriety or impropriety of the transfer of the management and control of the Indian affairs from the Interior to the War Department?

Mr. GUNTER. My notion would be different as to the two class of Indians. My opinion is that the five civilized tribes do not need any control either from the military or the Interior Department. I think they are sufficiently advanced in civilization, agriculture, horticulture, and so on, to control their own affairs, and I believe that we ought to be relieved from any trouble, responsibility, or expense in the control of them. As regards the uncivilized tribes, my notion is that it would be better to transfer them to the War Department. I think, first, it would save a great deal to the Govern-

ment; and, second, wherever the agents are appointed to office, the Government appoints those who are recommended by politicians, and they are usually persons with more or less political aspirations. That being the case, they interfere more or less in the politics of the different localities where they are stationed.

Mr. SEELYE. The case now is that these appointments are not made from political reasons.

Mr. GUNTER. I think it is, to some extent, even yet.

Mr. SEELYE. As it is now, the President does not originate any appointments as Indian agents, but the names are sent to him by the various religious denominations and missions in the country.

Mr. GUNTER. I am not aware that that is entirely the case. Then there is another reason, and that is, that the men that are now appointed seek these appointments exclusively for the pecuniary consideration that accompanies it. It would be quite a different thing if the appointments were made from the military officers. They would have little or no interest, either politically or pecuniarily, in the office. They get their annual salaries, and they would give more attention to the discharge of their duties than the agents now do. Then they are usually a class of men totally different from the class now appointed. They are very strict in carrying out their defined ideas of duty, and I think, taking them altogether, it would be better to place the uncivilized tribes under the control of the military.

Mr. SPARKS. I would ask you whether or not it would make any difference to those that are civilized whether they had Army officers as agents or the present kind.

Mr. GUNTER. No, sir. I think, with regard to those tribes, if they have to have an agent it would be better for them to have a military officer. I would state that the agent's duty in regard to the civilized tribes is to look after the financial condition of them, make distribution of clothing, provisions, and everything of that kind, and the same duties could be assigned to a military officer; but we would not place them, as I conceive, under military government. It is merely selecting these agents from the military in place of the Interior Department.

Mr. SPARKS. Do you think they would have the same attention if they were under the control of the military?

Mr. GUNTER. I think they would. They are now under the control of the missionaries from the different societies. My impression is that if these five tribes were to be thrown on their own resources, it would encourage them a great deal in self-control and self-management.

Statement of Hon. Thomas M. Patterson.

WASHINGTON, D. C., February 26, 1876.

Hon. Thomas M. Patterson, Delegate of Colorado in the House of Representatives, appeared before the committee, and was examined as follows:

Mr. SPARKS. Please state your knowledge of the Indian tribes and your connection with them.

Mr. PATTERSON. I have not had much actual knowledge of the Indian tribes. I have never been on their reservations, and have only seen them as they periodically visited Denver. The consolidated tribes of Utah Indians, who have a reservation in our Territory, visit Denver two times a year in delegations. I have seen them, and have a fair knowledge of the kind of beings they are, but still I have no practical knowledge—no actual knowledge of the Indians upon their reservation. I know, I think, the universal sentiment of the people of Colorado upon the Indian question.

Mr. SPARKS. I suppose this has been a subject of thought by you for a number of years?

Mr. PATTERSON. Yes, sir. Nobody could live in Colorado without thinking of that question. In the first place, the Utah Indians, who are the greatest in number, keep roaming over the largest part of Colorado, and are perhaps the best specimen of the wild Indian to be found in the West. They are generally peaceably inclined toward the whites. There have been no extensive outbreaks by them for the past eight or ten years, perhaps longer. They are under the control, of course, of the Indian Department as are all the other Indian tribes, and as the object of the Indian Department is to civilize, Christianize, and utilize the Indians, I must say that so far as these Indians are concerned, it has proven to be a great failure. The Indian agency in Colorado is now on the Uncompahgre River. It has lately been removed to that point, from what is known as the Los Pinos agency. Within the past year there has been considerable trouble with the whites on their reservation, and the legitimate causes of this and all the other troubles are the failures of the Interior Department to comply with their obligations to the Utes. I imagine that the insufficiency of the Indian Department in managing

and controlling the Indians, or else its dishonesty or want of cadacity, would be as fully manifested with regard to that tribe as to any other. In 1874, the Government purchased from the Utes what was known as the Sanborn mining region, and by the terms of the treaty, which was subsequently ratified by Congress, it became the duty of the Secretary of the Treasury to set apart 5 per cent. bonds for a sufficient amount to realize an interest of \$25,000 per annum, which amount was to be expended, under the direction of the President, for the benefit of the Utes. This winter, I have received a large number of letters from settlers in the neighborhood of this agency, complaining of the failure of the Government to carry out that condition of the treaty and that law of Congress. The territorial legislature also passed a memorial to Congress, which was referred to the Indian Committee, in regard to this matter, and letters that I have received from there show that there is danger of murder and outbreak unless the Government promptly complies with its obligations. There is another matter that might be alluded to to show that the Indians are not kept under such control upon the immediate border of civilization that the peace of the border would require, and that there is constant danger of encounter between conflicting tribes or bands of Indians. It is a matter in the Territory of Colorado which we always have had to anticipate and fear, because it is only a little over a year or eighteen months ago since there was quite a conflict between a band of Utes and I think of Cheyennes. Some of the northern tribes in Colorado have threatened to create a very considerable difficulty. Whenever these tribes of Indians come into conflict they roam over the plains and render traveling dangerous. These conflicts occur when the tribes of Indians get out on their hunting expeditions, and it seems as if the Indian Department itself is wholly insufficient to keep the tribes of Indians in proper subjection, and whenever they are allowed to come in contact it always imperils the interests of settlers to a greater or less extent. The United States special Indian agent, James B. Thompson, in a report dated Denver, September 1, 1875, says:

"Since the attack by the Sioux last winter upon a Ute camp on the Republican, and the retaliation by the latter, in which they captured some three hundred of the Sioux horses, the plains tribes have constantly kept scouts in the buffalo country looking out for Ute hunting-parties. The Utes will go to that region in strong force and thoroughly prepared for a fight, if they go at all; and as the Sioux, Cheyennes, and Arapahoes, (Northern and Southern,) Kiowas, and Comanches roam over that country at their own sweet will in large numbers, it is probable that, unless great precautions are taken by the several agents, a bloody battle between these life-long enemies will take place on the Republican this winter."

These are conflicts that are constantly occurring, and of course are dreaded by the whites, and keep them in a perpetual state of oppression. In Colorado it is admitted that the military posts required to protect the white people are not so much on account of the number of Indians they collect, but for the lesser fear the Indians have of Union soldiers. There is a military post in Colorado that was formerly on the borders of a reservation, but, by the purchase of the San Juan country, it is about one hundred miles from its northeast boundary and does no good. That system instances the existence of two different governing bodies of men. For instance, the military post at Fort Garland and the Indian post at the Uncompahgre. It is believed that the Indian post and the military post might all be in one, under one management and one set of officers. There is a very strong effort now being made to have these two consolidated.

Upon the question as to the good results of the present Indian system I would refer the committee to the report of H. F. Bond, who was United States Indian agent at the Uncompahgre, formerly at Los Pinos. It is dated September 16, 1875, and is addressed to the Indian Department:

"It has been impossible to induce the Utes here to work to any considerable extent. They will sometimes labor industriously upon powder-horns and guns, but not skillfully. We regard every occupation as useful which requires any concentration of the faculties. I proposed to the chief to select a young man as apprentice to the carpenter and another as apprentice to the blacksmith, and offered to board them and to require but three hours' work a day. He spoke to some of the Indians about it, but no one responded favorably. I have still hopes, however, of being successful in this direction."

As an example either of dishonesty or total inefficiency in the manner in which the Indians are at present governed, I refer the committee to a transaction that occurred in the Territory some two years ago; the exact date I do not recollect now, but it occurred on the cession of land by the United States. It became the duty of the United States to furnish a large number of American cows to the Indians, for domestic use. An advertisement was made and the contract let, and instead of the American cows being furnished, it is alleged that under collusion with the officer of the Government at that time, a large number of wild Texan cows were furnished, to milk which would require that every one should be tied.

Now Mr. Bond, even as late as 1875, speaks in his report of that very transaction:

"The cattle belonging to the agency, now numbering over 900, have cost the Govern-

ment a good deal to keep, and I would recommend that they be given in charge to the Indians, if Ouray or other chiefs will be responsible for their proper keeping. In the Uncompahgre Valley they will be so far from white settlers and the herds of white settlers that the care of them will be much reduced as soon as they become wonted to the range. Having been originally wild Texas cattle, and being now improved by the introduction of only a few American bulls, they are entirely unfit for their original purpose, namely, domestic use."

Last year in Colorado Territory a large detachment of Hayden's surveying party was attacked by the Ute Indians, and that occurred simply, in my opinion, because there was no military force then convenient.

As to the present moral and physical condition of the Indians under the present system, I would refer the committee to the report of Mr. Thompson, to which I have heretofore alluded, as it will give you a very good idea what it is. Our people in Colorado know that the present system of governing the Indians is an absolute failure, so far as the objects of the Government in creating it are taken into consideration. They believe it is simply a system that begets and fosters fraud both upon the Indian and the Government, and that fraud simply aggravates the Indian and drives him to commit outrages, &c., and prevents settlers from making homes there. They also think it is extravagant, because where it requires two organizations to control the Indians now one could do it, and do it more economically and more effectively than the two do now. They feel very deeply on that subject because it is a great problem there, and they can hardly do it without a great deal of feeling. They feel that the Congress of the United States, perpetuating the system that is now in vogue, do the people of the West a great injustice. They do not believe that the Indian is possessed in any great degree of the higher traits of character that render moral force and moral suasion sufficient to keep them in proper subjection. The Indian understands what force is and what power is, and when they know that the power and force of the Government is going to be used to keep them in their proper sphere and proper subjection we will have the peace that the people of the West are entitled to. I am satisfied that in expressing these views I am expressing the views of 99 out of 100 of every one who have come in contact with them, who know the habits of the Indians on the subject.

Mr. SPARKS. In view of which you think the transfer ought to be made?

Mr. PATTERSON. I think so.

Mr. SPARKS. And that is the sentiment of 99 out of 100 of the people acquainted with the Indians in your Territory?

Mr. PATTERSON. Undoubtedly so. Our press is very outspoken on the subject, and I have never seen an adverse opinion in any newspaper.

Statement of Hon. Martin Maginnis.

WASHINGTON, February 26, 1876.

Hon. Martin Maginnis, Delegate in Congress from Montana Territory, appeared before the committee and was examined as follows:

Mr. SPARKS. State what knowledge you have of the Indian tribes of this country.

Mr. MAGINNIS. My first connection with the Indians was when I was 12 years old, when I lived in the immediate vicinity of the Sioux in Minnesota. I lived there until 1861. While I was in the Army the Sioux raid occurred in Minnesota and they were driven out of the State. After the close of the war I went to Montana, and since that time I have been more or less acquainted with all the Indian matters of the Territory, and have visited most of the agencies and Territories at different times.

Mr. SPARKS. Give your opinion as to the propriety or impropriety of transferring the control and management of Indian affairs from the Indian to the War Department.

Mr. MAGINNIS. I am decidedly in favor of the transfer, not exactly to the War Department, because I am not in favor of building up an Indian Bureau inside the War Department, but I am in favor of transferring it over to the control of the Army so that they will be controlled by the officers, which I understand is the proposition. I am in favor of that; I think it would be good for the Indian, good for the whites, and good for the Government. I think it will be for the good of the Indian for several reasons. Among these wild tribes the first necessity is government. Many people entertain the idea that these Indians have a sort of government among themselves. It is not so. It may be among the eastern tribes, but it is not so with us. It is a perfect mobocracy. The most daring and the most athletic becomes chief. He is generally a sort of a bully and is disposed to go to war and make trouble. All tribes of Indians are divided into two classes, the more peaceably inclined and the wild Indian;

From the foundation of the Government we have acted upon the tribal theory; we

have recognized them as tribes; we have made treaties with them as we would with independent nations, and we have sent agents to them, not so much to govern them as in the character of ambassadors, and he had no control over them and never exercised any. Consequently, in my judgment, the first necessity of the Indian is to put him under some sort of control. At present the Indians have no respect for the agents; they respect the military authority behind him, and there is very apt to be difficulty between the military authorities and the agent. There is very rarely any good feeling between them. As General Crook has shown in his reports, it is so much to the interest of the agent to misrepresent any depredations committed by their tribes upon the whites, that it is very difficult to trace any Indian that goes off a reservation and commits any depredations and bring him to justice. In fact I know of no case of that kind. He wants to keep himself popular with the Indian and to show the Government that he is keeping those Indians quiet. These Indians are pretty sharp and often represent themselves as other Indians when off making raids, and it is a strong temptation for the agent to say that it was not his Indians but some other Indians.

Another reason, I think it would bring an infinitely more honest administration of the Indian service than has existed. As it is now it has become a by-word in the mouths and belief of our frontier people, and they have come to the conclusion that the whole system is entirely corrupt. I don't think the appointments under the ecclesiastical system are any better than they were before. It is a historical fact that there were five agents in my Territory last year; all of them fell into disrepute and were removed successively. It is also said that there is no politics in the system. I have an instance to the contrary in my Territory. General Ewing, who represents the Catholic Church, recommended the name of one Owen Garland, who had been recommended to him by the missionary fathers, and he had to withdraw his name, at the request of Secretary Belknap, because he was a democrat. In some mysterious way the contractors seem to manage these appointments any way they please; keep them in as long as they want to, and turn them out when they please. As to economy, I think it would be a great saving to the Government, first, in the expense of administration, and in the next place that administration would be more economically and honestly carried on. Most of the money that is now expended for the Indians is expended in keeping up an extensive organization, and employing a great number of persons. Take the Flathead agency, where the Indians have been under treaty stipulation for fifteen years, since 1855, and have been receiving about \$20,000 a year. Now, how is that money expended? How much goes to the benefit of the Indian? The reservation is as blank to-day, except one old mill upon it, as the day the treaty was made. Suppose that money was expended, as it has not been for those Indians, for they have been robbed most unmercifully, would they not have been in a different condition to-day? Most of this money is expended in maintaining the system. If that money had been expended in sheep and cows, ten or fifteen years ago, how rich they would be to-day. The Indians are capable, to a certain extent, of advancement and civilization. They are the very best stock-raisers in the world. The system of tradership is bad for this reason; it enables the agent to keep everybody off the reservation except those whom he chooses to make his partner, and very often he disposes of the annuity-goods to him.

Statement of Hon. William R. Steele.

WASHINGTON, February 26, 1876.

Hon. William R. Steele, Delegate in Congress from Wyoming Territory, appeared before the committee, and was examined as follows:

MR. SPARKS. State your knowledge of or connection with the Indian tribes of this country.

MR. STEELE. My knowledge of the Indian tribes in Wyoming and the immediate vicinity arises from the state of the present system, as being a matter of interest to all the people in that region of the country, and especially to any one who has any connection with public affairs, and from a personal visit to the Shoshone agency, in Wyoming Territory, in 1873, and from visits to the Red Cloud and Spotted Tail agencies in the years 1874 and 1875.

MR. SPARKS. Please give your opinion as to the propriety or impropriety of the transfer of the management and control of Indian affairs from the Interior to the War Department, and your reasons for that opinion.

MR. STEELE. My opinion is that it would be for the advantage of the Government, the advantage of the Indian, and the advantage of the settler, that this transfer should be made, and I have come to that conclusion after a very considerable amount of thought upon the subject, and a good deal of personal knowledge of the present system of affairs and the manner of conducting them. As an abstract question for

tribes that are to a certain degree civilized, the present system theoretically may be a good one; in its practical workings it is a failure. The trouble that lies at the foundation of the present system is the attempt to govern savages by moral suasion, and I think every one will concede that the history of the world has demonstrated that there must be a governing power and authority to compel any people to pay a decent respect to the rights of others. Now these reservations are very large in size. The agent of the Government, in almost every instance in which I have known anything about him, has been totally unacquainted with the Indian nature, and therefore entirely unfit to deal with him. So far as he is concerned, and the Department which is behind him, he has no power to enforce his authority, and there commences the first difficulty. Instead of making the Indian do what is right because it is right, he buys his favor and bribes him to do what he ought to be compelled to do for his own good, and for the best interests of the Government. Therefore, the Indian has no respect for the agent and no respect for the Government, and if he is compelled to use force to execute his authority and compel obedience to orders, he must call in the military power, and the consequence is that the Indian has no respect for the agent, and all his respect is for the superior military force, and that brings to view a divided authority. The present system makes the Indian agent totally opposed to the military authority, and at variance and at war with him, and it makes the military authority totally at war and at variance with the agent, and neither one of them seeks in a proper manner to uphold the authority of the other, and it is a very great misfortune that there should not be some definite authority, with power to compel obedience to the orders of the Government. I think that is one of the great misfortunes of the present system. I think I do not understand by the idea of turning the Indians over to the military authorities, the apprehension that some people seem to entertain about it, that because you turn an Indian agency over to the military authorities, that you propose to commence an indiscriminate war upon the Indians. That is a very fallacious opinion. I take it that this would be the rule: If there is an agency under the control of the Government where the Indians do not need military power to keep them in subjection and keep them in order, the agent sent there, instead of coming from civil employment, would be an officer of the Army, without any military power behind him, and he would be simply an administrator of civil affairs there, and I think a much better class of men can be obtained in that way, who would have a better knowledge of the Indian, his characteristics, his nature, and who would have much better executive ability. They have been trained to command. As to economy, my idea about that is, that it would save the expense of the entire civil establishment, as it exists now. We undoubtedly have now a sufficient number of officers in the Army that can be detailed for this duty without increasing the number of officers at all, and in that way wipe out the entire civil establishment, so far as the agents and superintendents are concerned. While I am not one of those men who think there are no other honest men except those educated at West Point, I think this, that the universal experience of every man leads him to this inevitable conclusion, that where you employ one man at a fixed salary, at any sum you may please, and make his tenure of office to depend upon political considerations, where he is liable to be rejected at any time, he has not that moral stamina to stand up against influence and power where it is brought to bear against him, either by neglect of duty or willful corruption, as the same man who holds his office so long as he should be reputable and behave himself. I think it makes him much more independent and makes him able to resist influences which he would not be able to resist were it not for the feeling of security in the tenure of his office. Army officers are frequently among the Indians; they understand their nature and their character; they are better qualified to deal with them. The difficulty now is, you take a man who knows nothing about the Indian; you send him out as agent, and about the time he learns anything about them, when he commands their confidence, if he is worthy of it at all, he is removed and another man is sent there. Now the Indians are a peculiar people with respect to that matter. They have very great distrust of a stranger; very great distrust of these men sent out there among them, and the only men who obtain their confidence and respect are men who have obtained it by long years of residence with them and by fair and honest treatment of them. I think, for those reasons especially, it would be for the advantage of the Government and of the Indian that a change of the present system should be made. Now with reference to the Sioux at the Red Cloud and Spotted Tail agencies: I have been at those agencies twice; the last time I spent some considerable time there. The Government, since making the treaty of 1868, has spent some twelve or fifteen million dollars for the Sioux Indians on what might be termed the Dakota reservation. So far as the Indians at the Red Cloud and Spotted Tail agencies are concerned, I can say from personal observation that they have made what might be termed absolutely no progress in civilization and no progress toward self support. I went to look at what was called an agency-farm, and I could have stood on any side of it and thrown a stone over it. There were no schools, and the only progress that can be said to have been made in civilization, may be said to be this, if it can be called progress at all,

that by being kept at the agencies they have been willing to stay there and be fed rather than to roam about, and hence they become more lazy and more indolent than they are naturally. They will not work under the present system. It is entirely beneath the dignity of an Indian to work at all. These young bucks, as they are called, after they are fourteen or fifteen years of age, don't even saddle their own horses in camp; their women have to do it. I talked with the agent there in reference to employing Indians about the agency for doing common ordinary labor or work, and make an example of industry. He told me that he had tried it two or three times and that the Indian who attempted to go to work would be an object of contempt to his tribe; the squaws would hoot at him and laugh at him as he passed to and from the agency, call him "squaw," and they had to give it up. They spend their time in horse-racing and gambling. No power to control them; no punishment for any crime committed by them one against another. One Indian kills another and the recourse is to the knife or to the rifle, or else he pays for it in horses and blankets. I might say that one other objection to the present system is the reservation-plan, under its present control. The reservations are large, they border on the settlements, and of course there is more or less of raiding from them. Life is taken frequently on these raids, and a great deal of property destroyed or carried back by the Indians to their reservation. That has been a matter of frequent occurrence on this Sioux reservation. They have raided down on our settlements, stealing horses, stealing cattle and taking them to this agency, and there has never been to my knowledge any return. It has been publicly exposed around the agency, and if the agent demanded its return he was laughed at. Consequently, it puts a premium on marauding. It would be, I think, a great step toward protecting the frontier to have a power and control over those reservations that would compel the Indians to remain upon them, and punish them for depredations of this kind when they are committed and make them return the property.

Statement of General D. S. Stanley.

WASHINGTON, February 26, 1876.

General D. S. Stanley appeared before the committee and was examined as follows:

Mr. SPARKS. Please state your knowledge of, or connection with, the Indian tribes of this country; and also your opinion as to the propriety or impropriety of transferring the management and control of Indian affairs from the Interior to the War Department.

General STANLEY. My knowledge of the Indians runs back to 1852, when I first came in contact with the Southern Indians, the Comanches and the Kiowas. With the exception of the period of the war, I have been among the Indians all my grown life—all the time I have been in the Army, 24 years. The eight years previous to the last year I have been among the Sioux Indians on the Upper Missouri. I have seen a great deal of Indians, and my experience convinces me that they are like white people, good and bad. There is a great deal more individual character among Indians than people give them credit for. I have seen Indians that you could trust, that I would trust with my life, my money, and everything. Again, I have seen Indians that are nothing but wild beasts and scoundrels, down to the very bottom. The Sioux Indians of Dakota are about equally divided into what you might call friendly and hostile Indians. The hostile element is the prevailing or popular element of the tribe. They keep peaceful Indians in constant dread, and their kins-people are afraid of them. The grand difficulty in the way of civilizing the Sioux has been this dread of hostile Indians. The peaceful Indians are afraid to obey or to have a feeling of attachment for the white man, for the fear of incurring the wrath of the hostile Indians. All attempts at raising stock have been frustrated in that way. Their attempts at agriculture have proved futile for the same reason; and notwithstanding the reports that the Sioux have made an advancement in civilization, since my first acquaintance with them—I mean the Sioux as a nation; I do not mean the Santee or Yancton, who for many years have been what you might call civilized—they have never made any advancement at all. I know what I say. It is claimed they have made advancement, but really they have not. With regard to the transfer of these Indians to the War Department, I will say frankly that I do not want to see it done. I do not think it the proper duty of the Army; but the principal reason that I don't wish to see it done is that it would be an element of opposition to the Army. It cannot be hurtful in the end to the Army itself. As to the question of economy, there is no doubt that the Army, with its pressing duties, could carry on that duty. There will be no new machinery necessary. To create an Indian bureau in the Army would be to perpetuate a bad system of contracts. All the duties should be carried on under the present Army arrangement and under the immediate direction of the department commanders. The use of officers as Indian agents and commissaries in 1869 and 1870 proved bad in some instances. The details were made from unempLOYED officers here

in Washington without any inquiry being made as to the character of the officer detailed. I knew several agencies conducted by those officers admirably, and I knew where the officer's first visit was to take the squaw, and I knew of one instance where an officer stole himself rich without being punished for it, so far as I know. If the transfer was made now, and these details were made under the department commander, the condition of things which I have mentioned as happening then could never occur now. The system of receiving and issuing in the Army is as nearly perfect as any system can be. Goods furnished by a contractor upon arriving at a post are submitted to a board of survey composed usually of three officers. If there is any deficiency in quality or quantity, the contractor is to make it good. An officer becomes accountable for those stores, and they can only be issued under the order of the commanding officer; so that such a thing as collusion in regard to provisions or goods received or issued in the Army cannot be done. It is not done now. I know of my own personal knowledge that in the Indian business as now conducted this collusion between a contractor and the agent is the general rule. I know it. I have seen an Indian agent, at an agency where a Catholic church or the bishop of it had the recommendation of the Indians, get rich; what I call rich, because, all being poor in the Army, we call a man rich if he has \$30,000 or \$40,000. I have seen agents get rich and only hold their positions about a year. I know they found no gold-mines there. Officers of the Army are no more honest than other men, but they have the Articles of War hanging over their heads, and they can court-martial and put in the penitentiary. That is the only difference between them and any other class of men. They have the law right over them. I never saw an agent suffer. He would carry off his plunder, and go home and be respectable.

Mr. SPARKS. Taking it altogether then, general, what is your opinion as to the transfer both in the light of economy and for the good of the Indian and the interest of the Army?

General STANLEY. Well, sir, it is a matter of economy, and I think it a large economy. As to the manner in which the Indian will be treated I believe he will be brought under better discipline and will be better treated than he is under the present system. I know perfectly well the religious element of the country, and the persons interested in the Indian business claim that Army officers do not treat the Indians with humanity, and I know that that theory is absurd, and that there is no set of men who have such reason to be friendly with the Indians as officers of the Army, because their comfort and very often their lives and everything depends upon having the Indians peaceable. I was eight years among the Sioux, and if you will ask Mr. Welsh, one of those philanthropic gentlemen in Philadelphia who took great interest in the Indians, I think he will say that I had more influence among the Sioux than any other white man. I obtained that influence by being patient and forbearing and always kind to them. I always listened to an Indian who came in with a story, however absurd. I always heard what he had to say and gave him advice. I have been able in that country to send a messenger from one post to another and get answers back, and any officer who will pursue that course with the Indians can get their confidence. He can control them. One objection that is urged to turning them over to the War Department is that they will be brought in contact with the soldiers and squaws, demoralizing them both. Wherever soldiers are necessary to restrain these wild Indians—this hostile class—the soldiers are present now, and will have to be retained. Where that hostility is not dangerous there will be no soldiers—only the agent will be there, who would be an Army officer. The soldiers will only be where they are now. Of course, the soldiers are like other men.

Mr. SPARKS. Would that demoralization be increased or diminished by this transfer?

General STANLEY. Well, I would say that the effect would be to diminish it, for the Army officer would not undertake to break up any connection that he found existing now; but if he was stationed as an agent he would prevent anything of that kind taking place, and, if necessary, would send a file of soldiers to drive off all those bad white men from the reservation. The Indians have more respect for a military officer than any other. They will leave an agent at any time to go to a commanding officer of a post for advice. The Indian respects a man that has power to make him respect him.

Mr. SPARKS. And I also understand the converse to be true, he does not respect a man who has no power?

General STANLEY. No; I never knew of but one case of any man to have influence over the Indians who had not such a power, and that man was Péré Smith, who went among the hostile Indians at a time when no white man could do it.

Mr. SPARKS. From your knowledge of Army officers and the disposition of Army officers, would the religious and educational interests of the Indians be promoted as well by them as under the present system?

General STANLEY. Most certainly. The respect for religion and religious exercises is inculcated in the Army, and any officer who did otherwise in respect to religion would be tabooed, and would be considered a disreputable man. An Army officer will take especial care that a religious man and religious instruction is properly looked after and protected.

Letter from General W. T. Sherman.

HEADQUARTERS ARMY OF THE UNITED STATES,
Saint Louis, Mo., January 19, 1876.

SIR: I have the honor to acknowledge receipt of your letter of January 14, notifying me that your committee is charged with the inquiry as to the "practicability and utility of the present management of the Indian tribes by the Interior Department," and of "re-investing the War Department with the control and management thereof," asking my opinion, with a reference to such "statistical information as may occur to me."

In the annual reports of the Commissioner of Indian Affairs, and of the several military commanders, on file in the War Department, will be found a vast mass of details, to which I cannot well refer from this quarter, but these are accessible to your committee, and therefore I beg you will permit me to express my own opinion on the subject with a reference only to such examples as occur to me of recent date.

The great mass of the Indians of our country are now located on reservations, and are entitled to receive annuities, goods, and food, according to treaties made long ago, and for the faithful execution of which treaties the faith of the Government is pledged. These Indians vary widely in their habits, and should be dealt with accordingly. The present Army is now stationed in small detachments at military posts, chiefly at or near these reservations, to keep the peace between these Indians and their white neighbors, between whom there has always existed a conflict of interest and natural hostility. Now, as the military authorities are already charged with the duty of keeping the peace, I am sure they will be the better able to accomplish this end if intrusted with the issue of the annuities, whether of money, food, or clothing. Each military post has its quartermaster and commissary, who can, without additional cost make the issues directly to the Indians, and account for them, and the commanding officer can exercise all the supervision now required of the civil agent, in a better manner, because he has soldiers to support his authority and can easily anticipate and prevent the minor causes which have so often resulted in Indian wars. In like manner our country is divided into military departments and divisions commanded by experienced general officers named by the President, who can fulfill all the functions now committed to Indian superintendents, and these, too, have near them inspectors who can promptly investigate and prevent the incipient steps that are so apt to result in conflict and war. Therefore, I firmly believe that the Army now occupies the positions and relations to the great mass of the Indian tribes that will better enable the Government to execute any line of policy it may deem wise and proper than by any possible system that can be devised with civil agents. The Indians, more especially those who occupy the vast region west of the Mississippi, from the Rio Grande to the British line, are natural warriors, and have always looked to the military rather than to the civil agents of Government for protection or punishment, and were the troops to be withdrawn instant war would result. If it be the policy of the Government, as I believe it is, to save the remnant of those tribes, it can only be accomplished by and through military authority. These will obey orders, and enforce any line of policy that may be prescribed for them by law or regulation. Sooner or later these Indians, say the Sioux, Cheyennes, Arapahoes, Kioways, and Comanches, must be made self-supporting. Farming and the mechanic arts are so obnoxious to their nature and traditions that any hope of their becoming an agricultural people can hardly be expected in our day, though there are many individual exceptions; but the Indians themselves see that the buffalo, elk, antelope, deer, and large game are rapidly disappearing, and that they must raise cattle and sheep or starve. This, in my judgment, is the proper direction in which to turn their attention, and an excellent beginning has been made with the tribes in New Mexico, and more recently with the Kioways and Comanches, near Fort Sill. This has been done by the influence of the Army stationed in their midst, who are, in my opinion, now, and have always been, the best friends the Indians have had. The idea which prevails with some that the Army wants war with the Indians is not true. Such wars bring exposure, toil, risk and privation, with no honor. Therefore, it naturally wants peace, and very often has prevented wars by its mere presence; and if intrusted with the exclusive management, a control of their annuities and supplies as well as force, I think Indian wars will cease, and the habits of the Indians will be gradually molded into a most necessary and useful branch of industry, the rearing of sheep, cattle, horses, &c. In some localities they may possibly be made farmers.

The present laws bearing on this Indian problem were wise in their day, but the extension of States and Territories with their governments over the whole domain of the United States has entirely changed the condition of facts, and I think you will find that these will need revision and change.

I do not profess to know anything of the practical workings of the Indian Bureau as now organized, but if transferred to the War Department, I suppose it will be made subject to such changes as the Secretary of War may recommend.

If, as I conceive, the present military machinery already in existence be used, viz, the commanding-generals of departments be made supervisors of Indian affairs in their commands, and commanding officers of posts be constituted "agents," the Bureau will need a military head, resident in the War Department.

I have the honor to be, your obedient servant,

W. T. SHERMAN, *General.*

HON. WM. A. J. SPARKS,
*Chairman Subcommittee Indian Affairs,
House of Representatives, Washington, D. C.*

Letter from W. A. Burleigh.

WASHINGTON, D. C., February 2, 1876.

DEAR SIR: In reply to your verbal request of this morning for my views in relation to the propriety of transferring the control of Indian affairs from the Interior to the War Department, I have the honor to say that I am satisfied the change will save to the National Treasury more than a million and a half dollars annually.

The Indians should be located as near as possible to the navigable rivers and other great thoroughfares, in order to save to the Government the cost of long inland transportation by means of wagons, as is the case at present, especially with most of the Sioux nation, a large part of which now have their supplies hauled nearly three hundred miles from the point of delivery on the Missouri River.

The purchase and transportation of all necessary Indian supplies and their distribution to the Indians will be done more efficiently, with greater dispatch, and in a more satisfactory manner to both the Indians and the Government if transacted through the regular channels of the War Department.

If the supplies are issued to the Indians by the military officers stationed in the Indian country for that purpose, they will at all times be on the ground with sufficient force to scrutinize the conduct of the Indians and withhold such supplies whenever the hostile conduct of the Indians shall justify it. The civil authorities have no such power, not even to protect Government property or the lives of their families and employés. They are at all times at the mercy of the Indians; consequently they have little or no control over them.

The police regulations of the garrison would extend over the entire Indian reservation, and that degree of subordination which is at all times absolutely essential in the management of Indians would be rigidly maintained.

An accurate census of the different Indian tribes (which I regret to say has never yet been taken) will enable the officer in charge to ascertain, at every roll-call of the tribe, whether the Indians are at home, or have left the reservation to rob and murder the frontier settlers. Under the present management the warriors of the tribe may be absent for months without being missed by the agent, and if missed he has no means at his command to bring them back. To this state of things alone can be traced three-fourths of all the Indian robberies and murders that have been committed in the West.

My experience goes to show that the morality, subordination, and advancement of Indian tribes, when controlled by officers of the Regular Army, is equal, if not superior to those same tribes when under the management of the civil department of the Government.

Among the Sioux, Ponca, and Winnebago Indians, on the Missouri River, I feel safe in asserting that, of all the illegitimate Indian children whose paternity can be traced to white men, more than nine-tenths of the fathers belong to civil life.

Intemperance among the Indians exclusively controlled by officers of the Army is never tolerated and does not exist; while one of the greatest troubles which an agent from civil life has to contend with is to keep whisky-peddlers off from the reservation and arrest and bring them to justice when they are discovered.

Schools and churches for the benefit of the Indians would be better maintained under military than under civil control, from the fact that the commanding officer has at all times the necessary means at his disposal to enforce the rules of government established for his agency, and the same is true so far as educating the Indians in agriculture and the mechanic arts is concerned.

An officer from the Regular Army of the rank of colonel should be detailed by the President to discharge the duties now performed by the Commissioner of Indian Affairs, with the Secretary of War as his immediate superior officer. The department commander should exercise the supervisory duties at present exercised by the inspectors of Indian affairs. The post commanders should be selected to discharge the duties of Indian agents. The post quartermaster and commissary should perform the regular duties as such for the Indians as well as for the troops.

I suggest this as an outline of the plan of transfer and re-organization of the Indian Bureau which, it appears to me, the public service demands.

If the practical principles of this plan are adopted by Congress I feel satisfied that its workings will prove most salutary to the Indians and economical to the Government. Millions of dollars will be saved to the Treasury; thousands of valuable lives will be saved to the country. The rich mining districts of the mountains will be opened up to settlement by our enterprising pioneers, while the first practical step forward will have been taken which looks to the civilization of the Indians and to their becoming a self-sustaining people.

Very respectfully, your obedient servant,

W. A. BURLEIGH.

Hon. W. A. J. SPARKS,
Member Committee Indian Affairs.

By Professor Doherty :

Reasons for the transfer of the management of Indian affairs from the Department of the Interior to the War Department.

1. *The prevention of fraud.*—The officers of our Army being well educated and disciplined men, whose appointments are not temporary, but during good behavior, have established a habit of self-respect, and honorable professional pride—an *esprit de corps*—which effectually prevents them from taking any part in, or giving any countenance to meanness, dishonesty, or fraud. And hence, amidst all the prevalent unfaithfulness of the age, not one regular, acting Army officer has been even suspected of anything dishonorable. Now this fact alone should determine the action of Congress in the matter, and influence every true patriot to vote for the said transfer, for, in all true and faithful accounts of Indian troubles, raids, and wars, it is confessed that the chief moving causes have been the frauds committed by our civil servants and agents upon the red men.

2. The Indians will be found to respect and obey the officers of our Army much more willingly than civil servants, because they will fear them, as, to them, power and authority always seem to dwell with the leaders of armed men.

3. It is the uniform teaching of experience that regular, trained, and disciplined officers and soldiers will always exercise more patience, under provocation, than civilians. They know the nature and use of their weapons, and are ever more sparing of the use of them than militia and volunteers suddenly called out to repel invasion or avenge injury. They know the evil results of rashness in the use of deadly weapons, and can practice self-control.

4. The War Department can conduct all our intercourse with the Indian tribes, whether peaceable or hostile, with far less expense to the United States Treasury than the present Indian Bureau, simply because the whole complicated and costly machinery of said Bureau could thus be at once dispensed with, and Army officers and educated enlisted men be detailed to attend to the duties which are indispensable, and all of these should be undertaken with the view of making all Indians, in due time, citizens of this country, supporting and conducting themselves like others. It may be at once said that fully one-half of all the Indian agencies should be immediately closed and the agents dismissed. Thus an immense saving will be at once effected in Indian expenses, and this amount saved will go on increasing every year.

5. The officers and enlisted men so employed would, of course, subtract from the available military force of the country; but in these times of profound peace, they could be very well spared, and they are even now chiefly resident on the Indian frontier, and could be conveniently detailed from the neighboring forts and camps, and no additions worth mention need be made to their regular pay now received.

6. Therefore, economy, prudence, and humanity unite in recommending the transfer of the management of Indian affairs from the Department of the Interior to the War Department.

Letter from L. F. Lane.

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 17, 1876.

DEAR SIR: On yesterday you requested me to submit to you, in writing, first, my opinion as to the transfer of the Indian Bureau from the Interior to the War Department; secondly, the reasons for the opinion I might express. I do not address myself to any particular measure now before Congress, but merely to the general question.

In my opinion this change in the management of Indian affairs should be made.

My reasons for this conclusion are briefly as follows:

1. The fewer offices we have, compatible with an efficient public service, the better it surely will be for the country. Such a change as contemplated would abolish a considerable number of officers whose places would be supplied by individuals (from the Army already in the service of the Government).

2. I regret to say malfeasance, as well as neglect, in office, is not unusual, and in my judgment the present management of Indian affairs presents no exception. There are always two influences operating in the prevention of crime, the hope of reward and the fear of punishment. The first inspires every honorable man; the latter deters those who are disposed to wrong, and is less efficient in its application to Indian agencies than to any other department of Government. That this should be so, is not remarkable, when we remember that courts sitting in the punishment of crime are usually quite remote from Indian reservations. The distance to be traversed, the expense and inconvenience incident in reaching the civil courts, often shields the guilty from indictment, trial, and punishment. Not so with the Army, for there the court follows the offender, and but little additional expense is entailed. It is not unworthy observation that the Army punishes its officers for offenses unknown to the criminal code; offenses against personal honor and gentlemanly propriety.

3. The discipline which prevails in the Army in the ration system, if I may so term it, would prove of advantage in the distribution of supplies and annuities among the Indians, and thereby, I apprehend, a fruitful source of discontent would be greatly modified.

4. Among the wild tribes the presence of the Army is required, and in the performance of their respective duties there is not unfrequently a confusion and even a conflict of jurisdiction between the civil and military authorities. Had the Army alone, and untrammelled by civil instructions, been charged with the duty of returning the rebellious Modocs to their reservation; had the matter been left wholly within the discretion of the commanding officer at Fort Klamath, Oregon, I believe the work could have been accomplished without war, without its expense, and without its sufferings. At all events, I doubt not, such steps would have been taken, such notice of the contemplated movement would have been given to the settlers as would have averted the horrors of the Lost River massacre.

5. It is the policy of the Government to preserve peace with the Indians. The presence of the military contributes to this end. An Indian recognizes and respects power. Understand me, I would not have "the wards of the nation" treated with inhumanity; they should not be treated harshly nor yet petted; they should not be cheated nor yet taught to live in idleness; their rights should be clearly defined and carefully respected; they should be taught to know what they are entitled to receive from the Government and what the Government will require of them; in short, they should be honestly, fairly, and firmly dealt with.

6. By reference to the reports of the agents it will be observed that there is occasionally, and it may be inadvertently, an admission by some of them to the effect that they are not able to enforce that discipline or secure that respect necessary to preserve tranquillity and maintain that system and order adequate to promote peace and the happiness of the Indians.

7. That the agents under the present system are unable to confine the Indians within the limits of the reservation; that they suffer them to go beyond those limits; that the Indians depredate upon the whites; that serious difficulties and sometimes war arise therefrom, are facts not easily to be denied.

8. An objectionable feature in the present system is, if I may be pardoned to use the word, the "farming" out of agencies among the different religious denominations. Does not this seem to recognize to a certain extent, limited it may be, the existence of church and state? Every Christian denomination should be permitted to prosecute its missionary labors, the noblest work of all, among the Indians everywhere, with every tribe and nation and without restriction whatever. Do not misapprehend me; I appreciate fully the zeal and sincerity of those Christian gentlemen who seek to ameliorate the moral condition of the Indian.

9. The question of economy at this time of general financial distress should not be disregarded. By the reduction of the number of officers, as I have heretofore indicated, there would be no inconsiderable saving to the Treasury of the United States. By the consolidation of the purchase of supplies for the soldiers and Indians in one Department, and the transportation thereof, there would be a further saving.

I truly regret that the foregoing suggestions are necessarily hastily prepared. I believe, however, they will tend to sustain the opinion expressed by me. Trusting that the action of Congress upon this grave subject may be, as I doubt not it will be, in the interest of true economy, just to the Indians as well as the whites,

I am, respectfully, &c.,

L. F. LANE.

HON. WM. A. J. SPARKS,
Chairman Subcommittee Indian Affairs.

Letter from Albert Pike.

ALEXANDRIA, VA., February 29, 1876.

SIR: In reply to your first inquiry I have the honor to state that, during nearly forty years, I have had constant opportunities to become acquainted with the civilized Indian tribes west of Arkansas by intercourse with them, and as counsel for the Creeks and Choctaws during many years of that time, by having been in command of their country, and by familiar acquaintance with a great number of them; and that I have also had opportunity to become more or less acquainted with many of the wild tribes.

To your second inquiry I reply that my opinion has always been that the management and control of Indian affairs ought to be restored to the War Department, because I think that it would be of greater advantage to the Government and more beneficial to the Indians.

It would insure in many and constantly-occurring emergencies more directness and promptness of action than can possibly be had when the aid of the War Department cannot be had except by application first to the Department of the Interior, and by it, often after unnecessary and provoking delays, to the War Department. I have known it more than once to happen that, owing to jealousies or the exigencies of official etiquette, co-operation could not be had at all, and mischief was the consequence. Under the present system there is a duality of wills, the result of which must often be detrimental to the public interests.

The Indians have, in general, very little respect for their agents. It often happens that these are not entitled to it; and, when they are, an Indian is not much inclined to reverence or fear a civilian, especially when his actual and active powers are so few, and he can only control them by means of troops, over whom he has no authority. A military officer, of soldierly bearing, resoluteness, and intelligence, they always respect.

They would, in my opinion, be much more justly dealt with by military officers than by agents, chiefly appointed by way of reward for political services; because the system of accountability in the military service is much more perfect than that of the present Indian service, and the officers of the Army are generally honorable men, who would neither cheat the Indians, nor, by collusion, permit them to be cheated, nor accept small office at an inadequate salary, in the hope of becoming interested in the prosecution of Indian claims during or after the expiration of a short term of service.

I think, in fact, from a pretty long acquaintance with the conduct of business in the Indian Office, that it could not easily be worse conducted than in many respects it has been. To obtain justice there for an Indian tribe, or to prevent the consummation of an intended violation of their rights, has always been, at least until very recently, a thing either not to be accomplished at all, or only to be accomplished by immense labor and unwearied assiduity. To recite the cases, in detail, in which I have known injustice done there to our civilized tribes, in which it seemed to be considered that they could have no rights entitled to be respected, would require many more pages than I have time to write. There have been Commissioners sincerely desirous to do justice; and there have been others, and Secretaries too, impervious to argument, and whom no demonstration of a legal proposition could make the least impression upon.

The War Department might be equally regardless of the legal rights of the Indians; but, in the absence of motive to sell, deny, or delay justice, it would be likely to at least endeavor to do it, and to do it promptly.

The civilized tribes really need no agents. Having these officials over them, and compelled to go to them to obtain redress for wrongs done by intruding individuals and corporations, they are like children who are afraid to try to walk alone for fear they should fall. Their courts do not dare to exercise their just powers, for fear that to do so may be declared unwarrantable; and the tribes have no rights, because they have no efficient remedy by which to enforce any right. If a railroad-train kills a poor Indian's cow or horse, he must go to the agent, a long distance off, to beg him graciously to compel the corporation to pay for the injury done; and, if he is peculiarly fortunate, he may in ten or twelve months get half the value of the animal. They cannot, by their own courts, protect their own mines or compel a railroad corporation to pay for cross-ties; and, if they must have an agent, it should be one who can and will compel the doing of that which justice and honesty require.

I have the honor to be, very truly, your obedient servant,

ALBERT PIKE.

HON. W. A. J. SPARKS,

Chairman Subcommittee on Indian Affairs, House of Representatives.

Letter from John B. Sanborn.

WASHINGTON, D. C., February 29, 1876.

SIR: In reply to your note of this morning, requesting written answers to two questions therein, I have to say to the first, that my knowledge of the Indian tribes has

been so extensive and varied that I could hardly give it in the limits of an ordinary letter. Many years of my life were spent on the frontiers, and then I was for some time Commissioner of Indian Affairs.

As to your second question, the propriety or impropriety of transferring the Indian Bureau from the Interior to the War Department, I have to say that I have never had a doubt about the propriety of making the transfer. Probably the only serious objection that can be urged against the transfer is, that it would be placing the military in charge of civil affairs in the Indian country. But is this correct? I think not. The Indian country has always been, to a certain extent, under the control of the military. The military is, and ever have been, the police of the Indian country. While the Indian Office was under the control of the War Department, although the Indian agents were taken from civil life, its management was much more economical and satisfactory than it has been since. But it is not now necessary to appoint agents from civil life, and therefore that heavy item of expense can be dispensed with. Formerly the Army was very small and the Indians much more numerous than they are now. Then there were no surplus or retired officers of the Army; now there are plenty of them, and there would be no difficulty in finding officers of the Army to detail for duty as Indian agents. It would place the whole service in the Indian country under one head, a very desirable object in a savage or semi-civilized community. The wild Indians do not understand the difference between civil and military authority, except in so far as they regard the first with contempt and the latter with fear.

There are various grades of Indians. Those of the principal tribes in the Indian Territory, such as the Creeks, the Seminoles, the Cherokees, the Choctaws, the Chickasaws, and some smaller tribes, have made great advances in civilization. They have written laws and regular forms of government. Their courts administer the laws fairly and justly, and their schools are well attended and sustained. These tribes really require no agent to look after them. If allowed to do so, they are abundantly able to manage their own affairs, and in this they ought to be encouraged. The General Government ought to leave them as free as possible to manage their own affairs in their own way.

The next most useful and interesting division is the Pueblo Indians, of New Mexico. These were peaceable and industrious, living in their own towns, cultivating their own lands, and supporting themselves, at the time we acquired that country from Mexico and for a long time afterward. After many years they were discovered by the officers of the Interior Department, and were at once declared to be "wards of the nation." Their land-grants were declared to be "Indian reservations," and being "wards" they had to be taken care of by their "guardian." The policy pursued toward these people was very reprehensible. A great deal of money was squandered on them for no apparent beneficial purpose. They had been Mexican citizens, able to take care of themselves. They were reduced to a species of bondage, and made to depend on the agent set over them.

Another class of Indians are those found in Nevada and California. They are harmless, not entirely averse to labor, and many of them make very good servants. They generally live among the whites.

The last class, the most troublesome and the most worthless, are the wild Indians of the plains and mountains. These can be controlled only by an exhibition of power. Among them the military is absolutely indispensable to maintain peace. They hold in contempt all white men not in the military service, and if agents taken from civil life be sent among them it is always necessary to keep a military force at a convenient supporting distance. It is, in my judgment, much better that all who are brought in contact with these wandering savages should belong to the military, for power is necessary to curb them.

Yours, respectfully,

J. W. DENVER.

HON. WILLIAM A. J. SPARKS,
Chairman Subcommittee Indian Affairs.

Letter from John B. Sanborn.

WASHINGTON, D. C., March 7, 1876.

SIR: In response to your request I make the following brief statement:

My personal acquaintance with the Indians and with Indian character commenced in 1855 and has been continuous since. My official acquaintance or connection with them commenced in the winter of 1861-'62. I was then in the military service commanding the frontiers of Minnesota, and continued so to command until April, 1862. The next service rendered in this connection was in July, 1865, when I commenced

and conducted a campaign against the Comanches, Kiowas, Cheyennes, Arapahoes, and Apaches of the Upper Arkansas. This campaign terminated in the treaty with these tribes, made in November of that year, at the mouth of the Little Arkansas. From the date of the consummation of this treaty I was on duty in the Indian Territory, under instructions from President Johnson and Secretary Harlan, to settle the difference between the slaveholding tribes of the Indian Territory and their former slaves, and to establish peaceful relations between them. This service continued until June, 1866.

In February, 1867, I went to the plains again to visit the Sioux Indians, as commissioner, to ascertain the cause of the Phil. Kearney massacre of that winter, and from this date was continuously in the service and among the Indians until October 12, 1868, when the Sherman-Harney commission dissolved. During this time we made treaties with the Apaches of the Arkansas, Cheyennes, Arapahoes, Kiowas and Comanches, Navajoes, Snakes or Shoshones, Mountain Crows, Northern Cheyennes and Northern Arapahoes, and with the Ogallalla, Minneconjou, Onepapa, Sans Arc, Blackfeet, Brulé, Santee, and Yantonnais bands of the Sioux tribe or nation, and held conferences with many tribes and bands with whom we did not conclude treaties, and all this time I made the Indian question a constant study, learning all possible from the officers who had spent their lives among them, and from the Indians themselves, and from history and official reports and from personal observations, as to the working of our system of dealing with them and managing their affairs.

The question was found by me, as it will be by all who study it, a most complex and difficult one; and at different times I came to different conclusions. But, after the most careful consideration of the subject in all its bearings, my conclusions, in common with those of all the members of that commission, were expressed in the resolutions adopted by the board in Chicago, October 11, 1868, and found on page [reference given heretofore] of the report of the Committee of Indian Affairs, of 1868-'69, Taylor, then Commissioner, dissenting from the resolution recommending the transfer of the Bureau to the War Department.

It is, perhaps, sufficient for me to state that I still adhere to all the propositions contained in those resolutions; and, in my opinion, upon no one of them does so much depend, both as concerns the Indians and the Government, as upon that one recommending the transfer of the Indian Bureau to the War Department. This is essential to the successful administration of Indian Affairs, for the following reasons:

The Interior Department has no power to protect the Indians on their reservations from the depredations of each other, or from the incursions of our people; and that feeling of security and protection in the products of labor, and of certainty that the party producing shall enjoy them, so essential to the cultivation of habits of industry and civilization, must always be wanting, as it always has been, under this administration of the Interior Department; while full security, protection, and encouragement could and would be afforded under the War Department.

The short space of time allowed a savage people, in the present state of insecurity, to change their mode of life from that of a savage to that of a civilized people, renders it absolutely necessary that the children of savage people should be educated at once in the arts and languages of the civilized people. Without compulsion, all history shows that this is the work of several generations, and that compulsion, in this respect, is absolutely necessary in the case of our Indians.

The Interior Department can do nothing by compulsion, while the War Department can effect all possible by this means.

Under the Interior Department the manner of dealing with and conducting Indian affairs varies more or less with the changes of administrations and officers, which is most detrimental to this kind of service, the Indians being at a loss to know, oftentimes, what the purposes and aims of the Government are concerning them; while, under the War Department, the officers holding their commissions during good behavior, the policy would be uniform and rigorous and the power of the Government always felt and respected, and its purposes would be always plainly understood and promptly acceded to.

4. The system of procuring, transporting, and issuing supplies to the Indians would be much more systematically and economically done under the War Department. Issuing supplies to the large wild tribes, as now done, is and must remain under the present system an egregious farce. It amounts to little more or less in all cases than a depredation by Indians. They determine the amount they will have and make the demand oftentimes, and if not acceded to, take what they have demanded and go away; so there is always the greatest disparity between the number of rations issued and the number of Indians to be fed; the rations oftentimes being more than double the number of Indians in camp.

5. Their irregular and wild habits are cultivated under this system, while under a regular system enforced by the power and discipline of the War Department, regular and civilized habits in this respect would result.

6. Under a regular, well-established system of the War Department, all future wars

with Indians would be avoided, their civilization and education rapidly promoted, protection in the products of their labor would be secured, the Treasury saved in the expenses of the War and Interior Departments to the extent, in my judgment, of fully ten millions per annum as an average amount, the safety of the frontiers be assured, and the welfare of both Indians and whites promoted in every respect, and no one of existing evils increased, while many would cease altogether.

To give the events in the history of our management of Indian affairs, the observations and results of study that have led me to the foregoing conclusions, would prolong this communication to an unreasonable length. That the transfer of the Bureau to the War Department would be most advantageous to the service in all respects, I have no doubt. And I cannot believe that any disinterested person can give the subject a full and careful consideration and come to any different conclusion.

The success of the War Department in this branch of service from 1789 to 1849, the massacres, the enormous expense in the management of their affairs since 1860, our unsatisfactory relations with all the large tribes, the continued savage character and barbarity of many of the Indian tribes, all point to one conclusion, and that our Indian affairs are not managed as properly and wisely now as they were under the War Department, or as they would be now under the same Department.

I have the honor to be, very respectfully, your obedient servant,

JOHN B. SANBORN.

Hon. W. A. J. SPARKS,

Chairman Subcommittee on Indian Affairs.

Letter from William A. Piper.

HOUSE OF REPRESENTATIVES, U. S.,
Washington, D. C., March 9, 1876.

SIR: In response to your note of March 8, 1876, requesting my opinion as to the propriety of transferring the control and management of Indian affairs from the Interior to the War Department, I have the honor to reply as follows:

In answer to the question, "Please state your knowledge in relation to the Indian tribes," I may say that of recent days I have had very little practical knowledge of Indians, but that in the years 1846 and 1847 I came in contact with the Cheyennes, the Arapahoes, the Navajoes, the Pawnees, and the Apaches, and the disposition of these tribes for murder, rapine, and thievery was vividly impressed on my mind. These impressions were derived from long-continued personal observation. The conclusions I arrived at were that they could only be controlled by the exhibition of force; that any attempt to subdue and govern them by moral suasion would be simply futile, and that any effort to civilize them would only result in their extinction. I am of the opinion that the Indians have the capacity of acquiring the white man's vices only, while they obstinately refuse to imitate his virtues. The Choctaws and the Cherokees, it is true, practice, to a certain extent, some of the habits of civilized life, but it must be borne in mind that before they came in contact with the white man they had acquired some of the elements of civilization, and that they were never entirely nomadic, but were partially agricultural in their pursuits and had permanent homes in fixed settlements. From my knowledge of the tribes on the western shores of the continent, I am decidedly of opinion that their contact with white men has only resulted in degradation which will ultimately end in extinction, as is evidenced by the present condition of the "Diggers" of California, and the "Pi-Utes" of Nevada and Utah.

It will be seen that I differ *in toto* from the prevalent humanitarian ideas entertained by persons who are not at all acquainted with the actual character of the Indians and their tribal condition, and it is therefore unnecessary for me to expatiate further on the subject.

In answer to your second question, "Please give your opinion as to the propriety or impropriety of transferring the control and management of Indian affairs from the Interior to the War Department, and your reasons for such opinion," I reply as follows:

The Indian Bureau, as conducted by civilians, has received neither the approval of political economists nor that of the great mass of the people, and according to common belief it has engendered "rings and combinations," and has authorized a profuse expenditure of the public funds without any adequate result either in promoting the moral and physical advancement of the Indian or in preserving peace and quiet on the frontiers. Whether the charges of corruption against the Indian management be true or not, the public mind is firmly convinced that, of the six million dollars or more that have been annually expended by this Bureau, a large proportion has gone into the hands of contractors and rascally agents, and it is believed that even "gentlemen of the cloth" are not entirely free from this corrupting influence. Evidently a remedy

for this state of affairs is urgently demanded, and the bill before your subcommittee providing for the transfer of the management of the Indian Bureau from the Interior to the War Department seems to be the only expedient that presents itself.

We have a corps of officers, both staff and line, far exceeding the necessities of our little Army. These officers have, in the main, been educated at West Point, where they have acquired not only the capacity to command, but also the still more useful capacity to obey. It is also well known that these highly-educated gentlemen, with rare exceptions, are peculiarly free from the corrupting influences of the desire to become suddenly rich by dishonest means. Hence, it is natural to suppose that Army officers would be best fitted for the control, management, and disbursement of the Indian bounties. The military departments, through which the Indians roam at large, and the reservations upon which they are located, are now commanded, and are likely to be hereafter commanded, by men of unexceptionable military character and ability, and through intercourse with gentlemen familiar with the subject, I am informed that the expenses of the entire Indian Department, if placed under Army control and management, would not exceed the present cost of the military operations alone, and that if the proposed transfer should be effected, the vast sums of money now distributed among contractors and agents would be saved. This curious condition of affairs arises from the fact that the civilian agents are totally incapable of judging of the military movements necessary to keep the Indians under subjection, and, hence, demand that expeditious shall be sent out to points where the operations in the field are ineffective, thus through their blunders causing a useless expenditure of men, horses, and money.

The Indian is well aware that a military force is always ready for action and prepared to move promptly on any required point, and hence, he understands the necessity of obedience and of restraining his natural propensities.

Another guarantee for honesty and efficiency in the distribution, by Army officers, of food and raiment among the Indians, would be the swift and certain punishment of any defalcations by courts-martial.

I am well aware that the morbid, sentimental humanitarians of the land are raising, and will raise, a hue and cry against the transfer of the Indians to the care of the Army, on the ground that debauchery and demoralization will be introduced among them by the soldiers; but this argument is hardly worthy of the consideration of grave legislators or of sensible men.

It is a strange phenomenon in nature, that while the conscientious scruples of the savage against murder, rapine, and theft are very weak, his sense of injury is very acute when he thinks that the white man or the Indian agent has cheated him out of that which the Government has appropriated for his benefit. But the proper way to deal with uncivilized man is to be exceedingly exact in fulfilling whatever promises may be made to him, and to be very swift in punishing his delinquencies.

The transfer of the care of the Indians to the Army officers is the only remedy left for us; at least, let us give it a trial, and if this expedient fails, what other alternative have we except patiently to await the extinction of the red man?

Not having time or health to elaborate this subject, I beg leave to submit these crude remarks.

Very respectfully, &c.,

WM. H. PIPER.

Hon. WM. A. J. SPARKS,
Chairman Subcommittee on Indian Affairs.

Letter from Hon. W. W. Wilshire.

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 28, 1876.

RESPECTED SIR: Agreeably to your verbal request to furnish you in writing my views on the subject of the transfer of the management of Indian affairs from the Department of Interior to the War Department, I have to say that I am not now inclined to favor that transfer, for the following reasons:

First. I am unalterably opposed on principle to placing in the hands of the military department of the Government any civil power. The military arm of the Government was only intended to support and aid the civil authorities in the administration of civil affairs, and not to take its place. For one I have had some experience in the Southern States, where civil process was exercised by the military authorities of the Government, and that experience did not make a favorable impression on my mind.

Second. I believe in some civilizing policy in the management of the Indians. I do not believe that any policy of civilization or Christianizing the Indians can be successfully carried out if the management of Indian affairs is transferred to the tender

mercies of the military department of the Government. Besides, from all the information I have been able thus far to obtain from those hitherto intimately connected with the management of Indians in past years, I am quite satisfied that the proposed transfer would not only demoralize the Indians, but the soldiers of the Army also. I do not wish to be understood as detracting from the reputation hitherto enjoyed by the officers of the Army for honesty, virtue, and capability, but all who know anything about the Army in times of peace, know perfectly well the character and class of the common soldiery, and that their immediate association with the Indians on the frontier, which would of necessity be the case if the proposed transfer be made, could have but one effect, namely, the demoralization of both the Indians and the soldiers.

Third. If it is the policy of the Government to try and civilize the Indians, and the plan for that purpose heretofore adopted and carried out through the Indian Bureau as a part of the Interior Department, if found imperfect or too clumsy and expensive, then create a separate and distinct department, with the powers necessary to properly manage the affairs of the Indians, and carry out a correct policy of civilization and Christianization of the Indians, and thereby sooner place them in a condition to become self-sustaining and finally absorbed, as has been the case in some of the States.

But if it be the policy of the Government to abandon all hope of ever civilizing and utilizing the now wild Indians and to remit them to savage barbarity, then I think it would be eminently proper to turn the management of their affairs over to the War Department.

I do not think the latter to be the policy of the Government, certainly not the true policy. Therefore, I am most decidedly in favor of the establishment of an independent department for the management of all the affairs of the Indians, governed by such laws as will secure the desired end, and secure the most rigid economy and faithful performance of duty by its officers.

I have the honor to be, sir, respectfully, &c.,

W. W. WILSHIRE.

Hon. W. A. J. SPARKS,

Chairman of Subcommittee to inquire into the propriety of transferring the management of Indian affairs from the Interior to the War Department.

Views of Hon. William Welsh, of Philadelphia, in regard to the transfer of the Indian Bureau from the Interior to the War Department.

WASHINGTON, February 26, 1876.

Mr. SPARKS. Please state your knowledge of, or connection with, the Indian tribes of the country.

Mr. WELSH. I was the first chairman of the Peace Commission, and I am now chairman of the committee, appointed by the general convention of the Episcopal Church, charged with the oversight of the Indians and their civilization, of which Senator Stevenson, Judge Chaffee and others are members. That committee had a meeting not long ago, and they were unanimously of opinion that there ought to be a separate Bureau, and only through a separate Bureau that would have a permanent character we could ever expect the civilization of our Indians. There has been a very great improvement during the present administration in the agents and in the civilizing influences exerted over the Indians by the agents. But the changes in the Interior Department and the political influences in that Department interfere with any permanent policy, and do not give promise of such a result as we think could be had if we could have a separate Bureau, with an intelligent person at the head of it and freed from political influences, so that there could be some permanency. Individually I see some advantages in economy and in other respects in the transfer to the War Department, but I do not see how the civilizing influences can be made as effective as they are now when agents are appointed with the sole purpose of promoting the civilization of the Indians, teaching them handiwork, horticulture, stock-raising, and having that solely in view. The economy does not seem to me to be so important as the civilization of the Indian. If, therefore, by the transfer we increase economy and decrease the civilizing influences, I do not think there would be such a gain as the people of this country would desire or ought to desire. These are the results of my own individual experience, from observation which has been confined to seven reservations, five of them under the care of the Episcopal Church and two under the care of the Society of Friends.

Mr. SPARKS. I understand from this that your opinion is that there would be economy in the management of the Indian Bureau if put under the charge of the War Department; but in your opinion it would not subserve the purpose of civilizing the Indian as well as under the present system.

Mr. WELSH. I am unable to see how we can bring the civilizing influences to bear

then as well as now. Now we have sole control of the appointments of agents and their removal, if they misbehave, and they are selected with that view and nothing else; but we would have no control over the agents in the appointment of an Army officer, who enters the Army not for this purpose, but that he may become a soldier and be promoted, and to perform all the little details of an Indian agent's duties would be very irksome, and a thing he didn't enter the Army for.

Mr. SPARKS. Do you think the Indian agents, as now selected by these religious organizations, are superior to the selections that would be made by the War Department, if it were under their control?

Mr. WELSH. For the purpose of education and civilization I think it would be. I think it is better now, for those two purposes, because that is the sole purpose. The Army officer would be selected for other purposes than that. We would have no control over them, and all the employés of the agency are now under the sole control and appointment of the agent, and that agent being nominated by a religious body, if he is a dissolute man, he is instantly removed whenever that body desires it.

Mr. SPARKS. Do the agents as now appointed do the teaching and that kind of thing themselves?

Mr. WELSH. No, sir; they merely oversee and direct it. They induce the Indians to have their children go as apprentices. They watch over those who are selected as farmers and endeavor to encourage the Indian to learn to plow and care for their cattle, and they encourage the schools, but the schools are generally under the care of the missionary. Then one difficulty is that we select, in our various religious bodies, those to act as agents who have the same church membership, or at least are desirous of promoting the special religious body that they are connected with. In the case of a military officer being selected, he might have very different faith. He might be a very dissolute man, he might be a very irreverent man, and yet a very good officer. We would have no control under such circumstances at all.

Mr. BOONE. Would you think that the character of the agent selected under the present system, taking all the qualities together, is superior to an Army officer as a Christian gentleman?

Mr. WELSH. We try to select a Christian, and select men who will co-operate with all the religious and moral influences of the agent. In the case of an Army officer we would have no control over the minor appointments.

Mr. BOONE. Are the agents as selected superior morally and intellectually to an Army officer?

Mr. WELSH. Intellectually inferior.

Mr. BOONE. Well, morally?

Mr. WELSH. So far as the religious body that I represent in part goes, I think that the agent would be morally superior as now selected.

Mr. BOONE. Is it good policy that these reservations or these agents should be parceled out to particular religious organizations? Would it not be well to let all religious bodies exercise their influences on the Indians wherever they please?

Mr. WELSH. I think the present policy is the best we can devise. No agent has the right to exclude any religious body from exercising their missionary operations on his reservation. They dissuade others from coming if he thinks the multiplication of them will be injurious. On three of the reservations in which we operate other religious bodies are at work as well as ours, and they are all equally favored by the agent, though it might not be promotive of the highest good, but inasmuch as there are more Indians than the religious bodies of this country are willing to undertake the care of, there seems to be an advantage in the system as at present adopted.

Mr. BOONE. Is not the practical effect of the present system to exclude others than those religious organizations that have charge of the reservation?

Mr. WELSH. I have mentioned that in three reservations it is not so.

Testimony of Anson Dart.

WASHINGTON, February 21, 1876.

ANSON DART appeared before the committee, and, being examined, made the following statement:

By Mr. SPARKS:

Question. State to the committee your knowledge of the Indian tribes of our country. Answer. I had traveled among the Indians prior to my going to Oregon in 1850. I had traveled with Mr. Catlin some five years. We visited nearly all the Indian tribes, I think, from Mexico to the Red River of the North during that time; and my request, when I was appointed superintendent, in regard to having the military removed from Oregon, was based entirely upon the knowledge that I had obtained on those travels with Mr. Catlin. I had never been to Oregon, and of course knew nothing about the

military there; but I requested that they all be removed before I would consent to take the office of superintendent, and, as I say, that request was based upon what I had seen in my travels among the tribes that I had visited.

Question. Please give your opinion as to the propriety or impropriety of transferring the control and management of Indian affairs from the Interior to the War Department, and your reasons therefor?

Answer. Well, sir, my opinion is that the transfer ought not to be made. Not that the Interior Department is managing in every respect as they ought to, but my experience leads me to believe that the expenses connected with the management of Indians would be very much enhanced if turned over to the War Department. There is great indiscretion on the part of the Army in regard to the management of the Indians, or has been. The wars in Oregon in 1854 and 1855 were brought about entirely by the indiscretion of the Army—entirely so; and if you had time to listen to me, I could tell you the reasons, and you would be satisfied that my statement is correct. I think those wars cost some eight or more million dollars. You observe—perhaps you already know the fact—that, prior to 1850, for seventeen years the Indians were under the control of the Army, and if you will take the trouble to look at Mr. Taylor's report of that matter, he will show you the enormous cost of the indiscretion of the Army in the management of the Indians. I was first brought to the views that I have now in regard to the merits of the question by noticing the great number of half-breeds surrounding the military reservations. The number is astonishing. It would astonish any man to go into the country around the reservations and see the great number of half-breed children of all ages.

Question. Is there anything else you would wish to state?

Answer. If I had time, I should like to show conclusively why the wars of 1854 and 1855 were brought about by the indiscretion of the Army.

By Mr. MORGAN:

Question. You say that those wars were brought about by the indiscretion of the Army; at that time, were Indian affairs under the charge of the Department of the Interior or of the Department of War?

Answer. The Department of the Interior entirely. I was the first superintendent sent out on the Pacific coast. There were then six military posts in Oregon. They were all removed at my request. I would not consent to go until that order was given; and you will see from the report there that during the three years that I had charge in Oregon, the Government was not called upon to pay one dollar for any Indian disturbance in all that country. I had under my charge not only what is now Oregon, but Washington Territory, about half of Montana, and the whole of Idaho. I visited all that country. There was a tribe on the coast that was entirely killed off by order of General Hitchcock. I was well aware when I left that that would be the result; but it was wrong, and ought not to have taken place. I think there were more than 200 Indians in the tribe, and they were all killed. That was the beginning of the wars in Oregon.

Mr. MORGAN. Then the wars in 1854 were owing to the want of discipline and the imprudence of the Army, and not to the fact that the War Department and not the Department of the Interior had charge of the Indians?

Answer. Well, sir, immediately after I left, the Army returned to Oregon, and on that return troubles commenced immediately.

Mr. MORGAN. Please answer the question.

Answer. The Army was not in charge during my stay in Oregon.

Question. Then the war was not owing to the fact of one Department or the other having charge of Indian affairs, but it was owing to facts entirely distinct and separate from that?

Answer. Well, sir, I suppose the charge of the Indians returned, immediately after I left, to the War Department. I suppose so, because the troops were ordered back immediately after I left. It was stated that that peaceful state of things that existed in Oregon during those three years brought no money into Oregon, and that Dart must be removed and the Army must come back again. A circumstance occurred on the Coquille River, on the coast, that was uncalled for; although circumstances may, at the time, seemingly have justified General Hitchcock in sending up his men from San Francisco and ordering them to kill those Indians. The Indians were killed. They ought not to have been. They were innocent. I know all the facts about it.

Views of William Vandever in regard to the proposed transfer of the Indian Bureau from the Interior to the War Department.

WASHINGTON, D. C., February 19, 1876.

Mr. SPARKS. What is your position?

Mr. VANDEVER. I am one of the Indian inspectors, and have been serving in that capacity since July, 1873.

H. Rep. 240—3

Mr. SPARKS. Please state to the committee your knowledge of, or connection with, the Indian tribes of our country.

Mr. VANDEVER. My opportunities of observation since I have been inspector can be inferred from the field that I have gone over, and by reference to this map I can point it out. My first field of duty was in New Mexico. I visited all the agencies there in 1873, and passed from there into Arizona, visiting all the agencies and reservations in that State, including the Apaches and Arapahoes, and from there I passed into California, but I had no official duty in that State. From San Francisco I came here. I then was sent to the Pacific coast. I went to California, and then to Oregon, and visited all the agencies and reservations there and in Washington Territory, and also in Idaho. I then came back and visited the Round Valley and Hoopa Indians. I subsequently visited all the Mission Indians in Southern California. Since that time I have been up the Missouri, on the great Sioux reservation, and went up as far as Bismarck from Yankton, and visited all the agencies *en route*. My observations corroborate to a very considerable extent what has been stated before this committee by Major Powell, with regard to these Indians and their desire for lands and their disposition to work. I found among these wild Sioux on the Missouri, that I visited last fall, a very great complaint because they did not have land enough to work upon. Even the Arapahoes, a powerful tribe in Arizona, who were at war with us in 1866, when we took from them their orchards, flocks, &c., have gone back quietly, and are living peaceably, sustaining themselves by raising sheep and cultivating the soil. They receive no regular annuities from the Government or regular supplies, and the agent instructs them and supplies school-teachers for them. In addition to the universal want experienced among the Indians for land, my observation leads me to conclude that they also want law and order. There is no law in the Indian Territory. The condition of things we find out there is, that if a depredation of any kind is committed upon an Indian by a white man, he is never punished; he is never interfered with, and nothing is said about it. If an Indian commits a depredation against a white man, and the military are anywhere at hand, they go for the Indian, and the Indian, with his simple logic, says, "If you can punish us for our evil deeds, why don't you arrest and punish white men for their offenses against us?" That is a pretty hard question to answer, and yet the fact is, as every one has observed who has been on the frontier, that pretty much all the Indian wars that we have had can be traced back to the acts of white men. They apply for redress and do not get it, and they do exactly what civilized white nations do—take revenge in their own hands. They look upon soldiers in their section of the country as a sort of standing menace. They regard the soldier just as we do, as a retaliatory arm of the Government, and when they do wrong the soldiers get after them. They always profess a desire to do right, and to live in peace. They all profess to have great respect for the Government, and for the Great Father at Washington. They say, as these Sioux say, Red Cloud and Spotted Tail, "You put us upon reservations here, and, even if we desire to work, we have no land that is susceptible of cultivation, and we cannot make our living on the land you have assigned to us. If you give us food we will be quiet, but if you do not give us food we are reduced to starvation or plunder." On the Missouri River there is considerable tillable land susceptible of cultivation, and I have observed that at most of these reservations that I go to they are generally inhospitable and barren, such as no white man could make a living from, and wherever Indians have a reservation that is fit for white men to live on it is settled on by white men, as, for instance, the Round Valley, which is a fine, rich valley, consisting of some 25,000 acres of the finest land in the United States. They have succeeded in getting 20,000 acres from the Indians, and there is a desperate effort being made on the part of the settlers to get the other 5,000 acres. Trespassers are now on the reservation, and if you take that from the Indians there is probably not another spot in the whole of California where they can be placed and make a living. They will be driven out and become beggars and vagabonds, just as the other Indians are, as has been described by Major Powell. Now, in regard to my opinion, I can only state what I have observed, and leave the inferences to be drawn by your committee. My observation in regard to the effects and influences of soldiers over the Indians satisfies me that it produces no good to have them stationed near the Indians. It is a damage to them, and tends continually to undo what would be accomplished by instruction and improvement. The class of men who belong to the rank of the Army is not very good. They debauch the women, and demoralize them generally.

Mr. SPARKS. Does not that exist under the present management—debauchery to a considerable extent?

Mr. VANDEVER. You generally find it in the neighborhood of large batches of soldiers.

Mr. SPARKS. The reasons you have stated are adverse to making this change from one Department to another, are they not?

Mr. VANDEVER. I think under the existing system that the Indians are greatly improved; that they are going ahead, and being led to habits of thrift and industry, and it requires teachers of a different kind from those that constitute officers of the Army. The officers are very excellent gentlemen, and men of high character, and all that sort

of thing; but they would not be disposed to treat the Indians with that kindness and leniency that is required. Their main object would be to conserve the peace rather than improve the condition of the Indian, and I think now the next step to be taken to improve the condition of the Indian is to give him law and peace. No doubt if you take an Army officer as an agent, and dispense with those you now have, you will save the salary of the Army officer, but I think the work of advancement and improvement of the Indians would stop exactly at that point and begin to retrograde. I know the Army officers have a very thorough system of accounts, and are very rigid in conforming to that system. Whether they would apply it to Indian affairs I do not know.

Mr. SEELYE. Does a military officer not connected with the Commissary or Quartermaster's Department have any proficiency in keeping accounts?

Mr. VANDEVER. The military officers do not generally keep the accounts at all. They detail from the ranks a soldier who acts as commissary or quartermaster sergeant, and he prepares all the accounts, keeps the books, &c., and the officer merely signs his name to them and exercises a very general supervision over them. These quartermasters and commissaries always have a pretty extensive corps of clerical help. An Indian agent does an amount of work that would appal an Army officer.

The CHAIRMAN. Do the agents teach school now?

Mr. VANDEVER. In some instances they do. Generally there is a school-fund and teachers are employed.

Views of Edward C. Kimball in regard to the proposed transfer of the Indian Bureau from the Interior to the War Department.

WASHINGTON, D. C., February 19, 1876.

Mr. SPARKS. Please state your knowledge of or connection with the Indian tribes of our country.

Mr. KIMBALL. I have had a knowledge of the Indians since 1846. I was with Frémont in California during the beginning of that year, and settled there and remained there until the war of the rebellion. I staid through that war, and was stationed at one time on the frontier of Dakota, where I became acquainted somewhat with the habits of the Sioux Indians, and since 1872 I have been out on the frontier in every department except on the Upper Missouri, the extreme northern limits of our Territories, either as a special commissioner or as an inspector of Indian affairs, traveling most of the time six to nine months of the year out in those Territories. My knowledge of the Indians comes from these opportunities which I had as commissioner and inspector, and as a military officer, extending back to the time I have mentioned. I am now an inspector.

Mr. SPARKS. Please give your opinion as to the propriety or impropriety of transferring the control and management of Indian affairs from the Interior to the War Department, and your reasons for such opinion.

Mr. KIMBALL. I think that General Sherman, in the views he expressed in his report, which was also signed by Generals Terry, Augur, and Harney, that if we want war with those Indians we had better turn them over to the War Department; if we want peace, we had better retain them under the control of the civil authorities. My memory runs back to the efforts that have been made by the Army to obtain control of these Indians. I think the experiment has been twice made and twice failed, to control these Indians by military officers acting as agents. I do not think military officers make good school-teachers, and as I understand the present policy of the Government, it is to teach these Indians civilization. I do not think the habits, education, or the social characteristics of Army officers qualify them for the duties of an Indian agent, and no matter how many farmers, or school-teachers, or mechanics you place under the agent, the Indian will look up through all of them to the Army officer, whom he regards as his father. If he drinks whisky, or swears, or goes with their women, he will turn to the school-teacher and tell him that he had better teach the father before he teaches them. I think, and my experience justifies me in saying, that the efforts of the last six years of the present administration have met everywhere with success in pursuing this policy of peace. There have been some disastrous failures, and I say so with regret, and no man has been more unsparing or merciless towards these civil agents than I have been as inspector. There have been some very bad failures in the appointment of agents, and I think I have endeavored to weed out those that were worthless and bad. I think that if the present system is continued and the Department shows a determination to put away every bad agent, and to hold them all to a strict accountability, that in view of the great progress made in the past four or five years we will have nothing to regret in putting the management of the Indians into the hands of the civilians. On the contrary, some of the worst records that have been made in the past were made at those posts governed by our officers. I remember at the Peerce agency a very bad record was made there by the Army officer before this peace-policy was inaugurated, and also at the Sletz agency, in Oregon. An Army officer getting out of patience with the strifes and contentions incidental to

the little band of Indians round there, issued guns to them and told them to go out and fight their quarrels among themselves. I have some faults to find with the present system, but I do not know that I am called upon to speak of those. I think, Mr. Chairman, that is about as complete an answer to your question as I can give.

Mr. VAN VORHES. Do you think that any of the tribes would be benefited, taking all the circumstances together, by the transfer of their management from the civil to the military authorities?

Mr. KIMBALL. I think there would be a sort of military necessity for taking charge of the Sioux; and before I visited Arizona I thought the Apaches might come under the same necessity; but I think the military should no longer have control of the Indians of Arizona. But for the sake of being correct, I will say the Indians at the agency of Arizona, and the northern Sioux, under Sitting Bull, might, as a military necessity, be managed by the military, and perhaps it would be well if it were done.

Mr. SEELYE. Do you recollect the year the occurrences at the Siletz agency occurred?

Mr. KIMBALL. I think it was the last year in which the military had charge of those agencies, somewhere in 1864. I will state one other thing as a reason why I think it would be injudicious to make the transfer; and that is, that I have yet to find any tribe or band of Indians who wish to have military persons placed over them. Of course those who are hostile, or who are called hostile, do not wish it; but those who are disposed to peace themselves, who wish to have the wives and young men and children grow up and hold the lands they are on now, are bitterly opposed to military government. I think that is illustrated in the case of the Indians at San Carlos, Arizona. There the effort has been made within the last two years to control them by the military. The two systems have been tried, both the military system and the peace policy, and the Indians have shown their preference for the peace policy by coming down to San Carlos, where a very excellent agent has control, against the solicitation of the military commander and against the efforts that have been made to keep the Indians at the military post. They have deserted the post and gone down to the agent. It is true the provisions were taken down to San Carlos; and that will always, as Major Powell has stated, attract the Indians; but there were, also, very strong inducements made to keep them at the fort. Some forty scouts were enlisted among the Indians. I talked with the chiefs at San Carlos, and I found them most unanimously in favor of the policy prevailing at San Carlos, and willing to do anything in order that they might have peace with our people. Recently, an Indian chief at San Carlos, having a bad heart, as those Indians sometimes have, came into the post and pointed a pistol at the chief clerk. Another Indian, who attempted to take the pistol from him, was shot, and he ran out on the platted and commenced an indiscriminate firing; but in less than five minutes from the time he fired his first shot, the Indian guard, composed of wild Indians, one of whom was his brother, fired a volley at him, and he was killed dead. This brother came out and said, "I have killed my own brother; but you told me to shoot and I did it." I think they can be trusted to keep order on the reservation if they are given to understand that they are trusted.

Mr. SEELYE. In a pecuniary or financial point of view, what would be the effect of the change?

Mr. KIMBALL. I think it is true that \$1,500 will not get a man of sufficient business capacity to manage those Indian agencies, as a rule, and I think that in the matter of education there can be no doubt that the Army officers will have the advantage over the civilians that would be obtained; but I do not think that the financial question is a very serious one, and it is becoming less serious every year. There are not more than a dozen agencies where a book-keeper is required to manage the accounts, and every year the necessity for clerical help at the agency is decreased. And I will state, with such reasons as my experience as an inspector justifies me in saying, that you cannot treat these Indians as negroes or slaves. They will not stand it. If you want to civilize them you must treat them as equals, as men. I could say a great deal on that subject, because my experience for a number of years among the Indian tribes has been very great. You cannot treat them as you would a common soldier, and I think the tendency, habits, and education of Army officers will place them at a distance from the Indians—place them above the Indian, so that he cannot get to him as he could to a man who has a fellow-feeling for him; and I would say that Christian civilization is the only thing that can civilize the Indians, and that is the only thing that will do it. The kind of civilization which you find on the frontier, which consists of all the worst elements of civilization, is not what is wanted.

Statement of John B. Wolff.

Mr. CHAIRMAN AND GENTLEMEN OF THE COMMITTEE: I have carefully examined the report of the Board of Indian Commissioners, 1874, and find it composed largely of answers to questions related directly to the solution of the Indian problem.

There is some diversity of opinion, resulting from mental constitution, educational bias, and environment. The following summary will show the general drift, and lead

to definite conclusions: One says, "money demoralizes;" another, "money stimulates activity." Mingling among whites is good—they imitate. It is bad—they learn vices and virtues. It has no influence either way. Make them citizens—it alone will save them. It destroys them—they will sell their lands and squander the money. Indians take Government lands, improve, hold, and do not squander. The influence of military is bad. The War Department alone is competent to manage Indians. These opinions are local and incidental, and arise from the causes named. In the theories and facts underlying the main points there is only a minor difference, and lead to one conclusion.

SPECIAL FACTS.

1. Some reservations too large; some, too small; some, no tillable land at all.
2. Some small tribes all work, others only a part; the great majority willing; many very handy, employed in all sorts of industries at fair wages and give satisfaction to employers. (Agents offered to build Kansas Pacific Road with Indian labor in 1868.)
3. Some tribes have always been self-supporting, as the Pima and the Maricopas, Arizona. They are 4,000 in number; 64,000 acres, only 8,000 tillable, which compels one-third to subsist elsewhere than on the reservation. Some smaller tribes are self-supporting, and one, New York, live on their income. The Flandreaus, (350,) Dakota, have entered Government land and are prosperous.
4. Some have never worked, and are still disinclined, but only a few of this class. Some have never been tried.
5. The complaint of lack of tools is general and loud; also, other means of culture. The Blackfeet, with a revenue of \$150,000, have not tools enough for ten men.
6. They are stimulated by hope of reward, and work hard for low wages; dig post-holes with a knife and tin cup, at 3 cents per hole.
7. Indians pay debts, even when defrauded in drunkenness. Whites get them drunk and then buy their blankets for a bottle of whisky; the blankets worth \$50 and \$100. When sober they protest, but assent to the trade.
8. The Senecas maintain order voluntarily. Yakamas, Washington Territory, (3,500,) have laws and execute them faithfully; no murders; chief crimes, stealing horses and women; white men give them whisky and then steal women and horses. The agent has no fear. They kept an unratified treaty ten years. The white men are their greatest trouble; soldiers are one hundred and fifty miles off.
9. Michigan, Tennessee, and Georgia have made them citizens, and the State of North Carolina is following suit.
10. Some agents are bad, and the board finds great trouble in getting the right men.
11. The testimony is almost unanimous that the military influence is demoralizing. Drunkenness, gambling, prostitution, venereal, and small-pox are the inevitable accompaniments. In only a few cases are the soldiers deemed necessary and useful, and there is no doubt that proper treatment would dispense with them in the most of these instances. The opinion is universal that the soldiers and Indians should not commingle.
12. Indian police have been eminently successful, and in most places all that is needed.
13. Some trouble between Catholics and Protestants—some between Protestants. This is a serious point in the work of solving the problem, and more serious than appears on the face of the report. It complicates the work, and one member of the board thinks no sectarianism should be taught by the State, only sound morality.
14. Indians offset charges of theft and murder by counter-charges, and sustain them.
15. Frands have greatly diminished, and the Indians are better served.

Reservations.

1. Generally recommended. Small tribes should be consolidated, or collected under one agent. The Wichita agency, Indian Territory, is composed of fragments, from fifty to three hundred and fifty—one thousand eight hundred in all—peaceable and prosperous. The same policy is recommended for Indians on the Pacific coast, and must be adopted for economy as well as necessity of management.
2. The five tribes, Indian Territory, are examples of what can be done in this way.
3. The Pawnees have petitioned to be transferred to the Indian Territory, and are preparing to go. The Otoes are also desirous. Both Red Cloud and a prominent Ute chief are very desirous of visiting the Indian Territory.

Report of 1875 on questions relating to the transfer to the War Department.

In favor of Indian police.....	34
In favor of Indian police, armed.....	15
No necessity for any police.....	6
Doubtful.....	3
Against arming.....	3
In favor of military police.....	2
Out of eighty agents these answer; total.....	63

All the agents, with one or two exceptions, are willing to take the responsibility of dispensing with the military, and deem their presence a calamity. This view is endorsed by Ex-Governor Army, New Mexico, after a large experience on the border in contact with military and Indians; by Dr. Dart, who demanded the removal of the soldiers and managed 25,000 Indians three years, at an annual cost of \$24,000. (See Taylor's report, 1868.) It is also indorsed by John B. Wolf after twenty years of contact with the facts and eight years' subsequent careful study of all the interests involved, and in view of a practical solution of the whole question. (See bill before Congress, and tract, "Thorough Digest.")

Relative position of posts and agencies.

Northern Superintendency: eight reservations; no troops.
 Pottawatomies and Kickapoos: none; not needed.
 Spotted Tail agency, (Fort Howard:) three-fourths mile away. Five companies called once, for whites; designed for hostile Indians.
 Santee, Nebr.: none; not needed.
 Indian Territory: (Quapaw,) none; not needed; Wichita, 35 miles away; Sacs and Foxes, 100 miles away.
 Blackfeet, (Fort Shaw,) 35 miles away. Eight hundred soldiers; routine duty.
 Fort Peck agency, 35 miles away. Six companies; routine duty.
 Fort Hall agency. One company. Fifteen miles off.
 New York agencies, (8.) No troops.
 Keeshina, Wis., (3.) No troops.
 Chippewa, White Earth River, Minnesota, 80 miles off.
 Reed Lake, Minnesota, 150 miles off.
 Leech Lake, 90 miles off.
 Yankton, Dak., (over river,) 15 miles up; not needed; a blessing to remove them.
 Arickaree, (3 reservations,) 17 miles off; cause trouble; not needed.
 Southeast Nevada Indian agency, 150 to 250 miles off.
 Pyramid Lake, Nev.: not needed; 200 miles off.
 Los Pinos, Col.: possibly needed; 100 miles off.
 Porterville, Cal.: none.
 Round Valley, Cal.: none.
 Tierra Amasilla, N. Mex.: no use; 100 miles off.
 Klamath, Ore.: two companies on reservation; influence bad; uncontrollable by officers.
 Kiowa and Comanche, Fort Sill and Fort Gibson: needed once in six years.
 White River, Col.: no troops.
 Cimarron, N. Mex., 52 miles off; troops and Mexicans both bad.
 Uintah Valley, Cal., 200 miles off.
 S'Kokomish, Wash. T., 80 miles off; not needed; Indians peaceable.
 Chippewas, Lake Superior, Wisconsin: none; not needed.
 Ponca Agency, Dak.: ten soldiers summer, and none in winter.
 Red Cloud, 1½ miles off. Twenty-six soldiers attempted to quell a disturbance. Indians had to protect the soldiers.
 Cheyenne River agency: Two companies needed for bad Indians.
 Special agency, Fort Belknap, 95 miles off. Make believe, to awe the Indians.
 Missoula, Mont., Fort Hall, 15 miles off. Impassable mountains in winter. 30 Indian police, at one-twentieth the cost, would do twenty times the good.
 Lemhi, Idaho, 200 miles off. Discharged soldier killed Indian for protecting his daughter from being raped; not punished. Soldiers not needed.
 Lapwai, Idaho, 3½ miles away. Drunken, licentious.
 Camp Apache, on reserve; should be 7 miles off.
 Osages and Kaws, 175 miles off.
 Cheyennes and Arapahoos, 1 company cavalry, 2 companies infantry; 2 miles off, needed for bad Indians and bad whites.
 Chiracahui, (Apache Pass,) 1 company 1 mile off; not needed.
 San Carlos, 1 company one-half mile off, 4 companies 60 miles off. Hinder the agent. Military caused death of a number of whites; killed 65 Indians, men, women, and children, and a great increase of prostitution.
 Ojo Caliente, N. Mex., 11 soldiers guard their own grub.
 Mescalero, (Apache,) soldiers on reservation. Agent moved 7 miles away.
 Pueblo, N. Mex., troops should be miles away, for show.
 Alesa, Oreg., not needed; 100 miles off.
 Neapa Bay, 11 reservations, fraction of company, 90 miles off.
 Quinalet, Wyo., needed once in six years; 80 miles off.
 Fort Colville, Wash. T., camp duty; 16 miles off.
 Fort Yakahama, Wash. T., 140 miles off; 18 months' misrule, (military;) cost \$40,000, and a vast increase of gambling, drunkenness, and prostitution.
 Warm Springs, Wash. T., no troops; when there, officers and men alike bad.

Suggestions.

1. All efforts should be vigorously directed to self-support and ultimate citizenship.
2. Lands and stock in severalty, and lands inalienable until admitted to citizenship.
3. Annuities invested chiefly in permanent improvements and conditioned on labor.
4. No money compensation; all in things needed.
5. Remove the military (they are mostly removed by their remoteness) and make the safety of employ es depend on good behavior; the Indians will protect them. They are willing; why not try?
6. Expel all white men not actually employed from the reservations.
7. Put all employ es under the same ordeal as agents.
8. Banish whisky and cards.
9. Teach English only in schools.
10. Avoid sectarian complications and conflicts. Allow only one creed on each reservation.
11. Collect and mass fractions; when willing, settle permanently in Indian Territory.
12. Furnish tools and stock plentifully.

Indian products and wealth.

Reservations: 164,000,000 acres; 5,000,000 acres tillable, 11,000,000 acres wood 27,000,000 acres grazing, 13,000,000 acres no value, 330,000 acres cultivated by Indians, 40,000 acres broken in 1875, 127,000 acres under fence, 608,834 rods fencing in 1875.

Wheat, bushels	347, 586
Corn, bushels	2, 008, 007
Oats, bushels	176, 000
Vegetables, bushels	445, 164
Total	<u>2, 977, 435</u>

Hay, tons	163, 638
Lumber, feet	8, 785, 835
Wood cut, cords	42, 733
Furs sold	\$415, 300
Number of Indians	279, 000
Civilized and self-supporting	112, 000
Uncivilized, partly self-supporting	167, 000
Males employed	48, 638
Females. (Not reported. More industrious than males.)	
Mixed-bloods	8, 732

Stock owned.

335,000 horses	\$3, 350, 000
374,338 cattle	3, 743, 380
439,634 hogs	439, 634
231,816 sheep	462, 632
	<u>7, 995, 646</u>
Products of 1875, estimated at low prices	8, 177, 653

THE PROBLEM STATED.

Three hundred thousand Indians, scattered in small bands, and detached parcel (over 300,000,000 acres) of lands to be made self-supporting and civilized, is the problem to be solved.

Cost of management.

8 regiments cavalry	\$16, 000, 000
16 regiments infantry	16, 000, 000
	<u>32, 000, 000</u>
Civil service	5, 500, 000
	<u>37, 500, 000</u>

Reports do not show amount paid agents and employ es, which will add \$500,000, and losses of citizens will make the cost in round numbers \$40,000,000.

There are, all told, about 5,000 hostile Indians. There are probably 1,000 of these really bad. The balance, with proper treatment, will behave, and the Indians themselves can be employed to punish the 1,000. In the report of the Military Committee, House of Representatives, May 25, 1868, on the application for aid to the Kansas Pacific Railroad, indorsed by fifty-five railroad kings, State legislatures, boards of trade, and Generals Sherman and Sheridan, it is alleged that the troops were in number and cost as above; that fighting Indians with regular soldiers is a farce; that only the graves of soldiers mark the plains, not a mound covers a dead Indian; that the railroad is the only thing to subdue Indians; that it ought to be built to reduce the military expenses; that the troops may be dispensed with if the road is built, and that the troops generally cannot cope with Indian soldiers. These confessions, especially from Sheridan and Sherman, tell the whole story.

Contrast.

By dispensing with 80 agents and substituting military officers there will be saved.....	\$120,000
By removing the military to the base of minimum cost of supplies, the expense can be reduced two-thirds, which equals, (estimate not exact for want of data).....	20,000,000
Balance in favor of non-transfer.....	19,880,000

The agents declare they do not want the military, and they are almost unmitigated evils.

Investigations demanded.

1. The military operations of General Crook in Arizona. It is charged that old men, women, and children were slaughtered and left to rot on the ground, and without any reasonable justification.

2. The Black-Kettle massacre, by General Custer, at Wichita, (facts with Colonel Samuel Tappan, former peace commissioner.) Black Kettle was at Sheridan's camp, received assurances of peace, and provisions; was followed by hired Indian scouts, and they by Custer's army. At break of day, snow on the ground, Indians sleeping, Custer attacked on three sides, shooting all ages and sexes. He reported 100 killed. There were about 30 killed, and about as many soldiers.

3. The Piegan massacre, Colonel Baker, commander. The attack made in winter; thermometer 12° below zero. Small-pox bad in camp. Men, women, and children killed; provisions and tents destroyed, and the survivors driven into the forests without food or shelter.

4. The military interferences, San Carlos, and other reservations. See Report Indian Commissioner, 1875, pages 215 to 218. Also statement of Wm. Arney, Board's Report, 1876.

5. The murder of five Osages by Kansas militia, and stealing their horses, (40 horses besides colts.) See report Board Indian Commissioners, 1875, p. 89. Indians peaceable; hunting; squaws along. No restitution and no punishment.

6. The Camp Jackson massacre.

These outrages have never been properly investigated. No reproof, no punishment, and no restitution; they are blots on our Christian civilization; they were perpetrated by the military without authority and without necessity, and are fair samples of military methods and management.

Mr. VAN VORHES submitted the following

VIEWS OF THE MINORITY:

The Committee on Indian Affairs, to whom was referred sundry House bills, providing for the transfer of the Office of Indian Affairs from the Interior to the War Department, having, after due consideration, determined, by a majority of its members, to recommend such transfer, we, the undersigned, beg leave to submit an adverse recommendation, which we do as a minority report, giving the facts and reasons governing us in arriving at such conclusion, and ask that the same be printed and considered by the House.

Indian Affairs were transferred from the War Department to that of the Interior by act of Congress of March 3, 1849, (Stat. at Large, vol. 9, p. 395, sec. 5.) The proposition to restore Indian management to the War Department has often engaged the consideration of the Government and especially of Congress, and various reports have been made upon the subject, with the uniform conclusion that no change should be made. The policy of Congress has been made to conform to the popular sentiment of our country, which has unmistakably demanded that Indian management shall be in the direction of peace and civilization. To secure this end, it is indispensable that the men selected for Indian agents shall be in hearty sympathy with the policy itself. The work at any agency takes its character almost wholly from the agent. He controls the course of affairs by his dealings with the Indians, and by the character and occupation of his employés, and the manner, efficient or otherwise, in which he supervises their labors. If he is intent upon the civilization of his Indians, secures the right class of men for teachers, missionaries, farmers, mechanics, &c., and faithfully supervises their work, the results will be satisfactory and in the line of the general policy of the Government.

It may be said with truth that the Indian agent is the most essential officer in the case, and a failure in the incumbent of this position is radical and beyond remedy.

Now, it is evident that officers of the Army, by training, education, taste, and life-long habits, are unfitted to enter heartily into the work of civilization by a personal interest in, and supervision of, the labors of teachers, missionaries, farmers, and mechanics.

Upon this point we need no higher testimony than that of such military men as Generals Sherman, Harney, Terry, and Augur, who express the conviction that not one in a thousand of the officers of the Army would like to teach Indian children to read and write, or Indian men to sow and reap. They say with truth that these are emphatically *civil* and not *military* occupations; and that the military arm of the Government is *not* the most admirably adapted to instruct and educate Indians in the peaceful arts of civilization; and, furthermore, that the transfer of Indian affairs to the management of the War Department is only to be thought of in case it is the desire of the Government to have war *with the Indians*. They also express the conviction that Indian wars are wholly unnecessary, and, in the hope that the Government will agree with them, they say that they cannot advise the proposed transfer from the civil to the military department. (See their report on page 26 *et seq.* of the report

of the Commissioner of Indian Affairs for 1868.) It will thus be seen that these eminent military gentlemen heartily concur in the Indian policy initiated by Congress in its act of March 3, 1849. This policy received a decided enforcement in the joint resolution and the results thereof of March 3, 1865, (Stat. at Large, vol. 13, page 572,) which provides for the appointment of a joint committee of the Senate and House of Representatives, "to inquire into the present condition of the Indian tribes, and especially into the manner in which they are treated by the civil and military authorities; to examine fully into the conduct of Indian agents and superintendents, and also into the management of the Bureau of Indian Affairs in the Department of the Interior, and to report to the next session of Congress such legislation as may be necessary for the better administration of Indian affairs." The distinguished gentlemen constituting this committee, of which Senator Doolittle was chairman, made extensive visits to the various Indian tribes and agencies, and collected a very large amount of testimony bearing upon the administration of Indian affairs, which is published in the volume containing their report, in 1867. They entered into a full examination of the question of transfer to the military department, and came to the unanimous conclusion that no such transfer should be made.

In the further prosecution of the same general policy of peace and civilization, Congress passed the act of July 20, 1867, (Stat. at Large, vol. 15, page 17,) entitled "An act to establish peace with certain hostile Indian tribes," and providing for the appointment of a commission of civilians and officers of the Army, to inquire into the causes of the war then in existence with certain Indian tribes, and to make such treaty stipulations as might remove all just causes of complaint on the part of the Indians, and establish peace and security along the lines of the Pacific railroads, and "which would the most likely insure civilization for the Indians." The labors of this commission resulted in the immediate and permanent suspension of hostilities, and in treaty arrangements under which, with little exception, peace has been maintained to the present time. As has been already stated, they came to the decided conclusion that Indian affairs should remain in the Interior Department.

Again, at the root of Army organization lies the principle of readiness to move at any time to any place, as orders are received. Hence the enactment of the statute of July 5, 1838, (Stat. at Large, vol. v, page 260, sec. 31,) forbidding the employment of Army officers on the *active list* in any way which would disconnect them from their commands or "interfere with the performance of military duties proper." And when President Grant, at the commencement of his administration, placed retired officers in most of the Indian agencies, Congress at once passed the act of January 21, 1870, (Stat. at Large, vol. 16, page 62,) prohibiting the employment of Army officers in the *retired list* in any civil service whatever. It is evident, therefore, that in the view of Congress as interpreted by its enactments, the transfer of Indian affairs to the War Department would not only be a departure from the policy of peace and civilization of the Indians, but would also be destructive to the efficiency of the Army itself, by conflicting with an important element in military organization.

The transfer under consideration is sometimes urged on the score of *economy*. It would at least save the salaries of the Indian agents, amounting to, possibly, \$150,000 per annum; but it is difficult to see how any other expenses would be diminished. The employé force at the different agencies, the supplies of food and clothing, the transportation,

and all the appropriations required by treaty stipulations, must remain just as they now are, and it is a well-known fact that military supplies are almost always of a superior grade to those purchased for Indians, and of course are purchased at higher rates. In solving the problem of making a given sum support life, and afford warmth and protection to the largest number, and for the longest time, the methods of the Army would be less economical, and the difference would probably exceed the amount saved in salaries.

The essential points, in feeding and clothing Indians, are to secure sound and healthful subsistence and warm and durable clothing; and lower grades are, in many instances, to be preferred. Indeed, it is perfectly safe to assert that any reduction which could be made in the usual Indian appropriation bill may be made as safely and properly under the present mode of administration as it could be under that of the War Department.

Again, a very large number of Indians are entirely quiet and peaceable, and only need the aid and encouragement of suitable agents, teachers, farmers, &c., to secure their steady advancement in civilization. To transfer the care of this class of Indians to military officers, would be without the shadow of an excuse; and beyond all reasonable doubt such transfer would greatly tend to arrest progress in the right direction. As an illustration of this result, the history of the Yakama agency in Oregon may be referred to. This agency has been in the charge of Agent Wilbur ever since 1864, except for the year in which the Indian agencies were placed in charge of military officers by President Grant. From 1864 to 1869, all branches of business on the reservation were marked with progress, and the work of moral reform, though slow, was gradual and certain. During the following fifteen months, under different management, every interest, material and moral, was waning. Employés were paid for services long before reaching the reservation, and with the influence they exerted in dancing, swearing, drinking, and card-playing, the interests of the reservation were rapidly declining. The cattle belonging to the Indians, when Mr. Wilbur was superseded, numbered 1,600. The natural increase would have been about 600. Upon the agent's restoration there were only 350. Some of the Indians that had previously been doing well, had left their reservation, and it seems strange that so manifest a change for the worse had extended to almost every material and moral interest of the Indians.

Upon the return of Agent Wilbur prosperity again began to show itself, and during the last five years there has been a progress truly remarkable, an essential element in which has been, as stated by the Commissioner of Indian Affairs, "the services of an efficient, determined, and devoted agent, who knows how to deal with men." (See report of Commissioner of Indian Affairs for 1871, pages 282, 283, and 284. Also report of same for 1875, pages 101, 367, and 368.)

The character of the Indian is somewhat peculiar. He is exceedingly prone to resist any direct attempt to *force* him into measures against his inclination and previous habits; but on the other hand he may very easily be *led*, after his confidence is fully secured. Cases do occasionally arise in which coercion to some extent must be exercised, especially in dealing with wilder tribes; but the most successful Indian management has always had a large element of conciliation as well as of firmness and the exhibition of force. Indeed, to manage Indians well, requires an accurate knowledge of the peculiarities of their character and habits, with abundant tact, prudence, and general common sense, and many Indian wars have resulted from the lack of these qualifications in

those placed in charge. The history of these wars has very little that is creditable to our country, and very much that is really disgraceful. It is not with any degree of pride that even our Army officers contemplate such results as the Sand Creek and Piegan massacres, and the protracted and exceedingly expensive Modoc war. The war which was ended by the negotiations of the commission of which General Sherman and others were members, is stated by them to have cost thirty millions of dollars, and that each Indian warrior that had been killed in said war had cost a million of dollars.

The Modoc war, with a small band of Indians who had been practically driven from their reservation through the mismanagement of their agent, who was a *military officer*, was exceedingly protracted, cost an immense amount of money, and, what was far worse, the lives of those noble men, General E. R. S. Canby and Dr. Thomas. History shows that the agency to which the Modocs belonged was placed in charge of an officer of the Army at the same time (1869) that a similar disposition was made of most of the Indian agencies. The Modocs had complied with the requisitions of their late treaty by moving upon the reservation allotted to them and the Klamaths, under the pledge that they should be protected from the taunts and insults of the latter, who were unfriendly to them. Captain Jack's band of Modocs began to make arrangements for a permanent settlement, and no doubt with bona-fide intentions; but the Klamaths began a persistent abuse toward them, and upon an appeal to their agent, Captain Knapp, he moved this band of Modocs to a new situation, where they began to make rails and prepare logs for their houses, when the Klamaths, emboldened by their previous success, for which they had not been punished or reprimanded, repeated their insulting interference, demanding tribute for the use of the land, which the Modocs were obliged to pay. Captain Jack again appealed to his agent, who simply proposed another removal. This was attempted by the Indians, but not being able to find a location of a satisfactory character, the band concluded to leave their reservation and return to their former home on Lost River. The Modoc war did not actually commence until some time afterward, when an attempt was made to force this band back to their reservation. The recollection of their ill treatment by the Klamaths, and of the failure of their agent to protect them, determined them to the *resistance of despair*. Whatever may have been the intervening steps in their history, and whatever other causes may have played their part in bringing about the final result, it seems almost beyond a reasonable doubt that if their agent had given them proper protection instead of rather encouraging the domination of their enemies, the Klamaths, their desperate resistance, so full of evil to themselves and of discredit and death to those who were called upon to deal with them, might have been avoided. (See report of Commissioner of Indian Affairs for 1873, pages 12 and 13, also page 79. See also report of same officer for 1870, page 54, in which the superintendent of Indian affairs says he could not blame the Indians for leaving their reservation because Agent Knapp undertook to govern them by subjecting them to the control of their enemies, &c.)

Again, it is a political axiom that military government of any people should never be resorted to except as a necessity. It provokes irritation, repulsion, hatred, and revenge on the part of the governed, while it is liable to become tyrannical and miserably perverted in its ends and methods on the part of those intrusted with the governing power. The people of our Southern States, since the late civil war, have made grievous complaints of military interference.

Whatever reasons and arguments against military government in the South are valid, apply with equal force to the military government of Indians. It is as much out of place in the management of red men as of white men, and should only be resorted to when all ordinary methods have been fairly tried and have failed. It may indeed become necessary for the few that are rebellious and incorrigible; but it is perfectly safe, so far as the few hostile Indians are concerned, to leave the power as it now is, in the hands of the President to order such distribution of the military forces as the peace and safety of the country may demand. The concurrent testimony and opinion of men of the highest official stations, and whose opportunities of observation and of correct judgment were amplified by personal inspection and actual contact with the Indian work itself, as exhibited in their official reports above alluded to, cannot with safety be either ignored or disregarded. Since those reports were made in 1867 and 1868, there has been no change of circumstances sufficient to warrant a change of policy. The nature of the Indian remains the same; the nature and effect of military government are unchanged; and the uniform experience of the last eight years, in which the methods recommended by these two commissions have been mainly followed, is strongly corroborative of the correctness of their conclusions and recommendations. The hearty accord and concurrence of President Grant in this line of policy, so well inaugurated and prosecuted by Congress, has secured for his administration of seven years an entire immunity from serious Indian wars, except the few that have resulted from imperfection in the execution of the policy. With such results the abandonment of the policy at the present time in order to supply positions for unoccupied military officers, is without valid excuse, and would be exceedingly unfortunate in jeopardizing the peace of the frontier, and arresting the progress of Indian civilization.

In our opinion, the true plan is to prosecute the present policy with increased vigor, and to place around it all those safeguards which experience may from time to time indicate to be essential to its full success. The proper administration of Indian affairs is, in its very nature, beset with great difficulties. The large amount of discretionary power necessarily vested in the Secretary of the Interior, and unavoidably distributed to a large extent among his subordinates; the scattered locations of the Indian agencies in remote sections, beyond easy access for inspection and supervision; the insufficient compensation afforded to Indian agents, which renders it peculiarly difficult to get first-class men for those positions; the long lines of wagon-transportation over difficult and dangerous routes, are conditions which, so long as they exist to the present extent, involve the liability to inefficient and irregular administration. But these causes are largely within the control of Congress and of the Executive. The policy of disintegrating the wild and remote tribes by transplanting such of them as incline to civilization, but whose inclination is constantly thwarted by the presence of the anti-civilizing portions of their tribes, should be at once heartily adopted and vigorously enforced. In addition to this, all Indians who, through hostility, may hereafter require the exercise of military force should, upon being subdued, be dismounted, disarmed, and transplanted eastward, where favorable conditions of soil and climate render self-support practicable. These colonies would become *nuclei* around which increasing numbers could be yearly gathered from the uncivilized tribes; and, being located near railroads, the cost of subsistence and transportation would be greatly reduced; the honest, timely, and faithful distribution of supplies to them would be greatly facilitated; a proper inspection and

supervision of the work of agents would be rendered practicable and efficient; the hostile, roving, and only really dangerous tribes would be gradually divided and permanently located under circumstances in which their civilization would be rapid and the necessity for governmental aid be annually diminished, and, at the same time, large districts of country, now demanded for mining and other purposes by citizens of the United States, would be set free. There is in the Indian Territory an abundant supply of land for this purpose, and a vigorous prosecution of the plan would, in a few years, solve the problem of Indian control, by placing these wards of the nation in a condition of harmony with instead of antagonism to the Government, and ultimately elevating them to the standard requisite for the enjoyment of the privileges and the discharge of the responsibilities of full citizenship. This is really a question of *statesmanship*, and, instead of being given over to the uncertain and vacillating changes likely to result from dealing with it as a mere matter of party politics and machinery, it should be lifted to its proper importance, and steadily considered and determined with reference to its grand consummation in promoting the best interests of a once powerful race to the honor and advantages of our Government.

While we may be united in the belief that the peace policy of President Grant (inaugurated under and in pursuance of the provisions of the act of transfer of March 3, 1849) is the true policy, if faithfully carried out, we are not blind to the fact that inexcusable and criminal wrongs and abuses have been practiced under it; but these wrongs and abuses are not chargeable to the theory or true mode of administering our Indian affairs. But will a transfer, can a transfer of the administration of these affairs from the civil to the military department of the Government remedy these evils? In the language of the report of the Indian peace commissioners, a commission composed of an equal number of civil and military gentlemen of experience and discernment, and from whose language we have before quoted, "to determine this question properly, we must first know what is to be the future treatment of the Indians. If we intend to have war with them, the Bureau should go to the Secretary of War. If we intend to have peace, it should be in the civil department. In our judgment, such wars are wholly unnecessary, and hoping that the Government and the country will agree with us, we cannot now advise the change," entailing, as we believe it would, the constant use of force; the indiscriminate slaughter, if not the extermination, of entire tribes of Indians; a heavy and constant drain on the national Treasury, and the unsettling, if not total abandonment, of that peace policy which, though faulty in practice, has done, and is doing, so much for the civilization and Christianization of the red man.

With these peace commissioners, we also "believe the Indian question to be one of such momentous importance, as it respects both the honor and interests of the nation, as to require for its proper solution an undivided responsibility. The vast and complicated duties now devolved upon the Secretary of the Interior leave him too little time to examine and determine the multiplicity of questions necessarily connected with the government and civilization of a race. The same may be said of the Secretary of War. As things now are, it is difficult to fix responsibility. When errors are committed, the civil department blames the military; the military retort by the charge of inefficiency or corruption against the officers of the Bureau. The Commissioner of Indian Affairs escapes responsibility by pointing to the Secretary of the Interior, while the Secretary may well respond that,

though in theory he may be responsible, practically he is governed by the head of the Bureau." Our own judgment is, that the management of Indian affairs should be confided exclusively to an officer having no other duties to embarrass him or come in conflict with his duties to the Indian and the honest frontier settler who confines himself to the country where he has a right to settle. The office of Commissioner of Indian Affairs ought to be lifted up and exalted to a Cabinet office. It should be, as the original law organizing the same contemplated it should be, a "Department," with full power in all matters pertaining to Indian affairs.

Our Indian affairs are a sad chapter in our annals. The past, however, is past, and cannot be recalled; but in this centennial year one of the grandest acts that Congress could originate would be one that would insure, in the future, the rights and the proper treatment of the remnant of the aboriginal race now among us. To talk of any civilizing influence in the Army, it seems to us, is preposterous. Divorce the Bureau from the Interior Department, if you choose; but don't, in the name of justice and humanity, turn it over again to the War Department. Don't do this cruel and terrible thing, but elevate the Bureau to a Department. Emancipate it. Lift it up and place its occupant on a level with the President's counselors, and you will exalt the service.

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REFERENCES.

1. Report of Commissioner of Indian Affairs for 1868, containing Commissioner Taylor's official report, and also that of the peace commission, composed of Generals Sherman, Harney, &c., authorized under act of Congress July 20, 1867. (See Stat. at Large, vol. xv, p. 17.)
2. Report of joint committee of Congress, Senator Doolittle, chairman, (separate volume,) date, 1867, authorized by joint resolution March 3, 1865. (Stat. at Large, vol. xiii, p. 572.)
3. Report of Agent Wilbur, report of Commissioner of Indian Affairs for 1871, pages 282, 283, and 284; results of management of an Indian agency both by a civil and a military officer.
4. Report of Commissioner of Indian Affairs for 1873, page 79; Commissioner Meacham's testimony as to management of a *military* Indian agent, causing Captain Jack's band of Modocs, through neglect, &c., to leave their reservation, and thus proving the starting-point of the celebrated Modoc war, with its vast outlay.
5. Act of Congress July 5, 1838, section 31, (Stat. at Large, vol. v, p. 260.) prohibits officers on *active* list from being so employed as to separate them from their commands, or "interfere with the performance of military duties proper."
6. Act of Congress January 21, 1870, (Stat. at Large, vol. xvi, p. 62,) prohibits employment of officers on *retired* list in any civil capacity.