

THE TRANSFER OF THE INDIAN BUREAU TO THE WAR  
DEPARTMENT.

FEBRUARY 25, 1878.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

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

R E P O R T :

[To accompany bill H. R. 3541.]

*The Committee on Indian Affairs, to whom was referred sundry bills providing for the transfer of the Indian Bureau to the War Department, having had the same under consideration, beg to submit the following report :*

What is to be done with the Indians is a very old and difficult problem, and remains to-day without a satisfactory solution. We have, however, lived to little purpose if nothing has been learned from the past. The history of Indian affairs in the country is sad, but instructive. In the light of this history let us try the

PRESENT SYSTEM.

In 1849 the Department of the Interior was created, and at once assumed control of the whole Indian question. Thirty years have passed away, a generation has come and gone, millions of money have been spent, much blood has been shed, and many, very many valuable lives have been sacrificed in the effort to civilize these savage tribes. Our holy religion has been invoked under the fullest sanctions of the government; the agencies have been divided out between the different churches, houses of worship have been erected, schools established, and school-houses built; pious missionaries, preachers, and teachers have been sent out among them; the agent himself has been selected by his church because of his supposed piety and intelligence and his entire willingness to spend and be spent in this great cause.

These agents have taken with them a little army of good men and women eager to teach the arts and industries of civilization. We find there the farmer with his implements of husbandry, the carpenter and blacksmith with their tools, wagon-makers, shoe-makers, laborers, cooks, laundresses, matrons, seamstresses, gunsmiths, interpreters, engineers, industrial teachers, sawyers, wheelwrights, butchers, bakers, messengers, detectives, herders, millers, teamsters, superintendents of labor, ferrymen, head chief, chief of police, apprentices, watchmen, masons, and physicians, and many others that we cannot stop to name. Suffice it to say that there is no occupation or industry that has not in many of these agencies been represented. All these have been sent out

by the government without money and without price, that they might carry to the Indians civilization and salvation, and yet after thirty years the work has hardly begun. The savages thirty years ago are savages still. The wild and nomadic tribes are wild and nomadic still. They refuse to be taught; refuse to eat bread in the sweat of their brow, and adhere to all their savage superstitions and modes of life. They know nothing of agriculture and refuse to learn. Look even at the boasted progress of the five civilized tribes. Banish from this territory to-morrow all the whites and mixed bloods that are there, and all progress and improvement is at an end. The farms will grow up for want of culture; the schools will disappear; the churches will be closed and go into decay, and in a very few years the full-bloods would relapse or rather return to their primitive barbarism. Does not history and all experience show that the present system to a very large extent is a failure?

In the year 1865 a joint committee, appointed by the two houses of Congress, of which Senator Doolittle was chairman, to inquire into the condition of the Indian tribes, entered upon their duties. Hon. J. W. Nesmith, chairman of one of the subcommittees, in making his report, uses the following language:

All schemes resorted to for the humane purpose of civilizing the Indians seems to have resulted in failure and disappointment, until it is now very generally conceded, at least by all practical people, to be an impossibility. The humane and liberal efforts of the government in their behalf have sometimes had the zealous aid and co-operation of honest and devoted Christian missionaries, who have given their time and talents to their elevation, without having accomplished any great apparent benefit. In some instances their efforts gave promise of reward, but the barbarous instinct of the savage has generally asserted its sway, and the missionaries and teachers have lived to see the futility of all their labors.

It will be observed that this is the language of one selected on account of his peculiar fitness to go among the Indians, to see their condition, ascertain their progress, and, if possible, to solve this difficult question. He had in the same report gone fully into the disgraceful frauds of the present system—extracts from which will be hereafter given in their appropriate places—and after considering all the surroundings, he solemnly declares that civilization is an impossibility, and that the present system is a failure. The Peace Commission, appointed in 1867, consisting of N. G. Taylor, President; J. B. Henderson, General W. T. Sherman, General How, John B. Sanborn, General Terry, S. F. Tappan, and General Augur, in January, 1868, reported that it was inexpedient to transfer the Indian Bureau to the War Department, and use the following language:

We believe the Indian question to be one of such momentous importance 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 the 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 will blame 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. We therefore recommend that Indian affairs be committed to an independent bureau or department.

This language has been quoted with approbation and full indorsement by nearly all, if not all, of the friends of the Indian Bureau in their speeches on this subject in the last Congress and by every member of the committee who signed the minority report of that session. And yet it surrenders the whole question as to the efficiency of the present system; and the position, when analyzed, will be found to be a

good argument in favor of the transfer to the War Department. It is inefficient, because the Secretary of the Interior is utterly unable to attend to it; and if so, then it should be taken from him. If is inefficient because of the difficulty in fixing responsibility for errors, irregularities, or neglect of duty. This concession strips it of the strongest incentives to duty, to wit, a just and certain accountability. The Secretary blames the Commissioner, and he in turn blames the Secretary. The military blames the civil department and the civil the military, and the conclusion is that the question must be committed to an independent head. Do this, and it would seem the same difficulty of fixing responsibility as between the head and his subordinates exists; but if this should not be so, this independent head of a bureau must have the aid of the military. Without them, any of their agencies would not survive a day. Already over two-thirds of the Army is stationed on the borders of civilization, and within or near the Indian reservations, for the purpose of protecting the border settlers and keeping these Indians in subjection and within the bounds of their reservation. You cannot, you dare not, take them away. All admit that the Army is absolutely necessary in the management of Indians, and some of the advocates of the present system go so far as to recommend that the wild and hostile tribes be placed entirely under control of the military. The only way to secure the respect and obedience of the savages is through power seen and, if necessary, felt by them. This can be done only through the Army. We cannot do without the Army, and yet there must not be a divided jurisdiction or responsibility. This can be effected in only one way, to follow the argument to its legitimate conclusion, and that is by transferring the War Department to the Indian Bureau with its independent head. Shall this be done? No one will advocate it. The only alternative left is to transfer the Indian Bureau to the War Department; then we have one head, one jurisdiction and one responsibility, and, more than all, we have power to command respect and to enforce obedience. And when it is seen and known that this power and jurisdiction are united, there will be much less probability of having in any case to resort to force.

Let us next examine the "corruptions of the present system."

The whole history has been one of sadness and shame. Frauds and gross irregularities have crept into every branch of the service. It is charged and generally believed that a ring composed of officers and employés of the bureau and wealthy and influential persons on the outside has been formed to swindle the government and the Indians. However this may be, there can be no doubt that a ring exists of fearful magnitude and of great power and influence. Does this need confirmation? Let us call to the stand the Hon. J. W. Nesmith, one of the joint select committee before referred to. He says:

Another great cause of complaint is the worthless quality of the goods which are bought in the Atlantic States and sent out for distribution among them. There is a great fault somewhere, either on the part of the agents who make the purchases in the Eastern market or on the part of the merchants or contractors who supply the goods. From the personal inspection which I have given these goods, and in comparing them with the invoices, I am thoroughly convinced that the *contractors* are guilty of the most outrageous and systematic swindling and robbery. Their acts can properly be characterized by no other terms. There is evidence also that the *persons employed in the department* to make the purchases are *accomplices* in these crimes. I have examined invoices of purchases made by the department or its agents in Eastern cities where the prices charged were from 50 to 100 per cent. above the market value of *good* articles. Upon an examination of the goods, I have found them, as a general thing, worthless and deficient in quantity. Among them were steel spades made of sheet-iron, chopping-axes which were purely cast iron, "best brogans" with paper soles, blankets made of shoddy and glue, which came to shreds the first time they were wet, &c.

But the folly or wrong of these purchases made by dishonest agents from dishonest

contractors does not cease here. Many articles are purchased which would be utterly useless to the Indians if their quality was ever so good; such as iron spoons, mirrors, gimlets, jew's-harps, hair-oil, finger-rings, and in one case which came under my observation forty dozen pairs of elastic garters were sent out to a single tribe in which there was not a single pair of stockings. Agent Wilbur, in charge of the Yakama reservation, in a report upon this subject, says: "The goods furnished from the Atlantic States have been of an inferior quality, often damaged, and sometimes short in quantity. Of the first invoice of annuity goods received here, there was a large number of blankets short. Of other goods which arrived here in 1862, there was a deficiency of fourteen pairs of blankets, twenty-one yards of checks and stripes, and six pairs of brogans, besides twenty-five pairs of blankets rat-eaten to that extent that they were considered worthless. Thirty-seven pairs of pants and twenty-two coats, on opening the cases, were found to be wet and completely rotten. The woolen goods sent out have been almost universally worthless; clothes made up for school from annuity goods, many of them were not worth the making. The same might be truthfully said in regard to the quality of hoes, axes, pitchforks, and shovels, many of which were not worth the transportation from Dalles, Oreg., to this place, a distance of seventy-five miles."

In that same report is found the following, showing the frauds in the transportation:

The time and manner in which the goods have been shipped have been most unfortunately chosen. The goods of 1863 were not only shipped by the costly isthmus route, but they were subject to exorbitant charge for packing, drayage, &c. (for detail of which see comparative schedule marked G), and the bulky nature of some of the articles was such as to make the freight a great deal more than the value of the goods delivered. The purchases in 1864 were all shipped via Cape Horn and San Francisco to Salem. Salem was the proper destination of no part of the goods. Your familiar acquaintance with the country enables you to see at once the absurdity of shipping goods bound for Warm Springs or Umatilla up the Willamette River to Salem, thence down the river to Portland again toward their final destination. The goods designed for Siletz agency afford a still more marked instance of mismanagement. They have been transported from San Francisco to Salem at a cost of about \$75 per ton, and now the most economical way to get them to their destination will probably be to ship them back to San Francisco again at a like cost, and thence direct to Siletz at a cost of about \$76 per ton. \* \* \* \* \* I shall not write this letter to the inordinate length necessary to point out all the failures or swindles, but a few of the most glaring must suffice. Merrimac prints are named in the invoices. This, as is well known, is the most costly sort of calico, and the prices paid have corresponded with the invoice quality, but not a yard of Merrimac calico has ever been put in the package. On the contrary, the article shipped has always been of a very inferior quality, such as can be bought for 25 or 30 per cent. less than the Merrimac, and is worth, to the Indians who are expected to consume it, less than half. The article shipped as cotton duck was of a light inferior article of common drilling. A considerable part of the thread that was sent out was rotten and utterly worthless. The needles, the buttons, the fish-hooks and lines, were of the most inferior description and of little value to the Indians. Spoons enough were brought to give half a dozen to every one of the tribe, and they were so worthless that the Indians generally refused to carry them away after they had been given out. Fancy mirrors costing \$5 were sent; they proved to be little looking-glasses about two inches in diameter and worth absolutely nothing to the Indians. A lot of steel hoes, handled, proved to be little affairs intended for the use of some delicate lady. Scissors, shears, in an inordinate quantity and utterly worthless in quality, were sent. In that the entire purchase showed either ignorance of the Indians' wants, or design to defraud them.

On the next page of the report we find the following:

Huntingdon's requisitions of the 24th September, 1863, were in the department at Washington when the purchases of 1864 were made, and by reference to Huntingdon's schedule, it will be seen that Messrs. Dole and Gordon had as little comprehension of the requisition as they had regard for the law of Congress, which they were palpably violating. Huntingdon sent for small steel plows, and they sent him "fancy mirrors"; he asked for harness for ponies, and they sent him frying-pans and knitting-needles; he asked for axes and grain-cradles, and they responded with scissors and spoons.\*

This report shows that up to 1865 there had been frauds practiced of the most disgraceful and infamous character, and in every conceivable shape and form. The law formed no barriers for them; they stumbled

\*Senate reports, second session Thirty-ninth Congress, No. 156, 1866 and 1867.

not at it. The ring then, as now, was omnipotent and defiant. Just three years afterward, in 1868, a peace commission, as before referred to, were sent out and made their report. This is what they say in regard to the agents and the Indian Bureau :

The records are abundant to show that agents have pocketed the funds appropriated by the government and driven the Indians to starvation. It cannot be doubted that Indian wars have originated from this cause. The Sioux war in Minnesota is supposed to have been produced in this way. For a long time these officers have been selected from partisan ranks, not so much on account of honesty or qualification as devotion to party interest and their willingness to apply the money of the Indians to promote the selfish schemes of local politicians. We do not doubt that some such men may be in the service of the bureau now, and this leads us to suggest that Congress pass an act not later than the 1st of February, 1869, when the office of all the superintendents, agents, and special agents shall be vacated.\*

It will be observed that so thoroughly were these gentlemen impressed with the frauds in the Indian service that they determined not to pause to try the question of the guilt or innocence of the parties, but in order to purify a department of the government, which could not otherwise be cleansed, they recommended that by one decree the few innocent should be sacrificed in order to get at the many guilty ones. Pages might be filled with reports and declarations showing the same things, but surely it is needless to take up more time on this point, further than to observe that it seems to be generally conceded that the Indians do not, and have not for years, received more than 25 per cent. of annuities sent them. Will it be said that these reports only come down to 1869? If so, we beg to cite the charges made by Professor Marsh, of Yale Scientific School, New Haven, Conn., and the developments that grew out of the investigation, in the year 1875, in regard to the Red Cloud agency. And even while we write, investigations are going on in this bureau, and on every gale comes charges of fraud, speculation, and wrong to the government and Indians.

What this investigation may develop is not fully known, but the committee cannot shut its eyes to the fact that there is an abiding impression, if not a well-founded belief, that this branch of the government is covered all over with fraud. This idea is not only entertained by a majority of Congress, but pervades more or less every class of society. If this be true, and all will admit it, then the bureau must fall. Its day has gone, and whatever efficiency it may have had is destroyed. Will Congress appropriate money, however necessary and benevolent its object, or will the country justify such appropriations if they have to go through fraudulent or oversuspicious channels? The question answers itself. If the work is to go on, the system must be changed. Confidence must be restored, and this can never be done except by an absolute abolition of the present system. Let us now look into the

#### COSTS OF THE TWO SYSTEMS.

This is a most important consideration, and will have much influence in determining this question. The Army must be paid in any event, and the addition of this bureau will add nothing to its force in officers or men. Many of the officers are on the retired list, and many others have nothing to do and yet are paid who can be placed on duty in the management of the Indians. A very large proportion of the Army, as we have seen is already stationed on the frontier. The soldiers stationed in the Southern States have been withdrawn. The strikes no more disturb us, and a universal peace reigns throughout our land for the first time in six-

\* Report of the Secretary of the Interior, third session Fortieth Congress, pp. 486, 508.

teen years. We need no troops for the interior. Let them all be sent to the frontier; the force we have had uniformly to control the Indians will be ample when the troops and the Indians are under the same jurisdiction and management.

The following table, carefully prepared from the official register, will show the amount saved by abolishing the bureau, and all the agents, subagents, inspectors, superintendents, and many of the employés, and replacing them as far as practicable with officers and privates.

The following sums are expended for salaries of officers and employés in the Office of Indian Affairs, and at the several agencies, except for clerks, laborers, and messengers in the office at Washington, viz:

Commissioner's salary .....	\$3,000 00
Three inspectors at large, \$3,000 each .....	9,000 00
Central superintendency .....	5,472 00
Northern superintendency .....	3,320 00
<b>Arizona:</b>	
Camp Apache agency .....	9,150 00
Chiricahua agency .....	3,900 00
Colorado River agency .....	5,620 00
Moquis Pueblo agency .....	2,840 00
Papago agency .....	7,140 00
Pima and Maricopa agency .....	7,600 00
San Carlos agency .....	12,300 00
<b>California:</b>	
Hoopa Valley agency .....	5,720 00
Round Valley agency .....	8,690 00
Tule River agency .....	4,200 00
<b>Colorado:</b>	
Denver agency .....	2,700 00
Los Pinos agency .....	8,900 90
White River agency .....	7,120 00
<b>Dakota:</b>	
Cheyenne River agency .....	9,040 00
Crow Creek agency .....	5,720 00
Devil's Lake agency .....	10,300 00
Flandreau special agency .....	1,080 00
Fort Berthold agency .....	9,100 00
Grand River agency .....	7,550 00
Ponca agency .....	6,560 00
Red Cloud agency .....	12,680 00
Sisseton agency .....	9,580 00
Spotted Tail agency .....	8,980 09
White River agency .....	3,500 00
Yankton agency .....	7,400 00
<b>Idaho:</b>	
Fort Hall agency .....	8,220 00
Nez Percé agency .....	12,980 00
<b>Indian Territory:</b>	
Special agency .....	3,940 00
Cheyenne and Arapahoe agency .....	10,680 00
Kiowa and Comanche agency .....	11,650 00
Osage agency .....	14,920 00
Quapaw agency .....	7,070 00
Sac and Fox agency .....	7,720 00
Wichita agency .....	10,280 00
<b>Kansas:</b>	
Kansas agency .....	3,760 00
<b>Michigan:</b>	
Mackinac agency .....	5,100 00
<b>Minnesota:</b>	
Leech Lake agency .....	6,800 00
Red Lake agency .....	7,840 00
White Earth agency .....	5,260 00

Montana:		
Blackfeet agency .....	\$11,000 00	
Flathead agency .....	10,680 00	
Fort Belknap agency .....	6,180 00	
Fort Peck agency .....	11,000 00	
Lemhi special agency .....	3,100 00	
Nebraska:		
Great Nemaha agency .....	5,760 00	
Omaha agency .....	10,055 00	
Otoe agency .....	5,000 00	
Pawnee agency .....	4,500 00	
Santee Sioux agency .....	6,200 00	
Winnebago agency .....	10,420 00	
New Mexico:		
Abiquiu agency .....	3,320 00	
Cimarron agency .....	2,960 00	
Mescalero Apache agency .....	5,080 00	
Navajo agency .....	7,280 00	
Pueblo agency .....	4,860 00	
Southern Apache agency .....	7,240 00	
New York:		
New York agency .....	2,050 00	
Nevada:		
Piute agency .....	5,900 00	
Walker River agency .....	8,000 00	
Oregon:		
Alsea agency .....	4,020 00	
Grand Ronde agency .....	4,500 00	
Klamath agency .....	10,350 00	
Malheur agency .....	6,780 00	
Siletz agency .....	8,680 00	
Umatilla agency .....	10,100 00	
Warm Springs agency .....	5,300 00	
Utah:		
Uintah Valley agency .....	7,300 00	
Washington Territory:		
Fort Colville agency .....	4,100 00	
Neah Bay agency .....	9,480 00	
Puyallup agency .....	10,000 00	
Quinalt agency .....	5,750 00	
Shokomish agency .....	7,400 00	
Tulalip agency .....	6,600 00	
Yakama agency .....	11,800 00	
Wisconsin:		
Green Bay agency .....	6,220 00	
La Pointe agency .....	9,160 00	
Wyoming Territory:		
Shoshone agency .....	9,200 00	
Expenses of Commissioner .....	15,000 00	
Expenses of inspectors .....	6,000 00	
Total amount .....	602,907 00	

We may add in this connection the printing in the bureau, which furnishes an item of \$45,000. This is divided between one hundred and fifty papers, making an average to each of \$300. By reference to the official register it will be seen that one paper received \$5,659.44, another \$4,469.56, four over \$2,000 each, six over \$1,000 each, and eleven over \$500 each, and twenty-four over \$100 each. If the transfer is made, the whole advertisement for the Army and Indians can be made together, and a large part, if not all, of the above sum may be saved, but to be safe, we will put the saving here at \$25,000. Add this to two-thirds of the costs of the agencies, which it is believed can be saved, and we have the neat sum of \$425,938. There can also be saved large sums in the

transportation of supplies, and in the purchases made by the government. We think it will be a safe calculation to put this at \$500,000, making the total thus saved about \$900,000, if not \$1,000,000. Can this last be saved? The report of the Commissioner in 1875 has this language:

The Indian Bureau has never had an adequate appointment for making large purchases and for transportation of the articles to the distant parts of the country. The Quartermaster and Commissary Departments of the Army have such appointments in complete organization, through which the War Department would be able to purchase, inspect, and transport supplies required to subsist the Indians and fulfill the treaty obligations with much more regularity and system than is possible for this bureau as at present organized.

With such a concession coming from one who was bitterly opposed to the transfer, may we not with perfect confidence add that it can and will be done a great deal cheaper; indeed, the estimate among intelligent Army officers and many civilians is that the saving will be much larger than we have placed it. Once under the control of the Army, all possible guarantees against frauds will be thrown around the Indians. The officer is in for life or good behavior. He is subjected to the most rigid laws of personal honor and official duty, and though located on the confines of civilization he is kept well in hand, and is continually under the strictest surveillance. He dare not do anything either in his accounts or his treatment of the Indians unbecoming an officer and a gentleman. The court martial is easily organized and is easily transported. Its trials are speedy, its judgments prompt, and its punishments swift and terrible. Do his duty and he is in for life, and in old age supported by his government. Fail in this, punishment and disgrace follow. Ages have perfected this system, and the ingenuity of man cannot devise another which furnishes greater incentives to do right and fewer temptations to do wrong.

But let us now for a moment compare the cost of Indian affairs for eleven years prior to 1849 with ten years since that time, and with the seven years just preceding the year 1877, and we have the following: From 1839 to 1849, inclusive, the Indian Department cost \$17,611,837.98; from 1850 to 1860, inclusive, it cost \$34,169,799.82; the total cost from 1870 to 1876, inclusive, is \$44,303,332. This will make an annual average appropriation for the seven years of \$6,329,047. It will be seen from this that the Indians, under the present management, cost the government \$23.05 *per capita*, while by a similar calculation it will be found that the costs of the government of all ages, classes, and colors, Indians included, will not exceed \$4.28 *per capita*.

This exhibit is taken from a very thorough and able review of this whole matter by Governor Throckmorton, in a speech delivered in the Forty-fourth Congress, and is believed to be entirely reliable. Much of this increase in expenditures can, no doubt, be honestly accounted for, but that so large an amount is either necessary or defensible no one will claim. But it is said "That if the government wants war with the Indians then the transfer should be made." This is worthy of serious consideration; for, if true, it should decide the question. What are the facts? If we compare the expenditures of the War Department from 1835 to 1845, inclusive, with those incurred from 1850 to 1860, or eleven years prior to the transfer, with eleven years succeeding the same, the difference will be seen to be largely in favor of the War Department. The time from 1846 to 1849 is excluded because of the Mexican war, which should not in this calculation be estimated. From 1835 to 1845, inclusive, the total cost of War Department was \$80,716,086.74.

From 1850 to 1860 it was \$168,079,707.57. How shall this be accounted for? Certainly not by an increase of the Army; for in all that time we were at peace with all mankind, except the Indians. It will be remembered that the control and management of the Indians for seventeen years prior to 1849, belonged exclusively to the War Department. Between 1832 and 1849 we had no serious trouble with the Indians, except the wars against the Seminoles, from 1835 to 1842, and the Creek disturbances of 1835-'36, and the Black Hawk war of 1832, and these are in no way attributable to the Army. Since 1849 we have had the Sioux war, 1852-'54, costing, as has been estimated, from \$20,000,000 to \$40,000,000.

In 1864 occurred the Cheyenne war, culminating in the massacre at Sand Creek, known as the Chevington massacre, and this probably cost the government near \$40,000,000. In 1866 we had another Sioux war in Dakota. In 1867 we had another fierce war with the Cheyennes. Then, there is the Navajoe wars. We have also had troubles and massacres on the Pacific coast. And now we come down to another Sioux war, and the Nez Percés war, embracing the year 1877. All these happened under what is called the "peace policy." It is said that these wars were brought on by the military, and without them there would have been no war. This charge is not true. On the contrary, it can be shown, from the best attainable evidence, that many if not most of these wars resulted from the conduct of bad white men and corrupt agents, who, for their own profit, starved the Indian. But let us grant, for the sake of the argument, that the military brought on all these wars. Why was the Army continued on the frontiers all that time when it was the fruitful cause of so much bloodshed, and of so great a waste of lives and money? The answer is, as has been already shown, that the agencies could not exist among the wild tribes without troops near enough to inspire them with a wholesome fear. If this be true, and all concede it, then it is trifling with justice, honesty, and truth to argue that the present system should be retained, because the soldiers have provoked the Indians to war and bloodshed. But, again, it is said that the soldiers cannot sow and reap, and that they will not make good teachers and preachers for the Indians, and therefore the transfer should not be made. Do the agents reap and sow, teach and preach, or are they ever selected with any such purpose in view? The answer must be in the negative. The agents are sent out to look after the proper distribution of food, clothing, &c., among the Indians, and to keep honest and just accounts of their doings. In the transfer it is proposed to make agents of the officers, and give them power and force, when necessary, to protect all the religious and temporal interests of the Indians, subject to instructions from his superior officers, and they in their turn, until they get back to the Secretary of War. And there is no reason, as the head of the War Department, why he shall not be as wise, as prudent, as merciful, as long-suffering, and as much devoted to the best interests of the Indian as the head of any other department. It is not proposed by this transfer to retard in any way the efforts now making by the churches and the government for the civilization and salvation of the Indians, or in any way to impede their progress; but it is proposed to hold them in fear, to restrict them to their reservations, to enforce obedience to proper regulations for their good, and to distribute honestly and justly the goods, money, &c., sent out by the government for their benefit. It is also proposed to open up each and all these agencies to all denominations alike, to give none exclusive privileges, but to invite all to go into that field and enter upon this great work

under that protection and sanction which a great government guarantees to all.

We invite attention to the following opinions taken from intelligent officers and civilians who have had large experience among the Indians and are competent to speak on the subject. These facts are drawn from actual personal experience. There is great good sense and force in what they say, and their opinions are worthy the most careful consideration.

General Pope says :

Of course there is, and must always be, debatable ground between a condition of war and a condition of peace, upon which the military and civil officers are rarely agreed. Conflicts of authority and of jurisdiction and differences of opinion are constantly arising which have no result, except to render the whole management of Indian relations inefficient, to say no worse. The Indian agents, influenced by contractors, by traders, and by the merchants from whom Indian supplies are bought, are constantly anxious to make treaties of peace with the Indians. Every such treaty involves the expenditure of much money, and the oftener treaties are made the larger are the profits to everybody, except the Indians and the government.

Officers of the Army who have spent their whole lives on the frontier, and who are held responsible for every murder, every robbery, and every irregularity committed by Indians, and whom long experience has made familiar with Indian character and habits, are better qualified, perhaps, to judge of the proper time and proper circumstances to make a treaty with the Indians, and of the most judicious terms of such a treaty, in view of future quiet, than a civil agent, recently appointed, who has no experience whatever of frontier life, and no practical knowledge whatever of the business with which he is entrusted, nor with the people with whom he is to deal. Whether this is so or not, it is quite certain a business thus divided between two departments, acting independently of each other, except so far as they may choose to act in concert, must be done in an inefficient and unsatisfactory manner. It is my opinion, as I doubt not it is the opinion of every man who has ever considered the matter, that the whole management of the Indians should be confided to one branch of the government, and not confused and distracted by the operations of two sets of officials, differing in opinion and embarrassing each other by conflicting action. Whether the whole subject should be committed to the Interior Department or the War Department seems easy to answer. The necessity of using soldiers to protect emigration and frontier settlements, and to enforce the observance of treaties with Indians, demands that the War Department should have very much to do with our Indian relations and the management of Indian affairs. There is no such necessity for any action of the Interior Department, and the Indian Bureau is merely an exercise upon that department. Army officers on the frontier can now, as they did in former times, perform all the duties of Indian agents and superintendents, without any increase of Army pay. The Indian when he makes an agreement with a commander of military forces, understands very well that he is dealing with a man who can force him to observe his agreement, and he respects both the man and his own promises accordingly. That Army officers would disburse money and goods to the Indians with as much honesty and prudence as the Indian agent is not to be questioned. Aside, therefore, from other reasons why the whole care of the Indians should be committed to the War Department, it is very certain that by doing so, the entire army of Indian agents can be mustered out of the service, and their pay and expenses saved to the government.

Col. John T. Sprague said, in answer to question, whether the Bureau of Indian Affairs should be placed under the War or Interior Department, replied :

Under the War Department, for this reason : In dealing with the Indians they like to see the evidence of power and authority. The officer's uniform, the presence and prompt obedience of soldiers, the general authority exercised by officers of the Army under their observation from day to day, their ability and means of punishment, all these create in the Indian's mind respect and reverence as well as obedience, and he looks upon the military officer, with his sword and uniform and soldiers about him, as the direct representative of his Great Father in Washington. A military officer has his commission at stake. He is bound to execute orders derived from an experienced source ; his speculations and opinions are not regarded, but he must follow the instructions derived from a department, the policy of which must be respected and adhered to. He is subject to prompt punishment. His position is one for life. He feels independent in the execution of orders from a department which will give him protection, encouragement, as well as reward. He is surrounded by a class of men who have a

professional pride in the discharge of duties intrusted to them. The commanding officer, as well as the soldier, have a generous and kindly feeling for the Indian, and have deep sympathy in his condition.

**Again Colonel Sprague says:**

Twenty years of my service in the United States Army out of thirty, have been spent upon the Indian frontier. The United States flag, the Catholic church, and the Indians have been my companions. I have conducted upward of six thousand Indians—men, women, and children—from their homes on the east side of the Mississippi to the West, and located them upon reservations granted by the government. I have been in daily intercourse with them in their camps and villages. I have met them in battle, and have counseled with them in peace, and have ate and slept for days and weeks in their camps and wigwams, and am satisfied that, with a generous and protective policy, the Indian can be successfully brought under the beneficial influences of civilization, and be made to protect the frontier instead of being its terror.

**General Carlton says:**

In my opinion, the Indian Bureau should be placed under the War Department, as it was before the Department of the Interior was created and organized. My reasons for this are, when under the War Department, which also controls the forces operating in Indian countries, there would be no conflict of opinion about what should be done in given cases; for as the fountain whence might emanate instructions, whether to commanders, superintendents, or agents, would be one, so the different streams of authority and regulations descending through these subordinates should be of the same character. In my opinion, the office of Commissioner of Indian Affairs should be abolished, if it be incompatible with the law to have an Army officer to fill it *ex officio*, contemplating the placing the Indian Bureau under the direction of the War Department and organizing it systematically, so that its operation should harmonize with those of the troops, and the two run together as parts of the same machine, with no cogs mismatching, no jarring, no belts loose, &c. It would be next to impossible to find a citizen who would understand Indian affairs, Indians, Indian countries, Indian wants, &c., and at the same time understand military affairs; but it is easy to find an officer of the United States Army who, from long service in Indian countries, understands all those matters. If it be more an object to have the business between the government and the Indians managed by fixed rules, and without uncertainty, confusion, and delay, than to have the place and patronage of the Indian Bureau exist, irrespective of these considerations the plan here suggested seems in my mind to meet that object. For I would have not only the head of the Indian Bureau an officer of the Army, but each commander of a military department should be an *ex officio* superintendent of Indian affairs for all the Indians in that department, and the commander of one post nearest any one tribe of Indians in that department should be the agent *ex officio* for that tribe.

**General Hoffman says:**

In my opinion the Bureau of Indian Affairs should be placed under the control of the War Department. I have seen much abuse in the management of Indian affairs by Indian agents, who are under little or no tangible responsibility. The responsibility of an officer of the Army is direct and immediate, having other eyes upon him than the simple Indians', and the chances of honesty and integrity to the government and to the Indians is almost insured. A storekeeper and treasurer might be appointed from civil life, to be under the control of and responsible to the officer in charge. An Indian agent has influence with Indians beyond what he obtains by having in his hands the distribution of annuities or presents, and if they behave well it is in the hope of reward, not the fear of punishment. If the authority over them is in the hands of an officer of the Army, his authority is enforced by the troops he commands, and their presence exercises a much greater influence over them than hope of reward or any threat of punishment at a future day.

**General Sully says:**

The Indian department unquestionably should be under the War Department. It is to the troops the friendly Indians look for protection against hostile bands, and from the troops the agent or trader calls for protection when his Indians, exasperated after repeated impositions, threaten to take his life. The Secretary of the Interior may believe one policy the best to adopt toward certain bands, and the Secretary of War may think it necessary to act quite differently. Thus different orders are issued to the agents and to the troops. Frequently Indians become so troublesome it is necessary to turn them over to the hands of the military entirely, and in the midst of war, before peace and quiet is established, the agent or some other official is empowered to make a treaty and pay the Indians large sums to behave themselves, thus greatly in-

terfering with military success. It is a common saying among Indians that, when they are in want of more annuities, all they have to do is to kill a few white men and steal a few horses.

Governor Evans says :

My judgment can only be given from actual observation as to the wild nomadic tribes. I have little doubt that they can be more successfully and economically managed by the War Department. The necessity of a force to keep them quiet is too palpable to be denied; and if the entire management is committed to the military, it would harmonize the influences and authority of their management, and prevent misunderstanding and conflicts which confuse the untutored Indian and create distress.

Mr. Abram Bennett, late agent of the Kickapoos, says :

The War Department would certainly be the most economical department under which to place the Indian Bureau, and I see no good reason why it should not be as good for the interest of the Indian.

John B. Maxfield, missionary to Pawnees, says :

My opinion is, in regard to Indian affairs and the present system, that they are miserable failures. Millions of money have been spent, thousands of lives sacrificed, and yet that the government has signally failed either to civilize the Indians or secure the safety of the frontiers is patent to all. It can never be done under the present system. No wholesome fear of the government has been impressed on their minds. Deal with them as with other men, and we have nothing to fear. As long as the government continues to buy their friendship, so long will it be held in contempt. Give him his rights and make him amenable to the laws of the land as other men, and protect him in the enjoyment of his rights, and most of the embarrassments inseparable from the present system will disappear.

On January 7, 1868, the Peace Commission appointed under act of Congress approved July 20, 1867, "to establish peace with certain hostile Indian tribes," as before referred to, decided and in their report recommended that the Indian Bureau should not be transferred to the War Department. Later in that year, to wit, on October 9, 1868, after a more careful and searching investigation and a serious consideration of all matters touching Indian prosperity, the same commission, all concurring save the president, Mr. N. G. Taylor, in Chicago, passed the following resolution :

*Resolved*, That in the opinion of this commission the Bureau of Indian Affairs should be transferred from the Department of the Interior to the Department of War. (Page 831 of the Report of the Secretary of the Interior, third session of the Fortieth Congress.)

We might mention in this connection many other opinions of great profit and interest from good men of large experience and much thought on both sides of this question, but the length of this report forbids it, further than to call special attention to the reports and statements in the same of eminent civilians and soldiers made by the Committees of Indian Affairs and Military Affairs during the Forty-fourth Congress.

After a full and careful consideration of all the facts and circumstances as well as the difficulties that surround this question of what is best for the Indian, a large majority of your committee have reached the conclusion that the present system is not a success, and that the purity of the service, the good of the Indian, as well as a just economy, require that the whole question should be transferred to the control and management of the War Department. That there are some objections to even this department in this connection we are free to admit, but in our view there is no disposition of these Indians which will sooner restore confidence, or is so free from objections, and promises more efficiency or greater success in the efforts which are to be renewed with greater vigor in behalf of civilization among these unfortunate people, than this. The committee, with a view therefore to accomplish the ends most desired,

have selected bill H. R. No. 959 and submit it as a substitute for the others introduced and recommend its passage.

A. M. SCALES, *Chairman*.  
A. R. BOONE.  
CHAS. E. HOOKER.  
CHARLES H. MORGAN.  
J. W. THROCKMORTON.  
T. M. GUNTER.  
G. M. BEEBE.

The undersigned, believing that the best interest of the government and of the Indians will be promoted by transferring the care of the Indians to the War Department, concurs in the above report.

MARTIN I. TOWNSEND.

Recent developments have convinced me that, under the present management, the government as well as the Indians would be benefited by transferring the control of this bureau to the War Department.

H. F. PAGE.

Mr. VAN VORHES submitted the following

### VIEWS OF THE MINORITY.

The Committee on Indian Affairs, to whom was referred House bill No. 959, 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 some of the facts and the reasons governing us in arriving at such conclusion, and ask that the same be printed and considered by the House.

In submitting these our views and conclusion, it is but proper for us to say that one of the undersigned was a member of the Committee on Indian Affairs during the last Congress, having this same matter in charge, and the member of the minority whose duty it was to draw up the adverse report then made; and having seen no substantial reasons for changing the views and conclusion then reached, we have taken the liberty of adopting and using substantially the minority report made at that time, using the same facts, figures, and references.

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 1863). 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 in 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 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 government 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 advantage 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, 1869) 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, or 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 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.

N. H. VAN VORHES.  
J. H. STEWART.

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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 Wibur, 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.