

PUNISHMENT OF BURGLARY AND LARCENY IN THE INDIAN TERRITORY.

JANUARY 10, 1888.—Referred to the House Calendar and ordered to be printed.

Mr. ROGERS, from the Committee on the Judiciary, submitted the following

REPORT:

[To accompany bill H. R. 1213.]

The Committee on the Judiciary, having had under consideration House bill No. 1213, report the same back with the following amendments, and recommend its passage:

(1) Insert after the word "mule," in line 6 of the first section of the bill, the words "or other domestic animal."

(2) Strike out the word "five," in line 8, same section, and insert in lieu thereof the word "fifteen."

(3) Insert after the word "robbery," in line 2 of the second section, the words "or burglary;" and in line 4 of said section strike out the word "ten" and insert in lieu thereof the word "fifteen."

The committee find that section 5356 of the Revised Statutes of the United States prescribes the punishment for larceny. The maximum punishment is \$1,000 fine and one year's imprisonment. This has been found inadequate to suppress larceny in the Indian Territory. The States surrounding that country have found it necessary to inflict much severer punishment—the maximum punishment in one State, and perhaps others, being fifteen years' imprisonment in the penitentiary. The result is, the thief follows his vocation in the Territory. It is believed the passage of this bill will go far toward deterring his operations in that country.

There are statutes of the United States punishing the robbing of the mails and the robbing of persons of property belonging to the United States, and also in a few other instances robbery is punishable under existing law. It is not intended by this bill to interfere in any way with any existing statutes relating to the crime of robbery.

There is no statute punishing robbery in the Indian country except as stated. This crime is not unfrequently committed in that country. Sometimes the railroad trains are stopped and the railroad companies and express companies and passengers robbed, and the perpetrators can only be punished under the general statute for larceny, the maximum punishment of which is \$1,000 fine and one year's imprisonment. This punishment the committee think incommensurate with the character of offenses stated. The surrounding States have found it necessary to punish this offense much more severely, and the committee think a severer punishment should be inflicted for this class of crimes when

committed in the Indian Territory, where lawless and bad men have congregated in great numbers.

The committee have been unable to find any statute punishing the crime of burglary in the Indian Territory, and have therefore recommended an amendment of the second section of the bill, so as to embrace that offense and inflict an appropriate punishment therefor.

The committee also recommend amending the title of the bill by striking out the words "and horse-stealing," and inserting in lieu thereof the words "burglary and larceny."

