45TH CONGRESS, 3d Session. } SENATE. { REPORT No. 693.

REPORT

OF THE

JOINT COMMITTEE

APPOINTED

TO CONSIDER THE EXPEDIENCY OF TRANSFERRING THE INDIAN BUREAU TO THE WAR DEPARTMENT.

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Mr. SAUNDERS, from the Joint Committee to consider the expediency of transferring the Indian Bureau to the War Department, submitted the following

REPORT:

At the second session of this Congress a section (No. 14) was inserted in the act making appropriations to defray the expenses of the Army for the fiscal year ending June 30, 1879, providing for the appointment of a Joint Committee of the two houses of Congress, whose duty it should be to take into consideration the expediency of transferring the Indian Bureau to the War Department. The fourteenth section of said appropriation bill is as follows:

SECTION 14. That three Senators, to be appointed by the President of the Senate, and five Representatives, to be appointed by the Speaker of the House, are hereby constituted a joint committee, who shall take into consideration the expediency of transferring the Indian Bureau to the War Department. Said committee shall be authorized to send for persons and papers, to employ a clerk and stenographer, and to sit during the recess of Congress. It shall be the duty of said committee to make a final report to Congress on or before the 1st day of January, 1879. And the sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses of said committee, to be expended under the direction of the chairman thereof.

THE COMMITTEE.

Under this authority of law the President of the Senate appointed Senators Alvin Saunders, of Nebraska; Richard J. Oglesby, of Illinois; and Thos. C. McCreery, of Kentucky, members of the committee on the part of the Senate. The Speaker of the House of Representatives appointed Hon. A. M. Scales, of North Carolina; Hon. A. R. Boone, of Kentucky; Hon. Chas. E. Hooker, of Mississippi; Hon. J. H. Stewart, of Minnesota; and Hon. N. H. Van Vorhes, of Ohio, members of the committee on the part of the House of Representatives.

The power given to this Joint Committee is simply to "*take into consideration the expediency of transferring the Indian Bureau to the War Department.*" Your committee, therefore, to fully inform themselves as to this expediency, visited various sections of the country and heard voluminous testimony on both sides of the question.

Your committee organized on the 20th of June, 1878, with Senator Alvin Saunders as chairman and Charles L. Flanagan clerk. From the 22d of June until the 25th of September a recess was taken. In the mean time every avenue of information was searched for data on the subject to be considered. Letters of inquiry were addressed to the Secretaries of War and Interior, to which replies were received containing exhaustive statements and figures.

THE WAR DEPARTMENT CONTROL TO 1849.

From the earliest period in our colonial history until the present time, the question of the reclamation and civilization of the native population within our limits has attracted the attention and efforts of the humane

and benevolent, and, in one form and another, these have labored to rescue the Indian from barbarism and surround him with such aids and helps as to induce him to accept the comforts which the civilized man enjoys.

During our colonial existence each colony acted independently of its neighboring colonies in its dealings with the Indians within its own limits, and hence there was diversity and conflict, since most of the tribes, in their wandering life, were not confined to a location within the limits of a single colony.

Negotiations grew out of emergencies as they arose, the chief object of the colonists being to compose existing difficulties, and to obtain possession of the lands of the Indians for the immediate occupation of the settlers. In all these transactions there was no uniform rule of action, or any definite plan for the amelioration of the condition of the savage. The result was that conflicts were ever-recurring and never-ending.

With the adoption of the Constitution of the United States, indeed preceding that event, and while under the Confederation, the General Government took charge of Indian affairs, and from that period to the present the custody and the reclamation and civilization of the Indian race has been one of the duties of the national authorities. The government has manifested an earnest desire to wean the Indian from a wandering life, and to give to him, in its stead, the arts of civilization, and the comforts of a settled home. While professing a desire to civilize and settle this hapless people, the policy of removing them from their homes, whenever the demands of the white settlers who wished to occupy more territory, or the schemes of speculators whose influence frequently wrought the extinguishment of the Indian title were urged, has been persistently pursued, and thus the Indian has been kept in a wandering state, and led to look upon the white race as unjust and indifferent to his condition, and his fate.

In 1775, the Continental Congress created three departments of Indian affairs, the Northern, Middle, and Southern, and assigned a board of commissioners to the charge of each of these departments. The purpose of this action had, however, no reference to the amelioration of the condition of the Indians, but to preserve, if possible, friendly relations, and prevent them from taking part in the struggle then inevitable between the colonies and the mother country.

In 1785 Congress adopted an "ordinance for the regulation of Indian affairs" in pursuance of the ninth of the articles of Confederation and perpetual union. By this ordinance the country was divided into two districts, the northern and the southern; a superintendent was created for each district. All official transactions between these and the Indians were to be "held, transacted, and done at the outposts occupied by the troops of the United States"; and "in all cases where transactions with any nation of Indians shall become necessary to the purpose of this ordinance, which cannot be done without interfering with the legislative rights of a State, the superintendent within whose district the same shall happen shall act in conjunction with the authority of such State."

In 1787 Congress authorized several of the States to appoint commissioners who, in conjunction with the superintendents of Indian affairs, were authorized to make treaties. The superintendents were required to correspond regularly in relation to their official transactions with the Secretary of War, "through whom all communications respecting the Indian department shall be made to Congress," and they were further required "to obey all instructions which they shall, from time to time, receive from the Secretary of War."

As treaties were made for cessions of land and limited annuities became due and payable to the Indians, the War Department became, through its agents—the officers of the Army—the disbursers of the funds and gifts due to the Indians. There were exceptional cases in which civilians discharged this duty; but these were also under the direction and supervision of the Secretary of War.

On the 3d of February, 1826, the Hon. James Barbour, then Secretary of War—and after a trial of nearly forty years of the management of our Indian relations by the department over which he then presided—in an official letter to the chairman of the Indian Committee of the House of Representatives, sent forth a wail of lamentation and sorrow because of the condition of the native population at that time. In this communication the Secretary said:

> The suggestions of policy or necessity should no longer stifle the claims of justice and humanity. It is now, therefore, that the most solemn question addresses itself to the American people, and whose answer is full of responsibility. Shall we go on quietly in a course which, judging from the past, threatens their extinction, while their past sufferings and future prospects so pathetically appeal to our compassion? The responsibility to which I refer is what a nation owes to itself, to its future character in all time to come; for, next to the means of self-defense and the blessings of free government stands, in point of importance, the character of a nation. Its distinguishing characteristic should be justice and moderation. To spare the weak is its brightest ornament. * * * It is the province of history to commit to its pages the transactions of nations. Posterity looks to this depository with the most intense interest. The fame of their ancestors, the most precious inheritance, is to them equally a source of pride and a motive of continued good action. *But she performs her province with impartiality.* The authority she exercises in the absence of others is a check on bad rule. The tyrant and the oppressor see in the character of their prototypes the sentence posterity is preparing for them. Which side of the picture shall we elect? For the decision is left to ourselves. Shall the record transmit the present race to future generations as standing by insensible to the progress of the desolation which threatens the remnant of this people; or shall these unfriendly characters give place to a generous effort which shall have been made to save them from destruction? While deliberating on this solemn question, I would appeal to that High Providence, whose delight is justice and mercy, and take counsel from the records of His will, revealed to man in His terrible denunciation against the oppressor.

At this period of time, the question of the removal of all the Indian tribes then residing east of the Mississippi to a new and "permanent" home to be provided for them west of that stream was being discussed vigorously. Although this measure was presented as a means of ameliorating the condition of the Indians, the earnest discussion of it at that time was precipitated by the demand of the State of Georgia that the Cherokee Indians be removed to without the limits of that State. Many of the tribes were then in a dejected, dispirited, and demoralized condition, and intemperance was fearfully prevalent among them. Their annuities were of no benefit, but a positive injury to them; since the time of payment was made a season of revelry and debauchery, and in this condition their moneys and goods were obtained by those who, under one pretext and another, got possession of them.

On the 27th of January, 1825, the President sent to the Senate sundry documents in relation to the various tribes of Indians within the United States, and recommended a plan for their colonization west of the Mississippi River, in which he said that "without a timely anticipation of and provision against the dangers to which they are exposed, under causes which it will be difficult if not impossible to control, their degradation and extermination will be inevitable."

The Secretary of War, in the document heretofore referred to, recommended this same measure in 1826, and it occupied the consideration of Congress for several years thereafter. Finally, on the 8th of December, 1829, it was pressed upon Congress in the annual message of the Presi-

dent, and on May 30, 1830, an act was passed "to provide for the exchange of lands with the Indian tribes in any of the States or Territories and for their removal west of the river Mississippi." In a succession of years following the passage of this law, almost all of the Indians residing east of the Mississippi were transplanted to homes west of the States of Missouri and Arkansas. The story of the removal of the tribes is a sad one. The removals were confided to the War Department. There was a fearful loss of human life in the transaction.

In 1832 the office of Commissioner of Indian Affairs was created, and in 1834 an "Act to provide for the organization of the Department of Indian Affairs" was passed. During this same year (1832), and preceding the passage of the law creating the office of Commissioner of Indian Affairs, a committee of Congress examined into the condition of our Indian relations, and made reports that the system was "expensive, inefficient, and irresponsible"; hence the passage of the act of 1834. By the act of 1832, as well as that of 1834, the power was vested in the President to prescribe rules and regulations to govern in the execution of both these laws. On the 8th of November, 1836, this duty was discharged by the President by remitting the subject to the Secretary of War, with directions to "immediately revise the existing regulations, and prescribe a new set as to the mode in which business shall be done by the Commissioner, adapted to the present condition and duties of the office."

The first edition of the revised regulations, known as No. 1, was adopted, and went into operation on the 11th of November, 1836, and provided that the Commissioner of Indian Affairs, in the administration of the duties of his office, which covered all the business connected with, or arising out of, our Indian relations, should, in all things, be subject to the supervision of the President and of the Secretary of War. Additional revised regulations, Nos. 2, 3, 4, and 5, were adopted and promulgated in April, May, and June, 1837. These were quite elaborate, providing for every phase of the question. Among the provisions of regulation No. 3 there was one which assigned three officers of the Army to duty in the Indian Department, each of whom was to be styled the principal military disbursing officer within the district to which he was assigned. As a general rule, all funds required for disbursement in such district were to be turned over to the principal military disbursing officer. Deviations from this rule were allowed, as in the case of the employment of commissioners or special agents. Payments were to be made by these military disbursing officers, the assistant quartermasters, and assistant commissaries of subsistence, at the different military posts, and by military officers on duty in any other branch of the service in the Indian Department, when thereto required. When required to do so, by the disbursing officer, the local agent assembled the Indians at the pay-ground. All annuities were paid to the chiefs of the tribe, or to such persons as the tribe might designate, provided they were of Indian descent, or recognized members of the tribe, and no payment was to be made to any other person except he be a claimant for depredations under the seventeenth section of the "intercourse act" of 1834.

In regulations No. 5 provision is made for the removal of Indian tribes. The military disbursing officers were to pay for the supplies and services rendered necessary in such removal, and for the subsistence of the Indians on their arrival at their new home, assisted by disbursing agents of their own selection and acting under their instructions; and thus, and by these rules and regulations, the Department of Indian Affairs, created by the act of 1834, was reduced to a mere bureau in the War Department, subject to the control of the Secretary of War, and military offi-

cers made the disbursing agents of the same. Thus the system that was in operation previous to the passage of the act of 1832 creating the office of Commissioner of Indian Affairs, and the act of 1834 creating the Indian Department, were by the rules and regulations perpetuated.

Another committee of Congress investigated the matter of Indian management in 1842, and said, in the report made by it, that—

> The evidence is submitted as to the general management and condition of Indian affairs. It exhibits an almost total want of method and punctuality, equally unjust to the government and the tribes to whom we have voluntarily assumed obligations which we are not at liberty to disregard. *It will be seen that the account of millions of expenditures have been so loosely kept as scarcely to furnish a trace or explanation of large sums, and that others have been misapplied so as to impose serious losses on the Indians and heavy responsibility on the government; that in some books (the only record of these accounts) no entries have been made for a period of several years; and that where entries have been made, the very clerks who kept them could not state an account from them.*

Notwithstanding the facts stated in this report, there was no change made in the mode of disbursing Indian annuities. The abuse in this branch of the Indian service grew. The money annuities were frequently paid to parties holding national obligations against the tribe, which consisted of evidences of indebtedness obtained from the chiefs by traders and other enterprising persons, and frequently in such sums as to absorb the whole amount due the tribe, and when payments were made to the Indians, the receipts of the chiefs only were taken, and the money turned over to them to be disposed of as they thought proper. Powers of attorney, obtained through devious ways, were recognized and money paid upon them. These abuses did not only take from the Indians the sums due them, and thereby deprive them of the benefits of the same, and thus reduce them to want, but it made them despondent, and led them to indulge in the use of whisky, with which they were liberally supplied.

On the 3d of March, 1847, with a view to correct these abuses, which had become formidable, Congress, by law of that date, enacted—

> That all annuities or other moneys, and all goods stipulated by treaty to be paid or furnished to any Indian tribe, shall, at the discretion of the President, or Secretary of War, instead of being paid over to the chiefs, or such persons as they shall designate, be divided and paid over to heads of families, and other individuals entitled to participate therein; or, with the consent of the tribe, be applied to such purposes as will best promote the happiness and prosperity of the members thereof, under such regulations as shall be prescribed by the Secretary of War, not inconsistent with existing treaty stipulations; and no such annuities, or moneys, or goods shall be paid or distributed to the Indians while they are under the influence of any description of intoxicating liquors, nor while there are good and sufficient reasons for the officers and agents, whose duty it may be to make such payments or distribution, for believing that there is any species of intoxicating liquors within convenient reach of the Indians; nor until the chiefs and headmen of the tribes shall have pledged themselves to use all their influence and to make all proper exertions to prevent the introduction and sale of such liquor in the country; and all executory contracts made and entered into by any Indian for the payment of money or goods shall be deemed to be null and void, and of no binding effect whatever.

The provisions of the law, from which the foregoing extract is taken, were all wise and salutary, and were called for by the general disorder that prevailed at the time, and by reason of which the Indians were becoming degraded and decimated. The annuities, instead of being of value, by their use in such a way as to aid in the social and moral improvement of the tribes, were perverted, and became a fruitful source of vice and profligacy. In many cases the chiefs were, by direct bribery, induced to assent to the payment of large and unfounded claims, and thus the provident members of the tribe were robbed of the portion due them, and by such means they were discouraged, and general discontent spread among the whole tribe, and relief was sought in the intoxicating draught. So deep-rooted had these abuses become, growing as they did

apace for more than half a century, without any vigorous attempt on the part of the military disbursing officers to correct them, that traders and other claimants held that to pay the annuities as required by the law of 1847 to the heads of families was an innovation upon past usages, and an invasion of their vested rights.

This detail has been deemed necessary because of a prevalent error that obtains at this time in reference to the management of our Indian relations prior to the transfer of the Indian Bureau from the War to the Interior Department, which took place in 1849. Military officers, from the highest to the lowest, are in the habit of stating that while the bureau was in the War Department, and Army officers were the disbursing agents, all business was conducted fairly and faithfully, and that it is doubtful whether any military officer in the Indian service was ever accused of unfaithful conduct. The Military Committee of the House of Representatives had, in the winter of 1876, the question of the restoration of the Indian Bureau to the Department of War under consideration, and took the testimony of a large number of the officers of the Army. The committee recommended the transfer. Their report is dated the 9th of March, 1876 (No. 354, First session 44th Congress). The committee state that the testimony contains the views of the General, Lieutenant-General, the major-generals, all the brigadier-generals but one, thirty-one colonels, and twenty-nine lieutenant-colonels, all of whom, but two, united in urgently recommending the transfer, as a measure of expediency, wisdom, and economy. The conclusion of the report of the committee is in these words:

> Previous to the transfer of the Indian Bureau from the War to the Interior Department in 1849, the disbursements to the Indians were generally made by Army officers under the direction of the commanding officers of the posts, who were acting Indian agents; and as the disbursing officers' commissions, their reputation, and the means of support for themselves and families were at stake, this was sufficient to prevent any attempt at fraud and dishonesty; and the result of this system was what might have been anticipated. It is doubtful if the Army officers were ever accused of defrauding the Indians.
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> In view of all the evidence adduced, we are of the opinion that the conduct of Indian affairs under civil administration, after a practical working of twenty-seven years, has proved fraudulent, expensive, and unsatisfactory to the Indians, provoking them to hostilities that have cost the government many millions, besides the lives of thousands of citizens and the destruction of their property; whereas the affairs of this bureau of the public service, while under the control of the War Department, were honestly, economically, and firmly administered.

It is admitted that the testimony of the fifty-eight Army officers examined by the committee justified it in reaching the conclusion it did, provided no rebutting testimony was produced. But the facts of history and the legislation enacted to cure the evils and abuses that grew up under the administration of military officers do not justify the statements made by these officers when before the Military Committee, and had they been known to the House Committee on Military Affairs, it is not seen how the conclusion it reached could have been arrived at.

The Secretary of War, in his report of February 3, 1826, said that in the management of Indian affairs "the history of the past presents but little on which the recollection lingers with satisfaction." He said further, "The future is not more cheering unless resort be speedily had to other counsels than those by which we have heretofore been governed."

The admonitions of the Secretary were unheeded, and abuses grew from that time forward, and notwithstanding the reformatory legislation of March 3, 1847, they continued to grow up to the last hour in 1849, in which the War Department had control of the Indian population, and so little had been done toward Indian civilization under the

War Department management that public opinion had acquiesced in the assumption that the Indians were not susceptible of civilization and progress.

THE PROBLEM.

Since October 18, 1539, the day on which De Soto battled with the Indians at Marilla (now Mobile, Ala.), the Indian problem has been a vexed question. To review further the advancement of civilization on the American continent and the consequent decline of the savage is not deemed within the province of your committee. To take the matter as it *now* presents itself, seems to be the more *practicable* way of arriving at a solution.

We find a quarter of a million of aborigines (Ilaska Indians excepted) scattered over twelve States and nine Territories, and by far more than one-half of these are semi-civilized, while not more than 50,000 (scattered as they are) can be classed as the genuine savage, more prone to hostility than inclined to peaceful pursuits. It is estimated that if all the fighting Indians of the country could be got together they would not muster more than 15,000; and the idea of their ever concentrating for warlike purposes is simply preposterous, because it is impossible. The Indian wars, on a large scale, are over; and we may reasonably hope that that portion of our national history is in the past.

THE TESTIMONY.

On the 25th of September the committee met in the city of Saint Louis, and during the session there a number of witnesses were examined. A visit was then paid to the Indian Territories, and while there the committee held consultations with the chiefs and headmen of the Five Nations, and also Young Joseph, chief of the Nez Percés; Bogus Charles, of the Modocs; the chiefs of the Shawnees, Peorias, Wyandottes, Senecas, Poncas, and others.

The committee then proceeded to the Northwest. At Omaha the statements of Brig. Gen. George Crook, General Robert Williams, Lieut. J. W. Lee, Maj. A. S. Burt, and others, were received. The Omaha and Winnebago Agencies in Northern Nebraska were visited. The opinions of the chiefs of these tribes and other witnesses were heard. At Salt Lake City, Utah, at Carlin, Nev., and at San Francisco, Cal., a number of persons were examined.

After the return of the committee to Washington numerous sessions were held. Among the witnesses examined were Hon. Carl Schurz, Secretary of the Interior, General Sherman, General Meigs, General Macfeely, Hon. E. A. Hayt, Commissioner of Indian Affairs, Hon. Lot M. Morrill, and many others well informed on the subject.

The testimony and accompanying papers will be found printed in full in the documents subjoined to this report.

A RÉSUMÉ.

Your committee find that the general expressions of the Indians and the civilians, with a few exceptions of the latter, are in opposition to the change of control, while the officers of the Army give many reasons why the transfer should be made, yet invariably express a personal disapproval of the transfer, because, as they allege, it would devolve upon them onerous and thankless duties. A brief *resumé* of the statements

of a few important witnesses shows their preferences as above indicated, as follows:

Brigadier-General Crook states that he thinks "there can be no question but the management of the Indians should be placed under the control of the War Department, and that there is no comparison at all between the advantage that will accrue to that of the present management"; and yet he further says, "I hope the transfer will not be made, because I expect they will want me to take some position or other in it, and I do not want it; I have had enough of the Indians"; "and that," said he, "is the general idea that prevails among the Army officers; we would get no extra compensation, only additional responsibility." If, then, the proposed change is made, and this distasteful duty is forced upon these officers, it is very evident they would not give the subject, in all its details, that careful attention it demands, such as persons from civil life selected with special reference to their willingness and fitness to serve would render.

General Sherman, in expressing his opinion (in his testimony before your committee) in favor of the transfer, says that nearly every officer of the Army shrinks from the amount of labor rendered necessary by the transfer. He seems to think that a number of civilian agents should be retained in service, viz, "that civilian agents be employed for the peaceful tribes, and military agents for the warlike tribes." Your committee cannot see why this could not be done under the present management, and we most certainly agree with him that "the question of transfer should be one of economy and efficiency."

Major-General Meigs in his testimony states that he thinks "the transfer would be well for the Indians, but ill for the Army," thus showing that this renowned officer shrinks, as do the others, from the new duties sought to be imposed. He said that in his opinion $20,000,000 a year are necessary to feed 250,000 Indians, and that "it is cheaper to feed an Indian than to fight him. His appetite is as good as a soldier's, and if it cost 24 cents for a white man's rations to be carried to him and delivered to him, it will cost 24 cents to pay for it for the Indians."

Major-General Macfeely, Commissary-General of Subsistence, says, "the transfer would be well for the Indians, but would not be of any advantage to the Army, however; and, therefore, I do not desire to see the transfer made."

Capt. J. B. Campbell was of the opinion that the transfer would be a benefit to the Indians, but had grave doubts as to whether it would be beneficial to the Army.

Col. A. V. Kautz, in not desiring the transfer, said "that there is a certain taint connected with the management of the Indians that would not redound to the Army."

Capt. M. T. Miller says:

My opinion about the transfer to the War Department is that the transfer would be beneficial to the Indians and to the detriment of the Army. It will benefit the Indians in that they would get better and more responsible treatment. They will get all their supplies. They respect the Army officer. His word would be almost the same with them as law. On the contrary, the Army would be injured in this way; companies would be deprived of officers who would have to act as agents, and now we do not have as many as we require; and then there are certain temptations to officers acting as agents which would probably redound to their discredit. I have known cases where there have been improper alliances made, especially with squaws, that reflect upon the Army. That is particular. It is particular when it will occur. I have known it to be so. We do not want anything of that kind. Therefore we would rather keep away from the Indians.

Thus, throughout the testimony given by the Army officers, their disapprobation was stated. This leads the committee to seriously consider the question whether, if the transfer was made, the Army would not be much injured thereby, and without any corresponding good result to the Indians.

THE INDIANS AGAINST THE TRANSFER.

The sentiment of the Indians who were visited by the committee (as their testimony will show) was unanimously against the transfer, except in the case of Young Joseph, chief of the Nez Percés, who was found a prisoner in the Indian Territory. He would make no choice, but said, "I think both of them could be set aside," and that "we should have one law to govern us all, and we should all live together." In reference to the sentiment of the Indians on the subject, the Secretary of the Interior transmitted to the committee a statement giving the views and votes of the various tribes, which gives an average vote of 26 to 1 against the transfer, nearly all of the tribes being unanimously opposed to the proposition. (This statement will be found in the annexed printed documents.)

THE TESTIMONY OF THE SECRETARY OF THE INTERIOR.

The Hon. Carl Schurz, Secretary of the Interior, testified at length before the committee. His statement is replete with interesting information. He gave in detail an account of the reform and improvements in the administration of Indian affairs under the present management. During the progress of his testimony he said:

It is, perhaps, proper for me, as the head of the department of which the Indian Bureau forms at present a part, to say that, in the opinions which I have formed and the statements which I have to make, the desire or ambition to keep the supervision of Indian affairs in my hands has no part whatever, for, as you are probably all aware, there is no duty more burdensome, more perplexing, and more thankless than the management of Indian affairs. Whenever things go well, nobody takes any notice of it; but whenever anything goes wrong, it is charged to the account of the department, with severe censure, and sometimes with vituperation. So, if a man has any ambition to distinguish himself, he ought not to seek this line of duty. If I were convinced that the transfer of the Indian service to the War Department would be for the good of the Indians, or would serve the best interests of the government, I should be the first man to advocate it.

Likewise I desire emphatically to disclaim any unkind feeling toward the Army, in which I have a great many friends.

For the gentlemen at the head of military affairs I entertain the most respectful and cordial feelings. There is probably not in any branch of the government a gentleman with whom it is pleasanter to have social or official intercourse than General Sherman. We are friends to-day, as we have ever been.

I might say, since I have been charged with my present duties as the head of the Interior Department, I have given careful attention to Indian affairs, more perhaps than to any other branch of the service under my supervision. The opinions, therefore, which I formed were formed with great care.

I am firmly convinced that the Indian service should be controlled by the civil administration; that it is best for the Indians; that it is best for the government, and that of all branches of the public service the military is the one to which the control of the Indians should not go. I think that the demand for the transfer of the Indian service to the military administration is based upon assumptions and upon reasons which in the greater part, at least, are not founded on fact.

There are two methods of Indian management. One is to herd or corral the Indians under the eyes of a military force, so as to watch them; the other is to set them to work upon lands which, in the course of time, they may call their own; to start them in pastoral or agricultural pursuits, and educate and civilize them. In the nature of things, the first would be the military method, for the simple reason that it is their usual business to prevent or repress trouble and mischief by a show or the application of force. The second is the line of policy which the civil administration has been endeavoring to carry out. I think it is evident that this latter policy—setting

the Indians to work, educating, and civilizing them—is not only the most humane (and surely they are entitled to humane treatment), but that, in the long run, it is also serving the interests of peace best.

As long as the Indians remain wild, roaming tribes, going from one place to another, and coming in unfriendly contact with the whites, we shall always be liable to have trouble. When they have settled down to work and have private property to take care of, they will become conservative and peaceable. The more usefully occupied and educated they become, the less potent will be their warlike instincts and propensities. Hence the civilizing policy is undoubtedly the one which will prove most conducive to peace.

It is also the most economical in the long run. The sooner they become able to provide for their self-support the more the government will be relieved of its burden. We frequently hear doubts expressed as to the possibility of setting Indians to work. It certainly appears at first sight very difficult. That the Indian is originally disinclined to work is conceded. But when we look at some of the tribes in the Indian Territory and some other tribes elsewhere, we see many of them working, perhaps not as efficiently as the whites, but yet they do something toward their own sustenance, and some of them positively are self-supporting. What these Indians have accomplished others can accomplish. If the Indians cannot be raised to the degree of civilization of the whites, they are at least capable of rising to a higher level than they occupy now, and it is our bounden duty to raise them up to it.

We can set them to work as farmers or herders; we have been trying the experiment at various agencies of using them as teamsters, to haul their own supplies, by which, in the first place, in the course of time money will be earned by them and saved to the government; and, in the second place, it imbues them with a sense of responsibility for their own provisions, which they convey to their camps and settlements. It seems to me that for the work of civilizing them and setting them to work, for educating them, for gradually raising them up in the industries and moral habits of civilized life, the military branch of the government is not the fittest instrument.

The testimony of Hon. E. A. Hayt is very comprehensive, while the statement of citizens, Indian agents, inspectors, members of the Board of Peace Commissioners, traders, merchants, and others make instructive reading.

THE INDIAN TERRITORIES.

While in the Indian Territory, your committee were enabled to attend an agricultural and mechanical fair held by the five nations at Muskogee, and had opportunities to converse with the governor and leading men of the Choctaws, Chickasaws, Cherokees, Creeks, and Seminoles, as also of the leading men of other tribes who are now permanently located in the Territory. In no case did any of these men express any desire to be placed under the management of the War Department. The five nations are without an agent at this time. There are, however, eight agents of the Indian Bureau in the Territory, having charge of the twenty-nine other tribes who are not included with the five nations. We saw no indications among any of these people of a desire to change. There were 20,000 people present. It was a temperate and reputable gathering. Their exposition building presented to the visitor the handiwork of the women and children of the various tribes. The mechanical department was very creditable. The arts and sciences, of course, had little or no attention. The display of cereals, vegetables, and fruits was excellent; while the stock exhibit was equal, if not superior, to many county fairs in the States.

There are 73,715 men, women, and children in the Indian Territory, 56,715 of whom are comprised in the five nations. They seem to be progressing rapidly toward civilization; and while constant improvement in their condition is desirable, yet to place them under military rule does not seem to your committee as the proper method to attain the end.

The total number of Indians in this country are now reported at about 252,000. This includes only those who are directly under the management of the Indian Bureau. It will be seen that nearly one-third of the

whole number are now permanently in the Indian Territory, and their views and sentiments ought to have some weight in reference to a question of such vital interest to them.

THE CHRISTIAN VIEW.

The Christian world are watching with intense interest the results of the humane treatment of our Indians under the present peace policy, while all the religious denominations in this country are absolutely opposed to the proposed change of management. Are we not to hope that these denominations comprise at least a large majority of the citizens of the United States? Their opinions and behests deserve and should receive respectful consideration. "What are we going to do with the Indian?" is the every-day question. "Exterminate him," say the thoughtless. "Civilize, christianize, and put him to work," exclaim the larger number. In these last sentiments your committee heartily join, with the opinion that it is the bounden duty of the government to teach the Indian that labor, morality, and honesty are the three chief tenets of civilization; and also to show him that there is something better to live for than the war-dance, the tawdry war-paint, and the murderous tomahawk.

THE INDIAN CAN BE CIVILIZED—THE SCHOOL ATTENDANCE.

That the Indian has rapidly advanced in civilization whenever he has had a fair chance is shown by actual facts and figures. Out of the 252,000 we find that over 16,000 are attending school. Say that there are 50,000 children, this shows that about one-third of them are now attending school. Should not the blanket, the scalping-knife, and the war-whoop be as novel and repulsive to these children as to the children of the whites? The force of educational training promises to insure this result. When blanket Indians enter the Indian Territory, they soon learn to doff their unsightly gear and don more civilizing habiliments. To be respected or honored they must do this, and the force of example is a great incentive to an Indian. If this is the case with the men and women, it will prevail with the children at school. We may reasonably hope that it soon can be asserted, with the example now before them, that we may soon learn of a much larger percentage in attendance than that which is now reported.

EXAMPLES OF PROGRESS.

That the Indian can be Anglo-Saxonized is proven beyond all cavil in the case of the Winnebagoes and Omahas, who reside on reservations in the State of Nebraska. They live in comfortable houses, have good barns, cultivate their land, and raise as good wheat, corn, and potatoes as are produced through the labor of the white man. They have churches and schools, and no more orderly community can be found than on these two reservations. They are petitioning to become citizens; a question of such vital importance in their case that it must soon be solved. Is it necessary to place these people under military management? We think not.

The Rev. James H. Wilbur gave the committee an exhaustive and interesting review of the advancement of the Yakinas towards civilization. There are ten tribes composing this agency. They reside in Washington Territory. They were wild and savage in 1866. In thir-

teen years they have become to a considerable extent civilized and christianized. They number about 5,000; have houses, farms, workshops, and schools. They are industrious, self-supporting, and law-abiding. Although Joseph with his Nez Percés were at war with our Army just across the Columbia River, yet he received no aid or assistance from these Yokiwas. It would be very humiliating to these people to be placed under military rule, for such they would regard it, if the management of their affairs were transferred to the Army; and so we might say of many other tribes who have become partially or wholy civilized under the more humane treatment received in the past few years.

THE TRIBAL RELATIONS.

If the tribal relations had not always been observed, and if the aborigines had not been treated as foreigners instead of men "to the manor born," it would have been better. The facts above alluded to show what "might have been." Instead of thousands needlessly slain, there would be with us to-day a race of men and women, in mind and physique, equaled by few, if any, of the races of people who have come to our shores "as to a place of refuge."

SOME OF THE WARLIKE TRIBES SHOULD BE PLACED UNDER MILITARY RULE.

The proposition that 250,000 men, women, and children, out of a possible 50,000,000, must be governed and controlled by the military arm of this great nation seems absurd, and to the European *savant* is a source of much comment and ridicule whenever he alludes to our institutions. That we have among these quarter of a million of Indians some unruly tribes is a lamentable fact, and to this your committee would especially call the attention of Congress. We are of the opinion that, in such special cases, the military should have temporary control, and that the President have power to place such warlike or unruly tribes under military discipline the same as he would a city or State terrorized by mob-law or revolution. If the officers and soldiers of our gallant Army bring order out of chaos and redeem the savage, and make a peaceful and industrious citizen of him, their praises will doubtless be sung by every lover of peace and justice.

It is proposed by your committee to submit a bill embodying these views, and it is to be hoped that Congress will take early action in relation thereto.

UNITED STATES COURT TO BE ESTABLISHED.

Whether the management of the Indians remains where it is or is relegated to the War Department, the general system of reform and improvement should continue, and among the most important things commanding immediate attention is to provide that the civil law of the United States be extended over all Indians who will agree thereto, with a code of laws applicable to them, defining crime, and providing a judiciary, especially in what is known as the Indian Territory. In the opinion of the committee such legislation is imperatively needed, and no time ought to be lost in making the necessary provisions therefor.

THE INDIAN AGENTS.

The Indian agent seems to be the objective point to which all those opposed to the present policy of the government point in scorn and de-

rision. They assert that "Indian agent" is synonymous with "fraud and corruption." The committee made diligent inquiry into the present system of conducting the agencies, and are of the opinion that, as a general rule, the agent is more sinned against than sinning. There are now 74 agents employed, and at every opportunity, as we learn, the department proposes to reduce this number, by consolidation of agencies and the lessening of reservations, where it can be done with justice to the tribes. The work of reform in this branch of the service should continue in good earnest, and the services of the very best men as agents be procured, and a fair and living compensation be allowed, so that the agents may be placed above want and temptation, as well as to compensate them for their estrangement from more congenial walks of life.

The salaries of Indian agents should be more liberal than now. Few men who are both competent and honest can afford to travel thousands of miles to an Indian agency and then serve the government honestly for the pittance of $1,500 per annum. Men of integrity who are competent to administer the affairs of an Indian agency successfully can, in most cases, earn larger salaries at less sacrifice nearer their homes. The salary should be large enough to employ honorable men of decided executive ability, and to enable them to take their families with them to their agencies and to support them there. The pay ought to be more liberal, and the tenure of office should be secure for a term of years, provided the agent should prove worthy.

The laws providing for the punishment of wrong-doers in this branch of the service ought to be exceedingly severe. The guilty should be punished with an unmistakable earnestness that will convince all others of the firm purpose of the government. We are assured that this policy has been inaugurated, and that already the good results are felt, as the Commissioner of Indian Affairs testifies there has not been a single defalcation under the present administration.

ECONOMY—THE COMPARATIVE EXPENSE, ETC.

While contemplating the feasibility of making the transfer, economy in the expenditure of government moneys is a part of the subject to be well considered, and yet in no way should it supersede the consideration of questions of humanity and the progressive civilization of the Indians. Your committee requested the Secretaries of War and Interior to furnish all the data in their possession in relation to their manner and means of purchasing supplies, one for the Army and the other for the Indians; and also as to the modes and means of testing and inspecting the goods delivered by contractors, and the manner of transporting said goods and supplies, together with the comparative cost thereof. The system of each department, as to the letting of contracts, is also given. These statements and explanations are voluminous, and doubtless cover all the information sought on the subject. They show that both departments have excellent systems of purchasing, inspecting, forwarding, and receiving goods and supplies.

The cost of transporting Indian goods seems to be at a less rate generally than are those of the Army; but in the matter of purchasing there appears little or no difference. Commissioner Hayt, General Meigs, General Macfeely, and General Marcy make exhaustive statements on these subjects in their testimony, and lead the committee to believe that their efforts at economy show a rapid stride toward long-needed reform in this direction. The committee cannot find in the tabular statements

and verbal explanations on this point any good ground for the statement that the War Department is more economical and efficient than the Interior Department in the purchase of supplies and their transportation and inspection. (The statements and comparisons are printed with the annexed documents.)

THE INDIAN POLICE.

The Indian police system has proven very efficient, and the increasing of the number to 800 for the ensuing year meets with our hearty commendation.

General Sherman, the best of authority on the subject, says that the Indian makes a true scout and vigilant policeman or conservator of the peace. The experience of the government shows that this experiment has been a success thus far, and therefore the increase in the force is deemed advisable.

HOW THE INDIANS ARE SCATTERED.

It is interesting to note the wide extent of territory over which the quarter of a million of Indians are scattered. It is as follows: In New York, about 5,000; North Carolina, 2,200; Kansas, 1,000; Michigan, 10,000; Minnesota, 16,287; Nebraska, 5,651; Iowa, 341; California, 8,000; Colorado, 4,100; Nevada, 4,900; Wisconsin, 8,526; Oregon, 6,346; Arizona, 16,751; Idaho, 4,700; Montana, 18,825; New Mexico, 21,607; Wyoming, 1,998; Utah, 1,029; Washington, 9,280; and the Indian Territory about 74,000.

Not one-third of these have any military surveillance at this time, and this number is becoming daily lessened. The idea of placing them all under military government, as they were thirty years ago, is, in our opinion, a retrogressive step, not in keeping with the progress of this enlightened age.

REFORMS IN THE INDIAN BUREAU—COMPARATIVE STATEMENTS.

It is contended that the expense incident to the conduct of the Indian Department is greatly diminished, owing to care and economy in the disbursements. The number of Indians who are continually being added to the self-supporting list also aid in the reduction of the appropriations required. The improvement in the management of the Indian Bureau is marked, as compared with the past. The organization of the Bureau is as follows: A Commissioner, chief clerk, five chiefs of divisions, a stenographer, forty clerks and copyists, ten messengers, and one laborer. The manner in which the business of the Indian Bureau is carried on in these five divisions is given in detail in the accompanying documents to this report, and shows that the system in the department is very efficient, and should be a bar to all outside irregularities. From this statement, showing the methods of conducting business in the Bureau, the following facts are elicited:

Until the fiscal year of 1876 and 1877, each Indian agent had charge of the disbursements of the funds which were appropriated for his agency. At the present time the total disbursements of Indian agents for other purposes than the payments of cash annuities and the salaries of employés do not exceed $100,000.

Formerly almost all the money expended for the Indian service was spent in payment for open-market purchases. Now almost all expenditures are made by payments through the Treasury Department for goods purchased under contracts made by the Commissioner of Indian Affairs.

Formerly agents were the sole judges of the necessities for making purchases. Now

they must submit their proposals and estimates and give satisfactory reasons to the Commissioner of Indian Affairs, who, if he approves, must ask the Secretary of the Interior for authority to make the purchases.

Formerly there was nothing to prevent contractors putting in straw bids, or withdrawing after a contract had been awarded to them, in order that a bidder at a higher price (oftentimes the same party under another name) might receive the award. Now bidders are obliged to deposit certified checks upon some national depository for five per cent. upon the amount of the contract to be awarded, which checks will be forfeited if, upon the award being made, the party fails to enter into contract.

Formerly contracts were so drawn that those to whom beef and flour contracts were awarded could and did habitually take advantage of the necessities of the Indians to force agents to accept grades inferior to those called for by the contracts. Now these contracts are so drawn that if a contractor fails to carry out his agreement in good faith he is subjected to a heavy loss.

Formerly agents hired as many employés as they saw fit and paid them such salaries as they chose. Now all employés must be approved by the Secretary of the Interior, and legal limits are fixed to the amounts which may be expended for agency employés.

Formerly agents' accounts ran on for years without settlement. Now their accounts are settled quarterly.

Formerly funds were remitted quarterly to agents, even though their accounts might not have been sent in for two or three years. Now remittances to agents are not made, and the salaries of their employés cannot be paid until their accounts for the preceding quarter have been received in the Indian Office.

Formerly the unexpended balances of funds which remained in the hands of agents at the end of a fiscal year were carried over by them to succeeding years until their retirement from the service. Now balances are covered into the Treasury at the end of each fiscal year.

Formerly agents expended government property in such manner as they thought best. Now sufficient reasons must be given for the disposal of any government property, and authority must be obtained from the Secretary of the Interior before any expenditure can be made.

Formerly supplies issued to Indians by Indian agents were receipted for by the chiefs. Now each head of a family and each individual Indian who is of age must receipt for himself.

Formerly when annuity moneys were paid to Indian tribes in fulfillment of treaty stipulations a large percentage of the whole sum was divided (or supposed to be) among a few prominent chiefs. Now each individual Indian, including chiefs, receives his *per capita* share.

Formerly flour was accepted at an Indian agency without any inspection. Now it is inspected before shipment and again upon its arrival at the agency.

Formerly when beef-cattle were delivered at agencies, two or three head were selected by the contractor's herder and the agent, and by their weights an estimate was made of the weight of the whole herd. Now the agent must render a certified weigher's return for all animals received.

Formerly Indian traders were permitted to charge whatever prices they might elect to put upon their goods. Now their prices are controlled by the Indian Office.

Formerly a trader might charge an Indian two or three times the price charged a white man for the same kinds of goods. Now traders are forbidden to make any distinction in prices, under pain of the forfeiture of their licenses.

Formerly the Indians were imposed upon through a system of brass checks, tokens, and store-tickets. Now traders are forbidden to use anything but money.

Formerly contracts were made with Indians for collecting claims against the government, by which attorneys took from one-half to two-thirds of the sums which were collected. Now all contracts made with Indians must be approved by the Commissioner of Indian Affairs and the Secretary of the Interior before attorneys can have any standing in the Indian Office; and if contracts are approved, attorneys are obliged to show what services they have rendered before any payments can be made.

THE RESERVATIONS—THEY SHOULD BE LESSENED.

There are at present 143 reservations, comprising 150,326,915 acres of land. Your committee are of opinion that there are too many reservations, and that the number should be rapidly lessened. The smaller bands of Indians, who decline to take land in severalty and also refuse to become citizens, should be moved on the large reservations. In this connection your committee would suggest that the present large reservations in the northern part of Dakota, bordering on the Canada line, ought to be set apart by the government as a permanent reservation

for all those northern tribes whose smaller reservations will be abolished under this system of consolidation. The northern tribes should not be moved south, nor those of the southern portion of our country to the northern reservations. Humanity dictates this course, for it appears that attempts at acclimating those from the north in the southern reservations has proved a failure. These 143 reservations are scattered over twelve States and nine Territories. A number of them are in the midst of civilization, and the lands therein should be taken by the tribes occupying them in severalty. We find that the modes by which these 143 reservations have been created and their boundaries defined are as follows:

First. By treaties, conventions, and agreements with various tribes.

Second. By acts of Congress.

Third. By Executive orders.

Fourth. By order of the Secretary of the Interior.

The Indian should have his land allotted, and the permanent title thereto given, with the precaution provided that he is not despoiled of his rights; and in addition to this, a law should be enacted which will virtually prevent the Indians from selling or disposing of their lands and houses to sharp and designing persons for not less than twenty-five years. On this subject the peace commission of 1868, in their report, very forcibly argue as follows:

> If the lands of the white man are taken, civilization justifies him in resisting the invader. Civilization does more than this, it brands him as a coward and a slave if he submits to the wrong. Here civilization made its contract and guaranteed the rights of the weaker party. It did not stand by the guarantee. The treaty was broken, but not by the savage. If the savage resists, civilization, with the ten commandments in one hand and the sword in the other, demands his immediate extermination. We do not contest the ever-ready argument that civilization must not be arrested in its progress by a handful of savages. We earnestly desire the speedy settlement of all our Territories. None are more anxious than we to see their agricultural and mineral wealth developed by an industrious, thrifty. and enlightened population. And we fully recognize the fact that the Indian must not stand in the way of this result. We would only be understood as doubting the purity and genuineness of that civilization which reaches its ends by falsehood and violence, and dispenses blessings that spring from violated rights.

The same commission (among the members of which were Generals Sherman, Harney, Terry, and Augur) very pertinently says:

> If it be said that the savages are unreasonable, we answer, that if civilized they might be reasonable. At least they would not be dependent on the buffalo and elk; they would no longer want a country exclusively for game, and the presence of the white man would become desirable. If it be said that because they are savages they should be exterminated, we answer that, aside from the humanity of the suggestion, it will prove exceedingly difficult, and if money considerations are permitted to weigh, it costs less to civilize than to kill. * * * But one thing, then, remains to be done with honor to the nation, and that is to select a district or districts of country, as indicated by Congress, on which all the tribes east of the Rocky Mountains may be gathered. For each district let a territorial government be established with powers adapted to the ends designed. The governor should be a man of unquestioned integrity and purity of character; he should be paid such salary as to place him above temptation; such police or military force should be authorized as would enable him to command respect and keep the peace; agriculture and manufactures should be introduced among them as rapidly as possible; schools should be established which children should be required to attend; their barbarous dialects should be blotted out and the English language substituted. Congress may from time to time establish courts and other institutions of government suited to the condition of the people. At first it may be a strong military government; let it be so if thought proper, and let offenders be tried by military law until civil courts would answer a better purpose. Let farmers and mechanics, millers and engineers be employed and sent among them for purposes of instruction; then let us invite our benevolent societies and missionary associations to this field of philanthropy nearer home.
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> The object of greatest solicitude should be to break down the prejudices of tribe among the Indians; to blot out the boundary lines which divide them into distinct

nations, and fuse them into one homogeneous mass. Uniformity of language will do this; nothing else will. As this work advances each head of a family should be encouraged to select and improve a homestead. Let the women be taught to weave, to sew, and to knit. Let polygamy be punished. Encourage the building of dwellings, and the gathering there of those comforts which endear the home.

THE INDIANS UNDER A DISTINCT DEPARTMENT.

It has been frequently urged, by many of those who have given the Indian problem much attention and long study, that the entire government of the Indians ought to be placed under a separate and distinct department, the chief of which should be a member of the Cabinet. Your committee coincide with such views, and deem that this branch of our government is of such importance that its chief officer ought to be in a position to have direct communication with the President. If he be a member of the Cabinet, he can at all times gain access to the President, and advise and counsel with our Chief Magistrate as to the welfare of the Indians. In times of peace, neither the War nor Navy Department have so much complicated business as comes under the Indian Bureau.

Your committee, however, do not urge immediate legislation on this subject, but do wish to call the attention of Congress to its importance, with the hope that in the near future some change may be made that will give the prominence to this great and grave national question that its importance demands. We think it is a leading, prominent feature in the great interest and welfare of the country, and that it should be given a rank in the executive branch that is commensurate with its importance. This is due alike to the Indian and the white man.

SUMMARY OF OPINIONS AND RECOMMENDATIONS.

Your committee have carefully considered all the data, testimony, and arguments submitted to them, and have made much personal inquiry. They found warm advocates on both sides of the question, to all of whom a patient hearing was given.

Your committee think that the President should be empowered, in the case of actual or threatened hostilities, to place the tribe or tribes that may be hostile or unmanageable, immediately under the control of the military, and to remain so until permanent peace is assured. We think that the Sioux might be placed under such control at once, and thus avoid war, which is being continually threatened by these Indians.

Your committee are of the opinion that the reservations should be decreased, and that as rapidly as possible the small tribes or parts of tribes be placed on the large reservations, unless they take land in severalty, do away with their tribal relations, and prepare for citizenship.

We are of opinion that the Indian Bureau should be a distinct department, with the chief a member of the President's Cabinet. This will aid much in the solution of future complications in Indian affairs.

The Indian should be protected in his rights to his land, and a safeguard ought to be thrown around him so as to prevent designing persons from filching his homestead or induce him to sell it for a trifling compensation. He should not have the right to sell his land, without consent of the department, under twenty-one years.

Your committee can discover no one reason why the proposed change should be made. They believe that harm rather than good to the red

man would result from the change, and that no possible advantage could result to the government from it.

Your committee are therefore of the opinion (pursuant to the extended reasons given above on all the points involved) that it is not expedient to transfer the Indian Bureau to the War Department.

Respectfully submitted.

ALVIN SAUNDERS,
RICH'D J. OGLESBY,
On the part of the Senate.
J. H. STEWART,
N. H. VAN VORHES,
On the part of the House of Representatives.

AN ACT to authorize the President temporarily to transfer the custody, control, and management of certain Indian tribes from the Interior to the War Department, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be authorized, and he hereby is authorized, to transfer the custody, control, and management of any of the Indian tribes from the Interior to the War Department temporarily, whenever in his judgment he shall deem it advisable so to do, either on account of actual or apprehended hostilities on the part of the Indians against the United States, or in case of difficulties between such Indians and settlers.

SECTION 2. The President is hereby authorized to detail any officers of the Army to act as Indian agents or inspectors, or in any other capacity, in the Indian service as in his judgment he may deem advisable, such officers to exercise the same powers and be subject to the same rules and regulations as are now provided by law for officers in the Indian service, and when so detailed, such officers shall be entitled to traveling expenses.

SECTION 3. To pay the traveling expenses of officers of the Army while serving on detail, as above provided, there is hereby appropriated, for the fiscal year commencing July 1, 1879, and ending June 30, 1880, the sum of fifteen thousand dollars.

SECTION 4. All acts or parts of acts inconsistent or in conflict with the provisions of this act are hereby repealed.

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IN THE SENATE OF THE UNITED STATES.

FEBRUARY 1, 1879.—Ordered to be printed.

Mr. MCCREERY, from the Joint Committee to consider the expediency of transferring the Indian Bureau to the War Department, submitted the following

REPORT

[To accompany bill S. 1743.]

OF FOUR MEMBERS OF THE JOINT COMMITTEE APPOINTED BY THE TWO HOUSES OF CONGRESS, AT ITS LAST SESSION, TO TAKE INTO CONSIDERATION THE EXPEDIENCY OF TRANSFERRING THE MANAGEMENT OF INDIAN AFFAIRS FROM THE INTERIOR TO THE WAR DEPARTMENT.

Regretting, as we do, that the committee, as a whole, were unable to agree upon a unanimous report (being evenly divided in opinion as to the expediency of the transfer), the undersigned ask to file this as the conclusion to which they have come:

The fourteenth section of the bill making appropriations for the Army for the year ending June 30, 1879, is in the following words, and is the authority under which the committee acted:

SEC. 14. That three Senators, to be appointed by the President of the Senate, and five Representatives, to be appointed by the Speaker of the House, are hereby constituted a joint committee, who shall take into consideration the expediency of transferring the Indian Bureau to the War Department. Said committee shall be authorized to send for persons and papers, to employ a clerk and stenographer, and to sit during the recess of Congress. It shall be the duty of said committee to make a final report to Congress on or before the 1st day of January, 1879; and the sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to defray the expenses of said committee, to be expended under the direction of the chairman thereof.

Pursuant to this authority the committee was constituted, and entered upon the discharge of the duty devolved upon it.

IMPORTANCE OF THE QUESTION.

The undersigned are not insensible to, nor do they underestimate the gravity and importance of, the question submitted to the consideration of the committee. Indeed, it is a question which they concede to be surrounded by many difficulties, and one which addresses itself to the thoughtful attention of all who feel any just concern as to how a great government like the United States ought to conduct itself toward a once proud and powerful, but now wasted, enfeebled, defenseless, and dependent people, with whom that government has relations such as it cannot ignore. It is, moreover, a question that has engaged the anxious thought of statesmen and philanthropists from the earliest organization of our government until now; and it is a question that yet remains to

be answered, How shall we do justice to our Indian tribes—fulfill our duties and obligations to them in a manner consistent with the duties and obligations we are under to our own people; what policy shall we adopt that shall be just, and humane, and permanent, and that shall secure the objects above indicated?

If the undersigned shall be able to assist in solving this question, or shall be able to throw any considerable light upon it, they will feel that they have met the expectations of the power that constituted the committee, and also of the country at large.

The relation we sustain as a government to the Indians of our country, or, rather, the relation which they sustain to us, is at once anomalous and peculiar. We have recognized their right to make treaties, and we have concluded treaties with them, as we would with foreign nations, and yet they are not foreign nations. We have recognized in the different tribes the elements of sovereignty, and yet they are not sovereign. We have, by many acts, recognized them as the original owners of the soil, and yet, in the final results of our dealings with them, they do not own a foot of land, and according to our law, to-day, they, or at least the large majority of them, simply occupy the land by sufferance of the Government of the United States, and in many cases, if not in all, the land will revert to the government whenever the Indians abandon it, or the Indian tribes become extinct. Indeed, we have so managed our transactions with the Indians that, whatever may have been their original proprietary rights in this country, many of the tribes are to-day without homes that they can call their own; and under the guidance of a "superior civilization" we have contrived to oust them of all that country which they once occupied and which we coveted to possess, and in this way have illustrated to them the superior advantages a people have, especially in trading, who are in possession of the blessings which come of civilization and education.

The truth is, the past history of our dealings with the Indians is not creditable to us. It is not one which is calculated to impress them with the belief that their welfare, either temporal or spiritual, has been the object of our endeavor, whatever may have been our professions. It has, rather, impressed them with the belief that our object is and has been to "get from them all we could, and to keep all we get." The committee feel that they are not putting the matter too strongly when they say that the history of our management of Indian affairs, and our treatment of the Indians, is one of shame and mortification to all right-thinking and liberal-minded men. Hence, it is not at all strange that grave complaints have arisen in the public mind upon this question, and that a loud demand is made everywhere that these wrongs shall at least cease, if they cannot be redressed, and that some policy shall be adopted which shall secure substantial justice to the Indians, and be at the same time creditable and just to ourselves.

A proper solution of what is called "the Indian problem" is pressing itself more urgently upon public attention every year. It is to-day one of the important practical questions which the intelligent representatives of a great people are called upon to grapple with, and from which there is no escape. It demands, moreover, the early and immediate consideration of Congress, and cannot, either with safety to the Indians or a regard to the honor of the government, be longer deferred.

The geographical situation of the Indians of our country is not what it once was. A very great change, in this respect, has been brought about by the adventurous enterprise and energy of our people. The time was, and that within the organization of our government, when almost the

entire country west of the Mississippi River was wild and unsettled by white men; when for thousands of miles westward the buffalo, elk, antelope, and other wild animals roamed at will; and when the Indian, looking over this vast domain, even to where the setting sun dips his red disk in the waters of the Pacific, could indulge the hope that though he should be driven from his home and the home of his fathers, still, with bow and arrow, he could secure for himself food necessary for his subsistence. But this state of things no longer exists. With that impatient energy and unfaltering courage characteristic of our people everywhere, and with our civilization and Christianity, we have pushed our way far beyond the west bank of the Mississippi, and, step by step, the red man has been driven back, and still farther westward, until he is met by the reflex tide of white civilization which is, with even more resistless energy if possible, pressing him eastward. Thus, between these two forces, the upper and nether millstones, he must soon be hopelessly crushed out of existence unless the mighty arm of the government is stretched out for his rescue. Whatever may have been our derelictions, if not positive wrongs, toward these people in the past, the question is, Shall we do right now?

Upon this subject, the committee refer to, and quote with indorsement, a few extracts from a report of the Committee on Indian Affairs, made to Congress at the third session of the Forty-second Congress, through its chairman, Hon. J. P. C. Shanks. That committee say:

> If the Indians were our prisoners of war they are entitled to protection of person and private property from despoilers. Their weakness and incapacity in financial transactions with designing and bad men is the open doorway leading to their danger and to our duty toward them, demanding, as the Indians have a right to do, our protection and the fulfillment of treaty stipulations with, and the high command of a Christian duty to, a helpless and untutored people, whose history fully shows that we, as a people, are largely accountable for their present condition, and of whose misfortunes we have no right to take or permit advantages. Despite the severe prejudice that has become nationalized and crystallized toward them, no honest man who has traced the record and considered the facts from the discovery, considering the simple character of the aborigines when discovered, will fail to condemn the provocations that on our part drove the Indians to be the enemy of our race, and to fear and avoid a civilization that, with kind and just treatment, they would have accepted and become a part of.
>
> A Christian civilization cannot afford to wrong any one. And a great, wise, and prosperous nation of Christians cannot afford to wrong a handful of dependent, unfortunate people, many of whom are abandoning their old habits and becoming Christians, notwithstanding we have, in two hundred and fifty years, wasted their numbers from 2,500,000 down to 250,000, or a waste of a number equal to all their children born to them in the last two hundred and fifty years, and 2,250,000, or nine-tenths of their original numbers, residing in the present limits of our government, and have taken absolute ownership of 3,232,936,351 acres of their lands, their rivers, prairies, forests, game, and homes, leaving, to all their tribes collectively, only 97,745,009 acres of ground, generally not the best, and even that is sought after with a greed that is not worthy a Christian people, who have plenty of their own, which they have heretofore gotten from them at nominal rates.
>
> It is the bounden duty of the United States to see to it that no one or more of its citizens, whether officials or otherwise, and no person within our borders, shall cheat, defraud, or do injustice to any Indian or Indians residing legally within our national domain. Their protection is our moral and, generally by treaty provisions and locality, our legal duty, against all persons whomsoever, whether citizens of the United States or not. And any moneys or other property fraudulently, forcibly, or by exorbitant contracts taken from them by other persons, the United States is in duty bound to require returned to them, and to enforce that request by the necessary powers of the government. And especially is this true where the fraud has been perpetrated by, or with a knowledge of, or with the assistance of, or in the presence of, a United States officer, or near to the government, where the Indians, in their untutored and dependent state, are induced to act with less freedom than if not surrounded with evidences of our power and superiority of advantages, both national and individual, even our manners and language being not well understood by them. We must consider the Indians as they are, and not as we are.

Nor is this failure on the part of the government to discharge its duty to the Indians confined to the last few years. Our wrongful treatment of them is coeval almost with our existence as a government, although it did not to the same degree characterize the earlier and purer days of our history. All along the past, complaints have been made of violated pledges, broken promises, and a lack of efficient and responsible management. Indeed, the system of management of Indian affairs which we have pursued (if we have had a system at all) has been unequal to the demands of our duty towards the Indians, nor has it met the expectations of its instigators and advocates. To such an extent have these wrongs been multiplied, to such a degree have frauds and peculation crept into the management of Indian affairs, and so glaring and shameful have these frauds become, that an indignant public opinion will not longer look on with indifference and unconcern, but demands that these wrongs be as far as possible righted, and a policy adopted that shall comport with the dignity and character of the government, and at the same time secure ample justice to a suffering and outraged people.

That these wrongs and abuses do now exist, and to a fearful extent, we think no one who is at all acquainted with the facts will deny. If proof upon this point were wanted or demanded, we have only to refer to the statements of all who have investigated the question, to those most familiar with our present management of Indian affairs, and even to those who are to-day the strenuous advocates of the present Indian policy, and who ask for its continuance and seem to believe in its ultimate success.

INQUIRY INTO THE HISTORY AND RESULTS OF THE PRESENT MANAGEMENT.

A very important question arises here as to the cause of these wrongs and mismanagement. Is it a wicked purpose on the part of the Government of the United States wantonly and cruelly to inflict injury upon these helpless Indians? Your committee do not so believe. If not, it follows that it must lie in the system adopted in the management of our Indian affairs, connected with the inefficiency or dishonesty, or both, of those who are charged with carrying out the details of this system. It becomes proper, therefore, to inquire what this system is, what its pretensions are, what it has accomplished, and what likelihood there is of its attaining the end it proposes to accomplish.

It is well known that in 1849 the Department of the Interior was created by law, and that the sole management of Indian affairs was at once turned over to its care; and that the Indian Bureau in that department, under the supervision of the department Secretary, was more particularly charged with the conduct of our Indian management.

Going back a little further into the history of this question, it will be found, on investigation, that our system of Indian management has always been in effect the system now in operation. Even while nominally under the administration of the War Department, prior to 1849, the system was very much the same as now. Your committee are aware that the general impression is that, before that time (1849), a different system prevailed, and that the change in that year from the War to the Interior Department was a radical change in the system. But such is not the case. And while it is true that superintendents and agents, then few in number, made their reports to the War Office, it is also true that up to the year 1834 neither the Secretary of War nor any officer of the War Department had anything to do with the appointment of

these officers, nor was the War Office charged with the duty of supervising or controlling them in any manner whatever.

Our relations with the Indians commenced at an early period of the Revolutionary War. What was necessary to be done either for defense or civilization, was done; and being necessary, no inquiry seems to have been made as to the authority under which it was done. This undefined state of things continued for nearly twenty years. Though some general regulations were enacted, the government of the department was chiefly left to *Executive discretion*.—(Report of Hon. Horace Everett, No. 474, first session Twenty-third Congress.)

Thus it will be seen that, up to 1834, at least—and your committee believe that up to 1849—and certainly since that time to the present, the whole management of Indian affairs has been practically in the civil department of the government, and at no time under the exclusive management of the War Department. The report from which the above extract is taken may be found in "Reports of Committees, first session Twenty-third Congress, vol. 4," to which reference is made for a full and doubtless authentic history of this question, from our first dealings with the Indians up to the year 1834. From that report it will be seen that all superintendents, and agents, and traders for the Indians were appointed by the President of the United States. At the beginning these superintendents and agents were few in number, and appointed only for specific, limited, and well-defined purposes. Sometimes the duties of superintendent of Indian affairs were by law devolved upon the governors of Territories where Indians were located, notably in the organization of the Mississippi Territory, in 1798. From that time no further legislation in relation to Indian affairs was had until 1818. In the mean time, without authority of law, but by general consent, it would seem, or perhaps from an indifference to the question, agents and sub-agents had multiplied until an extensive establishment had grown up under Executive patronage. Hence the act of 1818, which provided "that the superintendents of Indian trade, the agents and assistant agents of Indian trading-houses, and the several agents of Indian affairs shall be nominated by the President of the United States, and appointed by and with the advice and consent of the Senate."

This act of Congress remained in force until 1834, and under it agents were appointed as therein prescribed, and all who were so appointed were selected from civil life, as we infer, because we nowhere find any authority for the appointment of military officers to act as Indian agents until the passage of that act, which provided "that it shall be competent for the President to require any military officer of the United States to execute the duties of an Indian agent."

While it is true that by the act of 1834 the Secretary of War was given a sort of general superintendence of the conduct of Indian agents and sub-agents appointed by the President, and while it is also true that by that act the President was authorized to select military men to discharge the duties of Indian agents, it is further true that a large majority of the agents selected were taken from civil life, and that much the same machinery was then employed in the conduct of Indian affairs as now. And hence your committee again say that the system of management of Indian affairs has always been, substantially, what it is at present. Whatever failures or wrongs, therefore, have characterized this management in the past, are justly chargeable upon our present system, and whatever of success has attended that management should be in fairness credited to that system.

Let us try this system fairly in the light of its past history, and with a view of ascertaining the truth and arriving at a just conclusion in the premises.

For nearly one hundred years we have been dealing with this Indian problem. As far back as 1790, in making a treaty with the Creek Nation, and in 1792, in making a treaty with the "Five Nations," as the five civilized tribes now residing in the Indian Territory were then called, to wit, the Creeks, Cherokees, Choctaws, Chickasaws, and Seminoles, we find that the professed, and no doubt real, object of the government was to elevate, civilize, and educate the Indians, by furnishing them with "useful domestic animals and implements of husbandry," and instructing them in the habits of civilized life. Now, in view of this hundred years of experience, these vast sums of money expended, and the manifold efforts that have been put forth, we repeat the question: Has our management of Indian affairs been successful? Has the improvement of the condition of these Indians been at all commensurate with the enormous amount of money expended for that purpose?

These are important questions; they call for an answer, and they must be answered in the light of history. Year after year large sums of money have been appropriated, large numbers of agents have been appointed, and the earnest efforts of the government have been given to the elevation and civilization of these Indians. Farmers have been sent among them to teach them the arts of agriculture. Mechanics of all kinds have been sent to them to teach them the different trades. The aid of Christianity has been invoked, and good men and women have gone among them. Houses of worship have been built for them, and ministers of religion sent to minister to them in holy things. The power of education and educational appliances has been tried upon them. Teachers have gone into these tribes, and schools have been established and school-houses erected. In short, all the appliances of our high civilization have been employed in aid of their advancement; and yet, in the face of these facts, we are compelled to admit that "*failure*" is written on every page of the past history of our efforts in this direction.

In support of this view of the question, and to show that this system has always been chargeable with fraud and injustice to the Indian, we again quote from the able and exhaustive report, before referred to, of the Hon. Horace Everett, from the Committee on Indian Affairs, in 1834. He says:

> In the course of their investigations, the committee have become satisfied that much injustice has been done to the Indians in the payment of their annuities.

Again he says:

> With a view to prevent frauds of another kind, in reference principally to the payment of goods, the President is authorized to appoint *an officer of rank to superintend the payment* of annuities. This, and the provision relating to the purchase of goods for the Indians, will place sufficient guards to prevent fraudulent payments.

Again:

> The committee have reason to believe abuses have existed in relation to the supply of goods for presents, at the making of treaties, or to fulfil treaty stipulations.

That report further shows, that one Shaw, who was appointed Indian agent as far back as 1792, was two years after forced to resign, to vindicate himself against charges preferred against him. This fact will at least serve to show what a committee of Congress, at that early day, thought of this question, while reporting on a bill to correct the abuses which they specified. These abuses have continued to grow and to magnify, and to widen and deepen, until now they have assumed the shape of such shameless and defiant frauds and wicked peculations as most seriously to involve the honor of the government.

It will, no doubt, be said, as it has already been said by some who have been debating this question, that at that time the management of Indian affairs was under the direction of the War Department, and that department was therefore responsible for the frauds or mismanagement which existed. We have already shown that this is an error in the statement of the facts. But the present system may be tried by facts which have occurred since 1849. Since that date all admit that the management of Indian affairs has been exclusively under the control of the Interior Department; and that there may be no room to doubt the inefficiency of its management, let us see what have been and are the opinions of the stanchest friends and strongest advocates of the present policy.

INCOMPETENCY OF THE PRESENT SYSTEM.

In 1865 a joint committee was appointed by the two houses of Congress, with Senator Doolittle as its chairman, to inquire into the condition of the Indian tribes, and to ascertain the workings of this system. In making his report Hon. J. W. Nesmith, chairman of the sub-committee, uses the following language:

> All schemes resorted to for the humane purpose of civilizing the Indians seem 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.

Selected, as this committee was, for the expressed and avowed purpose of inquiring into the condition of the Indians, men of ability and standing, chosen because of their peculiar fitness for the position, after a careful and thorough investigation of the whole question, solemnly declare to Congress and to the world that it is the conviction of their minds that our whole system of dealing with the Indian question is a failure, and that all our efforts at civilization are abortive, and almost entirely barren of good results.

Again, the Peace Commission, appointed in 1867, consisting of N. G. Taylor, J. B. Henderson, General W. T. Sherman, General Howe, John B. Sanborn, General Terry, General Tappan, and General Auger, reported in January, 1868, that it was inexpedient to transfer the Indian Bureau to the War Department, but at the same time they declare that the Interior Department is incapable of managing Indian affairs, for reasons which they give in 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.

And in their evidence, given before this committee, both General Sherman and General Tappan adhere to and reaffirm their statements as to the incapacity of our present system of management; and both

declare that it would be better for the government and for the Indians to transfer the management to the War Department. (See printed evidence, pages 202 to 212, as to General Tappan's statements; and pages 218 to 231, as to General Sherman's statements.)

Nor is this all. So utterly inefficient and corrupt had the management of the Indian Bureau under the Interior Department become, that in 1868 President Grant inaugurated what is called "The peace policy," by which the whole question of nominating and appointing agents to the different tribes was virtually taken away from the Interior Department and turned over to the different religious denominations of the country, and the different Indian reservations were farmed out and assigned to the different churches. These religious bodies readily took possession of the Indians, body and soul, and undertook the task of helping out the Indian Bureau in the conduct of Indians affairs. A certain number of reservations were assigned to the Friends or Quakers, certain others to the Presbyterians, and yet others to the Methodists; and so on, giving to each denomination the almost exclusive control of the Indians upon the reservations assigned to it; thus entangling the churches in the meshes of state policy, greatly to the detriment, no doubt, in some instances, of the sacred cause of Christianity, and in palpable violation of the spirit and genius of our institutions. The inauguration of this policy was, in the opinion of your committee, a virtual admission that the Indian Bureau was incapable of the proper conduct of Indian affairs, and was, therefore, compelled to delegate much of its authority to other hands.

Nor is this all. Even in the purchase, delivery, and inspection of Indian goods and supplies, the Indian Bureau has confessed its inability and incapacity to conduct the business, and has therefore called to its aid ten retired merchants and tradesmen, men of character and high standing, no doubt, to supervise the purchasing, transporting, delivery, and inspection of Indian goods, provisions, &c., which are purchased by the Indian Bureau for the use of the Indians. And while, in the largeness of their heart and the fullness of their sympathy for the Indians, these gentlemen accept no compensation for their services, yet fifteen thousand dollars are appropriated annually to pay their traveling and other expenses in the performance of duties that ought to be done by the Indian Bureau itself, and which could be done by that bureau if its system of management was what it ought to be. Add to all this the slow progress which has been made in civilizing, educating, and Christianizing the Indians—a matter which was the special observation of your committee during their visit amongst them last fall—and it would seem that there is no room to doubt that we should try some method of dealing with this question other than that which has been hitherto and is now employed.

Your committee would not be misunderstood as undervaluing the efforts that have been made in behalf of the advancement of the Indians in the arts and habits of civilized life. Far from it. That much has been accomplished in this direction, it is a pleasure to admit. But that the results are commensurate with the efforts put forth, and the amount of money expended, we cannot admit, but most confidently deny. It is true, that amongst some of the tribes agriculture is carried on to a considerable extent, and in some cases the arts and sciences have progressed to a commendable degree; but when we take into consideration the fact that some of these tribes have been in contact with civilization and Chistianity for more than a hundred years, we are astonished at the little progress that has been made.

The committee regret to be compelled to state, that the glowing accounts of the steady progress of the Indians in the ways of civilized life, and of their rapid strides towards the attainment of a high civilization, are not borne out by the facts. Those who have not had an opportunity personally to observe the actual condition of the Indians, but have heard only these greatly exaggerated statements of their progress, would be astonished to know how great a discrepancy there is between these statements and the real facts. That the Indian has capacity there is no doubt. We have seen among them men of lofty and commanding intelligence, men of education and high legal attainments. But capacity is not civilization. Nor are the Indians so much to blame for their backwardness in adopting the habits of civilized life. Their whole lives and traditions have been and are averse to the methods of our civilization. It is not wonderful, therefore, that they should be slow to imitate and adopt them.

They are not an agricultural people, nor can they ever be made such except by compulsion. They do not take kindly to the labor of the farm and the field; and what they have done in this direction has been more through necessity than as a matter of choice. If they ever attain to the habits and customs of complete civilization and domestic life, and arrive at any considerable degree of eminence in agricultural or mechanical pursuits, it will be the result of absolute necessity or positive force. Of course, we speak of them as a people, and not as individuals, for we are aware, as we have intimated, that there are many exceptions, and creditable exceptions, among them; and we would on no account disparage their efforts to advance in every good direction, but, on the contrary, urge that we should by all practicable means assist and encourage them.

At this point, your committee will be pardoned for a digression from the main line of their inquiry under the resolution of Congress, far enough to say that one great cause, in our opinion, operates amongst others to hinder the Indians from making more sure and rapid progress. We refer to the uncertain tenure by which they hold their lands. No mere tenant feels that he is under obligation to place any very valuable improvements upon the lands of his landlord to render such lands valuable for the benefit of the owner. Knowing that he himself has no title to the land, and may be required to vacate at a given time, or at the pleasure of the owner, he has little or no incentive to the improvement of it. So with the Indians. They know and appreciate their position in this respect. And those of them who would work, and eventually become self-sustaining, feel no pride in improving farms and preparing the comforts of a home from which, at any time, they may be ousted. In this respect they are very much like other people. The remedy for this lies, we think, in giving to each individual Indian his portion of land, to be held in severalty, with title absolute, but indefeasible for a certain length of time.

CORRUPTIONS IN THE PRESENT SYSTEM.

It seems hardly necessary to adduce proof to establish the fact that shameful irregularities and gross frauds have crept into every branch of the Indian service. By common consent, it seems to be conceded that such is the case. No one is found who has the hardihood to deny that the history of such frauds is written upon every page of our Indian management for the last score or more of years. Indeed, so flagrant are these frauds, and so defiant have their perpetrators become, and so notorious is the fact that a ring exists composed of contractors, employés

of the bureau, and wealthy and influential persons outside whose object is to swindle and defraud both the government and the Indians, that not only did the Peace Commission, composed of N. G. Taylor, General Sherman, and others, advise the abolition of the present system, but the most ardent advocates of this system only hope to make it efficient and successful by *rescuing it from the rottenness and corruption which now confessedly environ it*, and from which it must be delivered before even they can commend it to public confidence.

Pages might be written and a volume filled giving individual instances of these frauds and outrages upon the government and the Indians, but the proper length of this report will confine us to a few extracts, taken from undoubted sources, and those sources mainly the recognized friends of the present system.

The Hon. J. W. Nesmith, one of the joint select committee before referred to, in his report, 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 solos, 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 Alantic 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, Oregon, to this place, a distance of seventy-five miles."

From these statements it is plain to see that many of the goods and articles furnished by the bureau to the Indians, and for which fabulous prices were charged, were worthless and useless, and the sending of them was a fraud upon the Indians and the government as well.

Again, in the same report, we find the following facts as to frauds in the transportation of goods to the Indians:

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 charges 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 same report we find:

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 committee, it will be remembered, was appointed in 1865, and the report shows that up to that time these shameful and disgraceful practices had been going on in every conceivable manner. The law was openly and recklessly set at defiance, and such was the strength of this unholy combination that the Indian Bureau was powerless to arrest its operations or break its force. Three years after this, in 1868, the Peace Commission before referred to made their report, and in regard to the agents and the Indian Bureau they say:

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.

So thoroughly impressed were these gentlemen with the fact of the existence of gross frauds, and with the further fact that the agents and special agents had been selected and appointed, not on account of their qualifications and fitness for the position, but on account of "their devotion to party interest, and their willingness to apply the money of the Indians to promote the selfish schemes of local politicians," that they recommended the passage of an act by Congress requiring all "superintendents, agents, and special agents" to vacate their offices as the only means likely to be effectual in cleansing the bureau from this corruption.

By referring to the Annual Report of the Commissioner of Indian

Affairs for the year 1877, we find that the Commissioner himself does not deny, but admits, most unequivocally, the existence of these frauds on the part of employés and contractors. The present system has certainly no more steadfast friend than Commissioner Hayt. On page 7 of his report for the year named, he says:

> Up to the present time, nepotism has prevailed at the Indian agencies to such an extent as to have become a public scandal, a nuisance that must be immediately abated. For instance, it is not an uncommon thing to find four relatives quartered upon a single agency. Sometimes more than that number may be found, including the traders. One case has been discovered in which the agent has had his wife appointed matron, at a salary, and the only individual to matronize is his family cook. One agent recently forwarded, for the approval of this office, the nomination of one of his sons, a lad of 17, as farmer, at a salary of $1,000, while his real market-value probably would not exceed $150 per annum; and another son, aged 16, as assistant farmer, at a salary of $900; the market-value of such a boy probably being $100. In such cases, however, the fraud on the service would be greater than the difference between the market-value of the two boys' services and the salaries paid them, since they would be utterly unfit to work with the Indians and train them to a knowledge of farming, for which alone the expenditure could properly be made. These are not solitary instances, and an extended list of others quite as flagrant might be made. We are endeavoring to suppress such abuses as rapidly as they are discovered.

Again, in his annual report for 1878, the Commissioner says:

> Many changes have been made since my last report in the methods and management of both the office and agency business. Rules previously established have been enforced, and accountability on the part of employés and of those who have had business with the office has been insisted upon, and the affairs of the office generally have been put upon a strictly business basis. The property and cash accounts of agents have been closely scrutinized and the service purified of such agents and employés as have been found unfaithful to their trusts or inefficient in their management. Claims have been critically examined, and as a result large sums of money have been saved to the government. Contractors have been held to the fulfillment of their contracts, and attempts to put upon the government inferior goods have been met by deductions which have fully protected its interests and have served to deter others from making similar experiments. Some dishonest contractors and employés have been and are now being prosecuted and convicted. Many attempted frauds have been detected and thwarted, *and some which had been successful in previous years* have been discovered, and it is hoped that the perpetrators may yet be brought to justice.

While the Commissioner is attempting in this report to defend his own administration, and is endeavoring to show that he is using every means in his power to correct the abuses that have heretofore existed, and with which our present system has been cursed, and while we do not call in question the earnestness of his efforts to correct the abuses complained of, yet he develops the fact that these abuses and frauds *do exist and have for years existed*, and your committee are of opinion that they must and will forever exist, even with the most vigilant and scrupulous honesty that can be brought into the management of this bureau. And why? Because we believe that the methods of the system are inadequate to prevent fraud, however honest the head of the office may be, and because the system of accountability in that department is not close enough to detect fraud. Nor can it be made so, without encumbering it with more machinery than it can support, and adding largely to the number of its officers and employés, thereby entailing additional expense to the government and additional burdens upon the people, on whom it falls finally in the shape of taxation already onerous enough to need no unnecessary increase. As the matter now stands, there must, of necessity, be too much intrusted to agents for whose faithful discharge of duty we have no security save their individual honor and fidelity. And this, we regret to say, has too often failed when put into the balances, with an opportunity to make personal gain.

We might multiply indefinitely instances of alleged fraud and malfea-

sance from the highest sources, but as there is no dispute upon this point we deem it unnecessary. We will, however, call attention to the statement of Lieut. J. M. Lee, of the Ninth United States Infantry, a most conscientious, efficient, and intelligent officer of the Army, who gave his testimony before this committee. He stated upon this subject that—

> Lieutenant Foote of the Army was detailed to Spotted Tail Agency in August preceding the time that I took charge. He relieved a civilian agent, A. E. Howard. Howard was feeding on paper at that time 9,170 Indians. Lieutenant Foote, immediately after taking charge of the agency, made a careful census of the Indians, and the actual number was found to be 4,775.

His testimony thus shows that at that agency the agents were drawing supplies for double the number of Indians really to be supplied, and in this way were cheating the Indians and the government, and enriching themselves. We believe that this has been and is the case in many other agencies.

WOULD THE TRANSFER CORRECT ABUSES?

But we are asked the very proper and pertinent question whether the same abuses and frauds would not be practiced if the management of Indian affairs should be transferred to the War Department? We think that they would not; and for a few very plain and obvious reasons:

First. Whatever else may be said of our Army officers, as a class they are men of high honor and strict integrity. Their training has impressed these high qualities upon them, and their association requires their constant observance. Every officer in the Army is a check upon every other officer. And such is the system of accountability in the Army, that it is nearly, if not quite, impossible for an officer to act dishonestly without being detected, and, being detected, punishment is swift and sure. Conviction for an act of dishonesty insures the immediate dismissal and disgrace of an Army officer.

Allowing that these officers are very much as other men are—no better, no worse—as a class (and certainly we do not claim for them any natural superiority in these respects over other men), still, an Army officer holds his commission for life, or during good behavior. Upon this commission he depends for his living. It is his meat and his drink. Upon it he depends for his character and reputation, which are more to him than his meat and his drink. If, therefore, he had no higher incentives to act honestly, these are always most powerful reasons constantly constraining him to discharge his duties with scrupulous honor and fidelity.

With the civil agent, there is no such pressing and imperative motive constantly impelling and controlling. He is appointed, generally, from partisan considerations, and for a limited time; is paid but a small salary, and can hope to hold his position for a few years at most. Hence he has not the same inducements that the life-tenure gives to act honestly and faithfully, that control the Army officer. That many honest and faithful civil agents and employés of the Indian Office have been appointed and are now acting, we gladly admit; but that many others have accepted these positions simply or mainly for the purpose of personal gain and emolument, even at the expense of their honor, we as sadly deplore.

Again, however much disposed an Army officer might be to act dishonestly, such is the system of accounts in the War Department that the same opportunities for fraudulent practices do not exist as are possible under the present system of management in the Interior Depart-

ment. The accountability to which Army officers are held is so rigid and minute that wherever money or property is committed to them for disbursal, they cannot hope to avoid detection in case of defalcation to the smallest degree. In saying this, the committee do not mean to assert that the War Department of the government is so perfect in its management as to make abuses impossible in its administration, but we think we hazard nothing in saying that in the matter of which we are speaking it does compare most favorably with any and every other department of the government. Fewer instances of dishonest practices have been laid to its charge than to any other branch of the public service.

COMPARATIVE COST OF THE TWO SYSTEMS.

This is a most important branch of the question we are considering. It is subordinate only to the paramount question of doing absolute justice to the Indians, as far as such a result can be reached; for all recognize the obligation and duty of the government to deal justly toward these people, let it cost what it will. Yet in times like these, of great financial distress, of failing fortunes, and of burdensome taxes upon the people, it becomes a duty of the government, as of individuals in private life, to exercise the most rigid economy, that the burdens of taxation may be lightened and the country be brought back to a condition of prosperity and advancement.

Your committee are very decidedly of opinion that a large amount of money can be and will be saved to the government each year, if this transfer is made. There are now seventy-four Indian agents, with salaries ranging from $1,500 to $2,200 each, which is an average of, say, $1,800, making for agents' salaries alone $133,200. This amount would certainly be saved by requiring Army officers to perform the duties which are now discharged by civil agents. In the item of printing, we think that $25,000 a year may be saved. In purchasing and transporting goods and supplies, we think that a very large amount may be saved; and although the evidence taken by the committee on this point is conflicting and to some extent unsatisfactory, still we can see no good reason why the War Department cannot purchase as cheaply, and transport goods and supplies much more cheaply than the Interior Department. It is a fact, that the system of purchasing in the War Department is quite as complete, while the system of transportation is greatly superior to that of the Indian Bureau. Indeed, it is difficult to conceive of a better or more perfectly organized system of transportation than that of the War Department. In this belief we are sustained by the late Commissioner of Indian Affairs himself, who, in his report for 1875, says:

> 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.

But we are told that there is no reason why the Interior Department could not adopt a system equally well adapted to the purpose of transportation as that of the Army. True, it might do so; but that would necessarily require the expenditure of a large amount of money; and why the necessity of incurring this additional expense, when the system which we already have, and must have, for the use of the Army, can perform the service without additional outlay of money by the government?

But by far the greatest expense to the government as connected with this question, is that incurred by the frequent disturbances and periodical Indian wars into which we are drawn, from some cause or other, almost every year. It is believed by many intelligent men, Army officers and civilians, men of much experience and of wide observation, that a large majority of our Indian troubles have grown out of the unfaithfulness of agents and others connected with the purchase, transportation, and delivery of Indian supplies. In support of the belief that lack of promptness in delivering, deficiency in quantity and quality, and failure honestly to distribute Indian supplies, have cost the country hundreds of millions of money, and very many valuable lives, we refer to a statement of the Peace Commission which has already been quoted. They say:

> 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 in this way.*

We quote also the statement of Lieutenant Lee, an officer of much experience in the management of Indians, and, withal, a very intelligent gentleman. In his evidence before this committee (as found on page 103, Printed Testimony), he says:

> Q. Bad faith you regard as one of the causes of the wars with the Indians?—A. Yes, sir. As described by General Williams, the character of the Indians is such that they are not going to submit to these things. They do not investigate matters very closely. If you tell an Indian that you are going to give him a pound of tobacco, and then explain that the boat did not come, he does not take those things into consideration. He knows you made the promise, and thinks you had no business to make it unless you were ready to fulfill it. He jumps at his conclusions; takes his own method of revenge; starts out, and conceives every white man to be his enemy, and kills the innocent as well as the guilty.

General Sherman, in the testimony before the committee, also says (page 227, Printed Testimony), speaking of the "peace policy":

> That policy, if honestly meant to keep the Indians at peace, is wrongly named, for we have have had constant war with the Indians since 1869.

General Sheridan, in his supplemental report to his annual report as commander of the Military Division of the Missouri, dated Chicago, December 22, 1878, states as follows:

> The object I had in view in my annual report was to show that Indian wars came from two causes (see report), but that, while the first war could not be avoided by the government, the second was clearly within its control, and resulted from the bad management of Indian affairs.
>
> I made no charges against the Hon. Secretary of the Interior; I made no charges against any one; I desired simply to call the attention of my superior officers to the causes that produced discontent and outbreaks, and that, from the inadequacy of our military force, resulted in the massacre of officers, soldiers, and citizens, and the horrible and unmentionable barbarities perpetrated on women and children, and to state my belief that these disasters might have been averted by better organization, a more complete system, and more integrity in the agents employed.

We also refer to the large number of instances of record pointed out in the "Briefs and Extracts from Reports of Army Officers," appended to the report of General Sheridan, showing the unfaithfulness of Indian agents, the fraudulent practices resorted to by them, by which the Indians, in many instances, were reduced to absolute starvation, naturally breeding discontent, and ultimately driving them to deeds of violence which finally culminated in an "Indian war." These extracts are too voluminous to be incorporated into this report.

If, then, it be true that the Army officers, who are already drawing annual salaries, and will continue to draw them, can and will perform

the duties of Indian agents as faithfully, as diligently, and as honestly as the civil agents have done and are doing; and if the War Department can purchase supplies for the Indians as cheaply as the Indian Bureau does or can purchase them—and we see no reason why it cannot; and if the means of transportation in the War Department are so much superior to those in the Interior Department, and insure thereby cheaper transportation; and if the system of inspection of goods and supplies in the War Department is equal to the system in the Interior Department—and we believe it is better; and if it is true that Army officers are not so apt to become the victims of temptation as civil agents are, for the reasons which we have assigned; and, in a word, if it be true that we can secure a more faithful and honest administration of Indian affairs through Army officers than through the civil management, and by this means avoid some at least, if not all, of the Indian wars into which we are being continually drawn; we say, if these, or any number of these, propositions be true—and we believe that the evidence adduced and good reason sustain them all—then who shall say that this transfer ought not to be made?

AN UNFAIR STATEMENT EXAMINED.

But it is said by some that if the transfer is made it will amount to a practical annihilation of the Indians. They say, it turns these people over to the tender mercies of a ruthless and savage soldiery, who will murder and destroy at pleasure, and that if the government desires only the destruction of the Indians, the transfer should be made, as the surest and quickest means of accomplishing that end.

This is a very unfair, not to say reckless, manner of stating the question. We are not aware that any one advocates this transfer with the expectation or desire that any such results should follow, nor do we think that any well-informed person will assert that such would be the result of such transfer. Surely, speaking for themselves, your committee could contemplate the possibility of such a result with no other feelings than those of horror and disgust; and if it is true that any such result would be likely to follow, they ought, without a moment's hesitation, or another word of argument or of statement, to decide the question adversely to the proposed transfer.

But is this charge true? Has it any foundation in fact? So aptly and well is this question answered by the able report of the Committee on Indian Affairs of the House of Representatives, written and presented by its chairman, the Hon. A. M. Scales, at the last session of Congress, that we make the following extracts therefrom as embodying our views on this subject, excepting only the statement that prior to 1849 the management of Indian affairs was *exclusively* under the War Department, which we do not admit, the fact being that it was only partially under that departent:

> 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 the 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 their superior officers, and they in their turn, until they get back to the Secretary of War. And there is no reason, as to 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 also quote from General Sherman on this subject, and might, if space allowed, refer to the statements of many other intelligent and distinguished officers of the Army who are supposed to know, and who, no doubt, reflect the feelings of the Army officers generally on this question. General Sherman in his statement (see printed evidence, page 220) says:

Now, many kind, good people fear the blood-thirsty Army; that it will kill off these poor Indians. This is more than nonsense. The Army is made up of the same men who form our people—no more cruel, no more savage than the average of mankind. The danger is on the other side; that the Army will protect the Indians against the whites, for wherever I have been—and I have seen a good deal of these Indians—they have begged me to put an Army officer in charge of their interests. This was peculiarly the case with the Navajoes last summer.

The War Department can employ civilian agents for the peaceful tribes and military agents for the warlike tribes.

Christian and civilizing influences can be as well used by the military as by the civil.

There will be less hypocrisy and cant with the military agents than with the civil.

The military will keep the peace, protect reservations against unlawful intrusions by the whites, and can allow and encourage different Christian denominations to compete in the matter of churches and schools.

The economy will be in using one set of machinery for both Army and Indians, instead of, as now, two.

In case of transfer, one head of department would have control of all the agencies, and of all the troops, so as to apply the remedy on the spot, instead of by the system of circumlocution now in practice.

And we might multiply statements such as these; but the proposition is so plainly and succinctly met by these which we have quoted that it seems useless to advance others, and argument upon our part is rendered superfluous. The proposition is an absurdity upon its face, since everybody knows that in case of war with the Indians the soldiers do the fighting, and that civil agents never do; and it is but reasonable that, of all men, the soldiers would be the last to provoke it.

Again, it is said that under the present system of management the Indians are making wonderful advancement in all the arts of civilized life; that they are rapidly approaching a condition when they will be self-supporting, and will therefore no longer be a charge upon the government. That the Indians are making some progress is true; but they are not progressing in the rapid manner which the friends of the present policy claim. Still, they are making some progress in civilization and morals. But we do not see how this progress will be retarded, in any degree, by simply substituting military officers for civil agents, even if we admit that the close proximity of the military camps to Indian agencies is detrimental to the morals and well-being of the Indians—which we by no means admit. No greater number of soldiers will be required among the Indians, if the transfer is made, than we are compelled to keep there now; and the Indians will be brought in no closer contact with the soldiers than now. The whole theory that has been attempted to be impressed upon the public mind, that the transfer means nothing more nor less than extermination, by turning the Indians over to the lustful desires and murderous designs of the soldiers, is an untruth and an absurdity. On the contrary, we believe that, under the proposed system, the Indians will receive quite as much encouragement in all industrial pursuits as now; that they will receive quite as much aid in their efforts to advance; quite as much sympathy with and patience toward their failures and disappointments; and a far more honest distribution of the aid and assistance which the government furnishes; and that under the strictness of Army regulations in issuing supplies of food and clothing at the proper times, in the proper quantities, and of the proper qualities, their temporal necessities will be much more promptly and efficiently cared for. The military authority having in its own hands the power necessary to enforce discipline and obedience to all needful regulations, and not being hampered by the necessity of operating through another department of the government, will be able much better to establish and maintain good order among the Indians themselves, and insure their protection against the depredations of other Indian tribes, and the impositions of avaricious and plundering whites who cluster around all our Indian agencies. Under such government, in the end, our Indian tribes will enter upon a career of activity and prosperity, we fully believe, that has not yet been attained under the present management.

THE DIVIDED RESPONSIBILITY.

Another serious objection to the present system of administration is the divided or "two-headed" responsibility which now exists at all the agencies among the "uncivilized tribes" where soldiers are stationed, and where they must of necessity be kept in order to secure good discipline and maintain peace; for, as has been before stated, the agencies in many places could not stand for a single day were it not for the wholesome fear that the presence of soldiers inspires in the more turbulent spirits among the Indians. This mixed or dual accountability often produces conflict of opinion and ill-feeling between the agent and the officer in command of troops, and that concert of action so necessary to the successful operation of a complete system is not secured. In addi

tion to what we have already quoted from General Sherman on this point, we suggest that the views of General Crook are particularly weighty, because of his long experience among the Indians and his close observation of their character, habits, and dispositions, and of his successful management of those under his jurisdiction. He has been twenty-six years among the Indians, of different tribes and localities, and is very decided in his opinions and explicit in his expression of them. In his statements before the committee he says:

The Indian is a child of ignorance, and not all innocence. It requires a certain kind of treatment to deal with and develop him. One requisite in those who would govern him rightly is absolute honesty—a strict keeping of faith toward him. The other requisite is, authority to control him, and that the means to enforce that authority be vested in the same individual. As it is now, you have a divided responsibility. It is like having two captains on the same ship. For this reason specially, the necessity of unanimity in action, I think there can be no question but the management of the Indians should be placed under the control of the War Department; there is no comparison at all between the advantage that would accrue by putting the matter in the hands of the military and that which comes from allowing it to remain where it is at present.

Q. You think it would be better to give the power to the military themselves, in the vicinity, to transact the military as well as the civil part?—A. Unquestionably. It should be left to the department commander, because all the military officials would not be fit for Indian agents—you would have to select them. Some men are capable and well-educated, and would make fine soldiers, who would not do as Indian agents. It requires a broader-minded man than you will sometimes find in an otherwise well-qualified soldier and officer. The position of an Indian agent is one that requires a man who is familiar with the subject and with the needs of the case in every detail, and the commanding officer would have to make a careful selection from the officers in his command, with reference to his special fitness for the government, control, and general management in every way of the Indians. I have heard a good deal of talk about putting on retired officers. You could not make a worse mistake than to do this, because many of these officers have gone on the retired list to get out of hard work, and to be an Indian agent requires the most arduous labor a man can be put to if he would faithfully discharge his duty.

Q. The idea has been expressed that the civil authority should rule—should be the supreme rulers, as they are at present; that is the reason why I desired to have your opinion whether you thought the military ought to take full charge, independent of the civil authority.—A. As I understand it, the civil authority is supreme now in the government of the Indians; they control the War Department, and the War Department control the Indians. There should be no divided responsibility. There is the great trouble in the case.

And in this opinion General Crook is sustained by every officer whose views we were able to obtain—and the committee examined a large number of Army officers—as well as by nearly every civilian outside of those connected or identified in some way with the Indian Bureau.

It may be said in vindication of the present system that the present Secretary of the Interior and the present head of the Indian Bureau are using their best endeavors to purify this service by cleansing it of the rottenness and stench which now surround it. This may be true, and so far as we know, or have reason to believe, is true; and we feel that it is but just to these officers to state that we believe they are making honest and earnest efforts to purify and elevate our Indian management; and we certainly trust that their efforts may be successful as far as the system itself will allow. But with the present method of keeping accounts with agents, to whom large sums of money and large quantities of goods and other Indian supplies are intrusted, we do not see how it is possible to free the service from fraud and peculation as long as dishonest men may creep into these positions. There seems to be, in fact, no security for an honest disbursement of these large sums by agents, except the honor of the agent himself, which, in these times of greed and avarice, has been too often found wanting. With the Army officer we would, at least, have the security of the knowledge on his part that the price of his treachery would certainly be his official head and his future permament disgrace.

THE CONCLUSION REACHED.

In view, therefore, of the reasons presented, and after a careful consideration of all the circumstances surrounding the question, weighing the testimony for and against as best we can, and not unmindful of the difficulties of the subject, we believe that the interests of the government and the good of the Indian will be best promoted by the transfer proposed, leaving it discretionary with the Secretary of War to appoint civil agents to these agencies wherever in his judgment the interest of all concerned would be best secured by such an agent, and officers of the Army where the interest of the service required it.

This conclusion we have reached after a patient and candid investigation of the whole question, as far as we have been able to understand it. Nor have we relied alone upon the statements and opinions of men as to the failures of the present system, or its feebleness and want of capacity to compass this great problem and bring it to a creditable solution. A majority of the committee have, in addition to these outside sources of information, seen with their own eyes and heard with their ears, while among the Indians, reasons sufficient, if they had no others, to justify in their own minds every conclusion to which we have arrived. Having spent nearly two months in visiting the Indian country, and the different Indian tribes scattered over the West, our observations and personal inspection of their present condition and future prospects, as far as we were able to judge of them, have strengthened and confirmed us in the correctness of the views we have presented in this report.

Our object has been not to embellish nor to cover up the real question involved in the inquiry intrusted to us, but to make a plain statement of the facts as we understand them, and in as clear and brief a manner as we could. We trust that whatever course Congress may choose to adopt upon this question, such a policy may be inaugurated and followed as shall secure to the Indians of our country that justice which the weaker always have a right to expect of the stronger; and that we shall recognize, in all our future intercourse with the Indians, the important fact that as a race they are not to be regarded as our enemies, to be hunted down and destroyed like wild beasts, but to be regarded as under our care and oversight; and that the greatest blessing we can secure to them is *protection* from the designing, thieving scoundrels and villains who hang upon their borders like vultures hovering over a decaying carcass, ready and anxious to devour what is left of them, when, goaded by their wrongs into deeds of violence, they have, in self-defense, taken the path that has led to their own destruction. These white harpies, it must be remembered, have ever been ready and waiting to take advantage of the weakness and ignorance of the Indians, to rob them of their homes and property, and to drive them with their wives and little ones out into the pitiless storm of that injustice and inhumanity which has well-nigh extinguished a once proud and powerful people, and contributed to bring shame and everlasting disgrace upon the high pretensions of American statesmanship.

A. R. BOONE,
CHAS. E. HOOKER,
A. M. SCALES,
On the part of the House.
T. C. McCREERY,
On the part of the Senate.

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