

IN THE SENATE OF THE UNITED STATES.

MAY 9, 1860.—Ordered to be printed.

Mr. DAVIS made the following

REPORT.

[To accompany bill S. 436.]

The Committee on Military Affairs and the Militia, to whom was referred the resolution of the Senate "to inquire into the expediency of repealing so much of the act entitled 'An act to establish the Home Department and to provide for the Treasury Department an Assistant Secretary of the Treasury and a Commissioner of Customs,' approved March 3, 1849, as transfers from the Secretary of the War Department to the Secretary of the Interior, the supervisory and appellate powers, in relation to the acts and duties of the Commissioner of Indian Affairs; and of restoring, by law, the said powers to the Secretary of War, as they existed prior to the passage of that act," having had the same under consideration, report:

That in their investigation of this subject they have received from the Secretary of War and the Secretary of the Interior the following communications:

WAR DEPARTMENT, *March 26, 1860.*

SIR: I have the honor to acknowledge the receipt of your communication of the 8th instant, inclosing a resolution of the Senate instructing the Committee on Military Affairs and the Militia to inquire into the expediency of repealing so much of the act, approved 3d March, 1849, as transfers from the War Department to the Secretary of the Interior the supervisory and appellate powers, &c., of the Commissioner of Indian Affairs, and asking my views in relation to the proposed legislation.

In reply, I have to say that, in two points of view, I think the public interests would be promoted by placing the discretion and control of Indian affairs under the direction of the War Department.

In the first place, the operations of the army are planned and directed, chiefly, in reference to the action and disposition of the Indian tribes on our borders. To the army, the country and the frontier settlements particularly look for a policy which will quiet any manifestation of a hostile spirit, and for prompt chastisement of any acts of violence which may be committed by them. The army has but little else to do which looks to operations in the field. It is, therefore, a

matter of very great importance that the fullest and most minute information as to the temper, disposition, and probable action of all the Indian tribes should, at all times, be in possession of the War Department. It would enable the Secretary so to post the troops as to quell any symptom of insubordination, and so to arrange for their movements as to cost the least amount to the treasury.

Under the present system, it happens, not unfrequently, that a force is suddenly and unexpectedly called for at some point where it costs, necessarily, very large expenditure to place it, upon an emergency. And I think it hardly to be doubted that, with a previous knowledge of the temper of the Indians, precautionary measures might be taken which would prevent many of the Indian wars we are now compelled to carry on.

In the second place, I do not doubt that, as a measure of humanity, it would be desirable to place the Indians again under the control of the War Department. The Indian has but little respect for any except military authority, and in its absence embroils himself with the whites of the borders, so as to end finally in war. In very many instances, the Indians are not, in the commencement, to blame. In fact, it would seem, from the state of things at many points of the Indian territory, that the Indians require, in their helpless ignorance, that protection against the whites which, under their treaties, they are entitled to, and which nothing but an armed force can give them.

In a military, an economical, and a humane point of view, I do not doubt the wisdom of the policy proposed.

Very respectfully, your obedient servant,

JOHN B. FLOYD,
Secretary of War.

HON. JEFFERSON DAVIS,
Chairman Committee on Military Affairs, &c., Senate.

DEPARTMENT OF THE INTERIOR,
March 13, 1860.

SIR: I have the honor to acknowledge the receipt of your letter of the 8th instant, inclosing a copy of Senate resolution of the 6th instant, instructing your committee to inquire into the expediency of repealing so much of the act of March 3, 1849, as transfers the supervision of the Indian bureau from the War to the Interior Department, and asking for my "views as to the propriety and necessity of such legislation."

In reply, I have to state—

1. That, with respect to tribes on the frontier with whom we have treaties, and from whom we acquire land from time to time, and who generally own reservations, the Interior department can probably administer the affairs of the Indian bureau more advantageously than if under the supervision and control of the War Department.

2. That the War Department possesses superior facilities for controlling and managing the wild, roving, and turbulent tribes of the interior, who constitute the great majority of the Indians.

3. That, as the supervision and control of the Indian bureau could not be divided between the two departments, I think there would be a propriety in transferring it entire to the War Department.

Very respectfully, your obedient servant,

J. THOMPSON,
Secretary.

Hon. JEFFERSON DAVIS,

*Chairman Committee on Military Affairs and the Militia,
United States Senate.*

And the committee, concurring in these views, and believing the public interests would be promoted by the proposed transfer, report a bill for that purpose, and recommend its passage.