THE INDIAN QUESTION.

Annual Report of the Commissioner of Indian Affairs.

REVIEW OF THE SITUATION.

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NECESSITY FOR CONGRESSIONAL ACTION.

The following is the annual report of the Commissioner of Indian Affairs, to be submitted to Congress at its next session. The report treats at length on the Indian question and gives the official survey of that important question, together with suggestions and requests for prompt action on the part of Congress:—

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Nov. 1, 1875.

SIR—I have the honor, in accordance with law, to submit herewith the annual report of the Indian Bureau, accompanied with reports of superintendents and agents. Only one agent has failed to forward his report. The attention of the honorable Secretary is especially invited to the general encouraging tenor of these reports, conveying unmistakable evidence of a year of advance in the civilization of Indians. This testimony is entitled to great weight. It comes from competent witnesses on the ground, men of ordinary intelligence and common sense, speaking out of personal knowledge and experience of from one to five years. With few exceptions, abundantly accounted for by untoward circumstances, their testimony is uniform to the fact that the civilization of Indians is not only entirely practicable but is fairly under way. While public attention is being directed principally to the great Sioux tribe in its disturbed condition the larger portion of the remaining 226,000 Indians, who have been comparatively unnoticed, have furnished the field of labor from which the encouraging facts are gathered.

A comparative statement made from statistics covering a period of five years gives ample concurrent testimony to a steady progress year by year. The statistics of the present year, gathered with more than usual care, furnish important facts for consideration. By the number of Indians returned they substantially verify the count and estimates of last rear, making a total as now enumerated of 278,963. This population is determined by actual count of the tribes, with the exception of the Navajoes, Papagoes, Puelos, Mission Indians (roamers in Oregon), the Blackfeet, Peigans, non-treaty Sioux and a portion of the Utes—in all, less than 50,000; and for these 50,000, with the exception of not exceeding 10,000, the estimates have been based on long acquaintance with the condition and habits of their tribes, and cannot be far from correct. Taking labor which Indians undertake for themselves and its results as a standard of progress, the reports show 42,000 able Indians, representing not far from the same number of Indian families, undertaking self-support by labor with their own hands. A portion of them have labored hardly enough and with little profit to themselves, except that which comes from the effort, but the majority of these laborers have procured the larger portion of their means of living, as represented in the crop of 2,404,000 bushels of wheat and other small grains, and 471,530 bushels of potatoes and other vegetables. The field under cultivation by individual Indians planting for themselves aggregate 323,835 acres, a larger area by 7,000 acres than ever before reported and nearly 225,000 acres more than were cultivated in 1871, a gain of 145 per cent in five years and of 600 per cent in ten years. Additional lands broken and ready for cultivation next year aggregate 23,146 acres. Five years ago 10,329 Indian families were living in houses; there are now 19,962—a gain of 92 per cent.

This report would have shown still more gratifying results, but for the fact that for the want of later returns the statistics for five civilized tribes in the Indian Territory are taken from the reports of 1872. There is every reason to suppose that among these 56,000 people there has been a larger proportion of gain for the three years than among any other Indians. For general information concerning the different tribes and the condition of their agency affairs, reference is made to a summary statement given hereafter.

INDIAN WARS.

In my last annual report I ventured the statement that, except under extraordinary provocation, or in circumstances not at all to be apprehended, it is not probable that as many as 500 Indians warriors will ever again be mustered at one point for a fight; and with the conflicting interests of the different tribes, and the occupation of the intervening country by advancing settlements, such an event as a general Indian war can never occur in the United States."

During the year passing in review there has been less conflict with Indians than for many previous years. With the exception of the Cheyennes and Comanches, who, at the close of the period covered by my last report, had still refused to surrender to the military, there has been no hostile engagement with the United States troops, and complaints of marauding have been much less than usual. This fact is significant. According to all experience in the management of Indians this year should have been marked for bloody conflicts. White settlements have been brought nearer to wild Indians than ever before. Many disturbing questions have arisen, and with the most warlike and powerful of all the tribes there has been a constant series of irritations which in any previous year would have raised the war cry along a large exposed section of the frontier. The Sioux have been many times represented as about to go out on the war path, at other times they have been reported as disaffected by bad management of bad agents and goaded by desperation of hunger and cold to an outbreak. Nothing shows the utter want of truth in all these reports more clearly than the fact that when they were brought cheerfully to relinquish a cherished hunting and roaming privilege they requested that nearly all the $25,000 received in compensation for this relinquishment should be expended in cows, horses, harness and wagons. Such use of money indicates anything but a hostile intent on the part of Red Cloud and Spotted Tail Sioux.

It will probably be found necessary to compel the northern non-treaty Sioux under the leadership of Sitting Bull, who have never yet in any way recognized the United States government except by snatching rations occasionally at an agency, and such outlaws from the several agencies as have attached themselves to these same hostiles, to cease marauding and settle down, as the other Sioux have done, at some point. This may occasion some fighting between this band of Indians and the soldiers. There is also a possibility that the Utes in Northern New Mexico, who are without a home, and are transiently fed at Cimarron and Abiquiu, may before long require coercion by force of arms. But neither of these bands can bring 300 men into the field, and I am led not only to repeat with increased confidence the statement made last year, that a general Indian war is never to occur in the United States, but also to give my opinion that fighting with separate tribes will hereafter be of rare occurrence and only in the nature of skirmishing.

THE SIOUX PROBLEM.

For a full discussion of the question of the future of the Sioux attention is respectfully invited to my last annual report. It is with no little gratification that I am able to allude to the fact that the observations and conclusions reached at that time upon this subject have been fully sustained and confirmed by the report of the Red Cloud Investigating Commission, after many weeks spent in the Sioux country in careful inquiry into the condition and prospects of these Indians. The problem for these people has not approached a solution during the year, unless it shall be found that the discussion arising from the Black Hills excitement and the investigation at Red Cloud agency have so awakened the public attention to the present necessities and hopeless condition of the Sioux as to lead to immediate, appropriate and vigorous measures for their relief, by removing the Indians at Red Cloud and Spotted Tail agencies to the Missouri River and by driving out the squaw men who invest the Indian country, and by compelling labor as a return for rations. These three important essential undertakings will require three things. 1. Largely increased appropriations for the Sioux during the next two years, which may thereafter be steadily diminished till they cease altogether. 2. The most efficient and hearty co-operation of the War Department. 3. In order to afford a suitable location for Red Cloud and his people, the removal of the Poncas from their present reservation, which is a part of the Sioux country, and their consolidation with the Omahas in Nebraska.

Sooner or later these radical measures will be adopted, the only alternative being to continue to ration and clothe the Indians as idle and indolent vagrants and paupers. I do not believe it possible to subsist the Sioux many years longer upon the appropriations which Congress can be induced to make for feeding purposes only. The whole spirit of our people and of American institutions revolts against any process that tends to pauperism or taxation for the support of idlers. The bringing of these wild Sioux under such wholesome restraint would be of material aid to the process of civilization now in progress among other bands of the Sioux along the Missouri River, upon whom it has as yet been impossible to enforce proper discipline in the requirement of labor for rations, because of the proximity and example of Red Cloud and Spotted Tail agencies.

But the reports of agents along the river, with the exception of Standing Rock, show that it is entirely feasible to civilize the Sioux, provided a suitable country can be found for their occupation, and the government and its agents are capable of continuance in well doing. At Cheyenne River bands of Sioux, who, three years ago, were as intractable, as impatient of labor, and in other respects as far from the steps of civilization as Spotted Tail's immediate followers are to-day, have been induced to erect log houses and open farms to such an extent that the agency is able to report 240 Indian families living in houses, 240 male Indians who have labored in civilized pursuits with their own hands, and 138 children in school.

The report of the Crow Creek agent, as an account of the first successful year's effort in civilization, is equally encouraging. The reports of the Yanction and Santee Sioux are still more hopeful. Among the latter civilization is an accomplished fact, and if the Yanctons could plant crops with ordinary certainty of a harvest they could shortly provide their own subsistence. Such progress indicates unmistakably that the difficulty of the Sioux problem does not inhere principally in the Sioux nature, but in the barrenness of their country and the absence of necessary control.

THE BLACK HILLS.

The public excitement mentioned in my last report, occasioned by the discovery of gold in that portion of the Sioux reservation known as the Black Hills country, increased to such a degree in the opening of the spring season as to require action looking toward the purchase of this country from the Sioux proprietors and the opening up of the Big Horn Mountain country for settlement and mining. For this purpose, as well as for completing the negotiation for the relinquishment by the Sioux of their hunting rights in Nebraska and Kansas, a large delegation of this tribe, composed of representatives from those agencies, was brought to Washington in May last, for an interview with the President. It was not expected that this interview would conclude the purchase, but that it would be a preliminary step by which the Sioux tribe would become acquainted with the wishes of the government and its purposes relative to their own necessities and interests. Accordingly, at the request of the delegation, the President sent a commission, of which Hon. W. B. Allison, of the United States Senate, was made chairman, to negotiate at a general council of the tribe in their own country.

No report has yet been received, but I am informed that the negotiations have failed on account of a wide disagreement as to the value of the rights to be relinquished by the Sioux. The report of the Commission since received, confirms this statement; meanwhile, notwithstanding the stringent prohibitory orders by the military authorities, and in the face of the large military force which has been on duty in and around the Hills during the summer, probably not less than 1,000, miners with the number rapidly increasing, have made their way into the Sioux country. A mining association has been organized, laws and regulations have been adopted for mutual protection, individual claims staked out, in the right to which they expect hereafter to be protected by the government or to protect themselves.

In this serious complication there seems to be but one alternative for the government; either to so increase the military force and adopt such summary means as will insure a strict observance of the treaty rights of the Sioux by preventing all intrusion or to renew the effort of negotiation. However unwilling we may be to confess it, the experience of the past summer proves either the inefficiency of the United States troops, or the utter impossibility of keeping Americans out of a country where gold is known to exist by any fear of orders or of a cavalry patrol, or by any consideration of the rights of others.

The occupation and possession of the Black Hills by white men seems now inevitable, but no reason exists for making this inevitability an occasion of wrong or injury to the Sioux. If an Indian can be possessed of rights of country, either natural or acquired by treaty, this country belongs now to the Sioux; if the Sioux were an independent, self-supporting people, able to claim that hereafter the United States government should leave them entirely alone, in yearly receipt of such annuities only as the treaty of June guaranteed, they would be in a position to demand to be left in undisputed possession of their country, and the moral sense of mankind would sustain the demand; but unfortunately the facts are otherwise. They are not capable of self-support. They are absolute pensioners of the government in the sum of $1,250,000 annually, above all amounts specified in treaty stipulations. A failure to receive government rations for a single season would reduce them to starvation. They cannot, therefore, demand to be left alone, and the government, in granting the large help which the Sioux are obliged to ask, is entitled to ask something of them in return. On this basis of mutual benefit the purchase of the Black Hills must proceed. If, therefore, on the plan of going first to the Indians, all attempts at negotiation have failed, I should respectfully recommend that legislation be now sought from Congress offering a fair and full equivalent for the country lying between the north and south forks of the Cheyenne River, in Dakota.

SURVEY OF THE BLACK HILLS.

In order to provide for the question of a fair equivalent for this country, by direction of the President a topographical and geological survey of the Black Hills was ordered, the preliminary report of which, by Walter P. Janney, mining engineer in charge, will be found herewith. It furnishes many interesting and important facts respecting a region hitherto almost unknown. Professor Janney and his assistants are entitled to large credit for the conscientious diligence and thoroughness which are apparent at every point in the work. The aid rendered by the War Department, by the courtesy of the General of the Army, and by Colonel Bruce, commanding the escort, has been invaluable to the success of the survey, without which aid no satisfactory results could have been obtained, on account of the limited funds available for this purpose. The report confirmed in a large degree the statements of travellers and explorers, and the reports of General Custer's military expedition of last year, and opens a gold field of the area of 800 square miles. And around this gold region, principally to the north, an additional area within the Black Hills country of 3,000 square miles, and this latter, embracing along its streams an area equal to 200 square miles, finely adapted to agriculture; while the hillsides and elevations continuous thereto are equally adapted to purposes of grazing, making the whole area of 3,000 square miles of timber, grazing and arable land of great value for agricultural purposes.

According to the findings of this report, if there were no gold in this country to attract the eye of the white man, and the Indians could thus be left to undisturbed occupation of the Black Hills, this region, naturally suited to agriculture and herding, is the one of all others within the boundaries of the Sioux reservation best adapted to their immediate and paramount necessities. I doubt whether any land now remaining in the possession of the general government offers equal advantages, but it will be found impracticable to utilize the country for the Sioux. So long as gold exists in the same region the agricultural country surrounding the gold fields will be largely regained to support the miners; and to attempt to bring the wild Sioux into proximity to the settlers and miners would be to invite provocation and bloody hostility.

These facts respecting the country which the Sioux seem about to be compelled to surrender for the sake of promoting the mining and agricultural interests of the white men have an important bearing upon the question of compensation that shall be allowed for their lands; for it must be borne in mind that unless the Sioux nation becomes extinct, of which there is no probability, the time is close upon them when they must have just such an opportunity for self-support as that which is now known to be offered them in the Black Hills, and if for the want of another such country they are obliged to begin civilization under increased disabilities, humanity as well as equity demands that such disability shall be compensated by increased aid from the government; and to avoid the perils of future legislation, or want of legislation, the compensation should be provided for and fixed at the time when we are taking away their valuable lands. The fact that these Indians are making but little if any use of the Black Hills has no bearing upon the question of what is a fair equivalent for the surrender of these rare facilities for farming and grazing.

They are children, utterly unable to comprehend their own great necessities just ahead; they cannot, therefore, see that the country which now only furnishes them lodge poles and a few antelope has abundant resources for their future wants, when they shall cease to be barbarous pensioners upon the government and begin to provide for their own living. Their ignorance of themselves and of true values makes the stronger appeal to our sense of what is right and fair.

The true equivalent to be offered the Sioux as helpless wards of the government for the Black Hills will be found by estimating what 800 square miles of gold fields are worth to us, and what 3,000 square miles of timber, agricultural and grazing lands are worth to them.

THE TEMECULA INDIANS.

The Indians living on the tract of land known as Temecula, in the county of San Diego, have, within the past two months, been thus dispossessed. The Temecula ranche was confirmed by the District Court of the United States for the southern district of California to Louis Vigues in 1855. No steps were taken to disturb the Indians until 1873, when a judgment was recovered in the city of San Francisco against these Indians who were at that time living miles away all unconscious that any person was seeking their possessions, and on the 17th of August last the owners, under Vigues, procured a writ from the Court in San Francisco for ejectment of Indians and for the satisfaction of the costs by the personal property of the Indians. The execution of this writ has not only deprived the Indians of their homes and of their crops just maturing for harvest, but has taken their little personal property in satisfaction of cost of judgment. It is easy to understand the exasperation and despair produced among the Indians by such an order enforced by the authority of the State. Their remonstrance and threats under the provocation were interpreted to mean violence, and the aid of the United States military was evoked against them. Their forbearance and peaceful disposition was, however, soon manifest and the fears of white citizens allayed. But meanwhile the department is powerless to make satisfactory provision for the necessities of these Indians. The agent has been instructed to procure if possible a suitable ranche which may be leased temporarily with privilege of purchase, but the embarrassments under which the department has labored for the past two years in its efforts to save these Indians from their present condition still continues. There are no adequate funds for their relief either in purchasing small tracts of country or leasing ranches or for rations.

In 1870, on the representation of the agent, Lieutenant A. P. Greene, United States Army, indorsed by the Superintendent, S. C. Whitney, six townships were set apart for the permanent homes of these Indians, and the lands by Executive order were withdrawn from public sale. At that time a few settlers had made improvements of comparatively small value within these six townships. This tract of country, known as the Pala and San Pasqual reservations, was adapted to the Indians' wants and contained lands sufficient to furnish homes for all the Indians in California, who were liable to be dispossessed of the homes they were occupying. But the setting apart of these reservations received the most strenuous, united and persistent opposition of the citizens and press of California. The proceeding was represented as an enormous swindle upon the government and a hardship and outrage upon the Indians, and numerous petitions and remonstrances, signed by leading citizens, were forwarded to the President. And the Indians themselves, for whose benefit alone the reservations had been created, were induced to ask not to be sent thither, but to be let alone upon the lands they were then occupying, and which they were left to believe would remain permanently their homes.

In accordance with the demand of public opinion in California, Commissioner Parker suggested to the department the propriety of restoring the Pala and San Pasqual reserves to the public domain, which was accordingly done, by executive order February 17, 1871, and this last opportunity of furnishing these Indians with homes, by substituting public lands in California for those in the title of which government had failed to protect them, was lost. A resistance to the public demand, in strict conformity with justice to the Indians, would have enabled the government, then at slight cost, to have made ample provision for the Mission Indians. Thus matters remained until, in 1873, the department, anticipating for the Mission Indians what has lately happened to the Temecula band, called the attention of Congress most earnestly to the subject. The necessary appropriation asked for this purpose not being granted, attention was again called during the last session of Congress to the same subject, and an appropriation of $160,000 asked for the Indian service of California, by which great relief was brought to these Indians; but that estimate was reduced in the bill the usual amount granted for the other Indians of that State, leaving a small amount which could in any case be used for the Mission Indians.

In my judgment the best method of meeting the necessities of these Indians will be to secure to them, by withdrawal from sale, all the public lands upon which they are now living. Under directions from the office the agent has employed a surveyor to indicate such boundaries as will enable the President to issue an executive order making the proper withdrawal. This course, however, will provide for but very few of the Indians, from the fact that nearly all of the arable lands in that section of the country has been sought for, and are covered by Mexican land grants or entries in the United States land office. For the remainder it will be necessary to purchase small tracts of land at different points upon which the Indians may locate permanent homes, and where they will be in the vicinity of the planters and ranchmen, who will give them profitable employment as laborers. For the purchase of these tracts and of the improvements which may be found within other tracts desirable for small reservations, an appropriation of not less than $150,000 will be required, and I respectfully suggest that the attention of Congress be again called to the importance of this subject.

HOMESTEADS FOR INDIANS.

In my last annual report I laid special emphasis on the importance of securing for Indians the privilege of a homestead act, by which those disposed to abandon tribal connections and Indian life might be able to secure homes for themselves on the public lands. By legislation of Congress a privilege looking to this end was procured, but in order to secure the highest benefit such modifications of the Indian Homestead act are required as shall guard against the attempt by speculators who will seek to induce Indians, not yet prepared for a homestead, to avail themselves of its privileges, with a view to secure an easy partition of the tribal funds which in many instances are of such amounts as to make the Indians a prey to the avarice of his white friend and attorney. I had the honor to make the following recommendations in my last annual report respecting the necessity of such additional legislation as will secure a suitable government for Indians.

First—By providing that the criminal laws of the United States shall be in force upon reservations and shall apply to all offences, including those of Indians against Indians, and by extending the jurisdiction of the United States Courts to enforce the same.

Second—By declaring Indians amenable to the police laws of the State or Territory for any act committed outside a reservation.

Third—By conferring upon the President authority, at his discretion, to extend the jurisdiction of the State courts, or any portion of them, to any reservation whenever in his judgment any tribe is prepared for such control.

Fourth—By providing sufficient force of deputy marshals to enforce law and order both among and in behalf of Indians.

Fifth—By giving authority to the Secretary of the Interior to prescribe for all tribes prepared, in his judgment, to adopt the same, an elective government, through which shall be administered all necessary police regulations of the reservation.

Sixth—By providing a distinct Territorial government or United States Court wherever Indians are in sufficient numbers to justify it.

These recommendations failed to receive favorable action, and, as a consequence, the department has had another year of experience in the effort to govern over 10,000 people without any law punishing crime committed among themselves. Several instances have occurred in which the State courts have been asked to take an Indian prisoner arrested and delivered to them and to try him for murder or other high crime. The evidence of guilt was abundant, but the Indian has always escaped punishment for want of jurisdiction of the Court; and practically the crime of murder, where only Indians are concerned, committed off a reservation and within a State or Territory, cannot be punished, either from want of jurisdiction or from indifference on the part of the local authorities. This state of immunity for crime of Indians is unfortunate for them and embarrassing to the service, and becomes increasingly so as a tribe approaches civilization, from the fact that every step in that direction loosens and disintegrates the old tribal government of authority by chiefs and furnishes only anarchy in return. Such legislation is absolutely required for the promotion of further progress among the Indians as shall modify radically their relation to the government in the following particulars:—First, to make an Indian as amenable to law as any other subject of the United States; second, to encourage and, if necessary, to compel him to abandon tribal relations and act for himself as an intelligent individual. So long as the government allows an Indian to live without law, and continue inducements for him to remain one of a herd, with only community interests, instead of coming under personal responsibility for good behavior, and into individual rights of property, he will be found disabled and oppressed with needless difficulties. By appropriate legislation recognize each man no longer as a member of a savage tribe, but as capable of individual manhood, and on that theory provide for his necessities and capabilities, and a very important step has been taken in the advancement of the work which now lingers waiting for this aid.

RELATIONS OF THE INDIANS TO THE STATES.

The theory of Indian sovereignty had practically placed the Indians at a disadvantage in their relations to the several States where they are found, being held by the State authorities to be neither citizens nor paupers nor criminals nor wards in any sense, they come easily to be regarded on all hands as outcasts and intruders, and a normal prey for anybody strong or cunning enough to defraud them. The most potent and sure remedy for this evil will be found in committing the Indians at the earliest day possible to the care of the State. It is not probable that the State authorities will be found ready to accept this care with its responsibilities except in cases where the Indians have attained to such a degree of civilization as to become self-supporting and in other respects ready to mingle with the citizens of the State, and be subject to the same municipal control, or in cases where sufficient funds are provided for by the annuities of the tribes or by the surplus lands within their reservations, or occasional appropriations of Congress to meet all probable expenses incident to their care and preparation for citizenship. These conditions already exist among the Indians of New York and Michigan and North Carolina and a portion of those in Wisconsin, Iowa and Minnesota. There can be no question that the interests of all parties concerned would be benefited by a transfer of the care of the Indians upon the Seneca reservations in New York to the authorities of that State either directly or by declaring said State the guardian or agent of the United States in their behalf.

The funds belonging to these Indians, $4,000 per year, would then be disbursed under the care of the officers of the county in which the Indians reside, and could only be applied for school purposes, support of orphans or for meeting such other common want of the Indians, instead of being expended, as it is at present, in the purchase of annuity goods amounting to a few yards of calico and cotton cloth to each person.

With the responsibility of these Indians thus assumed by the State, it is not at all probable that there would long exist in the heart of New York seven Indian reservations, existing as separate kingdoms, one of them forty miles long and one mile wide, within which the laws of the State relating to highways, schools, taxes and the collection of debts have no jurisdiction.

The interest which the authorities of New York have shown in the protection and education of the Indians within its borders leaves no doubt as to the benefit which would arise to the Indians from coming under the immediate care and entire control of the State, among the first of which would be immediate steps to bring the Indians into citizenship qualified or entire. What is true of New York is also true of Michigan, although not to so marked a degree. Four-fifths of the Indians within her borders are prepared for qualified citizenship, living in their own houses and farms, and the others are in such a condition of advancement as to be quite unlikely to receive any further government aid than is provided in their treaty stipulations. It is, therefore, largely for the interests of Michigan, as well as for her Indians, that she should take charge of this people and small treaty funds still due them, so expended through her local officers that the most benefit shall be derived therefrom, in the direction of the civilization and preparation for citizenship of a people who are a part of her body politic.

The same is true of the Chippewas, Oneidas and Stockbridges in Wisconsin. They belong within this State, and there is no prospect or proposal for removing them. The property of these Indians is in annuities and lands, and the timber standing on their reservations is ample to create a fund which will secure the State against any burden of taxation in their future care and control, and it would seem fit that the State having them in charge and the ultimate disability of their presence, whatever it may be, is entitled now to take charge of their property and so to manage it as to provide for the largest liberty to the Indians within her borders. What is true of Indians in Wisconsin and their property may be said without qualification of the Chippewas in Minnesota.

I recommend that legislation be sought from Congress looking toward the divorcement of the United States and Indians as "citizens of a domestic sovereignty within our borders" and the transfer of the Indians and their property to the States where they reside as rapidly as both the States and the Indians are prepared therefor; but the provisions of such legislation should be specific as to the States and not in general terms.

TRANSFER OF THE BUREAU TO THE WAR DEPARTMENT.

A question has been raised in many forms during the year as to the expediency of transferring the Indian Bureau from the Interior to the War Department. In 1868 this subject was quite thoroughly discussed and is treated of at length in the annual report of the Commissioner of Indian Affairs for that year. During that year also a Peace Commission was appointed by the President, under act of Congress, "To remove, if possible, the causes of war; to secure, as far as practicable, our frontier settlements and the safe building of our railroads looking toward the Pacific, and to suggest or inaugurate some plan for the civilization of the Indians." This commission, composed of eight persons, three of whom were civilians of large acquaintance with Indian matters and five were military officers of high rank and most familiar with the subject of which they treated, after visiting the most warlike and unmanageable of all the tribes and making treaties with them, declared their opinion on the subject as follows:—

"This brings us to consider the much mooted question whether the Indian Bureau should belong to the civil or military department of the government. To determine this properly we must first know what is to be the future treatment of the Indians. If we intend to have war with them the bureau should go to the Secretary of War. If we intend to have peace it should be in the civil department. In our judgment such wars are wholly unnecessary, and, hoping that the government and the country will agree with us, we cannot now advise the change. It is possible that, in despite our efforts to maintain peace, war may be forced on us by some tribe or tribes of Indians. In the event of such an occurence it may be well to provide for the revision of the intercourse laws, or elsewhere, at that time, the civil jurisdiction shall cease and the military jurisdiction begin. If thought advisable, also, Congress may authorize the President to turn over to the military the exclusive control of such tribes as may be continually hostile or unmanageable. Under the plans which we have suggested the chief duties of the bureau will be to educate and instruct in the peaceful arts; in other words, to civilize the Indians. The military arm of the government is not the most admirably adapted to discharge duties of this character. We have the highest possible appreciation of the officers of the army and fully recognize their proverbial integrity and honor, but we are satisfied that not one in a thousand would like to teach Indian children to read and write or Indian men to sow and reap. These are emphatically civil and not military occupations.

"But it is insisted that the present Indian service is corrupt, and this change should be made to get rid of the dishonest. That there are many bad men connected with the service cannot be denied. 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 for devotion to party interests 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 fixing a day (not later than the 1st of February, 1869) when the offices of all superintendents, agents and special agents shall be vacated. Such persons as have proved themselves competent and faithful may be reappointed. Those who have proved unfit will find themselves removed without an opportunity to divert attention from their own unworthiness by professions of party zeal."

This wise expedient recommended for ridding the service of unworthy agents already in office was not adopted by Congress, but has been virtually put into effect by the order of the President requiring the nomination of all Indian agents to come from the several religious bodies of the country. This opinion respecting the transfer to the War Department was rendered before any well defined plan for civilization had been adopted, and at a time when the Indian service, under civilian management, was in its most unsatisfactory condition, and when open hostilities of a very precarious condition of peace existed among more than half the Indians of the country. That the conclusions thus reached by military officers of the rank and experience of Generals Sherman, Harney, Terry and Augur were safe and wise, the experience of the last seven years has fully demonstrated, and if the civil arm of the government was best adapted to the work required then, it is difficult to see how it can be otherwise now, when, with the exception of a portion of the Sioux Indians in Montana and Dakota, and three or four thousand vagrant Utes and Apaches in New Mexico, the whole Indian population is quiet and except under the most blundering and grossly unjust treatment will cause no apprehensions of war or serious difficulty hereafter. At five-sixths of the Indian agencies no soldier is ever seen or needed. At one-half of the remainder soldiers are only required to act as a posse to assist the agent in making arrests of turbulent men, and even this posse could be much more cheaply and efficiently provided by dispensing with soldiers and increasing the force of United States marshals wherever needed for the control and discipline of Indians. So far, then, as eleventh-twelfths of the Indian agencies are concerned, the question of putting them under the control of the War Department has no more pertinency than that of putting the almshouse and city schools under the Metropohtan police. A standing army and an ordinary Indian's agency have no common end in view. On the contrary, whenever it is at all possible to control the Indians without force, the purposes sought to be accomplished, under a policy of civilization, are always materially hindered by the presence and example of soldiers. The first lesson to be given the Indian is that of self-support, by labor with his own hands; the last lesson which a man in uniform teaches. But more, and above all, the inevitable demoralization of intemperance and lewdness which comes to a reservation from a camp of soldiers makes it of the highest consequence that the connection of the army with the Indians be kept at the minimum consistent with their necessary control and the safety of the frontier.

DIFFICULTIES ENCOUNTERED.

The difficulty which this bureau has experienced heretofore in dealing with Indians of this class in connection with the military service has arisen quite largely from the unreadiness of army officers to furnish a force to act merely as a posse to a civil agent, and the want of acquaintance on the part of the agents with the requirements of military routine and regulations. This source of friction, however, among officials at the front is not serious, and can be largely overcome by the cultivation of a spirit of forbearance and the common purpose of their superior officers, both military and civil, to bring the whole service of the country to its highest condition.

There is, however, a sphere of service now undertaken by this bureau, which might to its great relief be transferred to the War Department. The supplies of clothing and subsistence required to be purchased for the Indian service, amounts to about $2,000,000, much the larger portion of this sum is expended in purchasing for the Sioux and several other tribes a few articles in large amounts. The Indian Bureau has never had an adequate appointment for making such large purchases and for transportation of the articles to the distant parts of the country. The Quartermaster and Commissary departments of the agency have such appointments in complete organization through which the War Department would be able to purchase, inspect and transport the goods and supplies required to subsist Indians, and fulfil the treaty obligations with much more regularity and system than is possible for this bureau, as at present organized. And while a comparison of purchases made by the army with those made by the Indian Bureau of the same article at the same place does not indicate that the transfer will, on the whole, lead to economy of funds, but rather otherwise, it will yet tend to allay suspicion, and will furnish checks and tests for ready application whenever charges of fraud in the service are made, either on good grounds or for partisan or selfish purposes, or by persons of repute and acting in good faith, who are themselves victims of such purposes on the part of others. If it shall be deemed advisable to transfer this portion of the service to the War Department rather than to furnish the additional clerical appointments necessary for its proper administration in the Indian Bureau, I would respectfully recommend for the consideration of the honorable Secretary the procurement of such legislation as will allow the President, in his discretion, to direct that any portion of this service of buying and transporting Indian goods and supplies be performed by the War Department. But if the transfer suggested is made without lodging this discretionary power in the President, it should be limited in its operations to the purchasing and forwarding of supplies of which the value of any one class of article at any one agency shall exceed the sum of $1,000. This limitation is quite in order to allow the disbursement through the agents of such limited amount of funds as may be required in purchase of articles for immediate use, in cases where delay would be damaging to all interests concerned.

CO-OPERATION WITH RELIGIOUS BODIES.

It is with great gratification that I record the hearty goodwill with which the several religious bodies of the country have in general aided the work of civilization during the year, and the close relations of confidence and co-operation which have existed between them, and the agents nominated by them, and this office. The advantages derived from the nomination of agents by religious bodies are manifest on every hand. It secures a better class of officers than could be had by political nomination; it brings to the aid of the government the sympathies and co-operation of a large number of the best citizens of the country; it enlists a kind of aid for which the government has no substitute, and without which all effort for civilization will drag heavily until it is abandoned. No movements for changing the character and habits and prevailing condition of a people or a class can attain anything worthy the name of success without calling for the help which a volunteer benevolent or religious organization outside of the government alone can give. The sanitary and Christian commissions of the war, prison associations, children's aid societies and the multitude of benevolent organizations which the government and the States call to their aid whenever any work of humanity or recovery of man is to be undertaken bear abundant testimony to the prevailing opinion on this subject, which has grown out of experience.

Indian civilization presents a complication of questions and difficulties which require to be studied, and which form a point of view entirely different from that which any routine official administration of the Indian Bureau can give. The agents who have the work in immediate charge must be more than government agents. They must be filled and animated with a personal interest in their work and inspired by the constant fear which comes from the consciousness of being an associate and representative of those who are cheerfully contributing time and thought and making personal sacrifices for the work they have in hand. No desire for church propagation on the part of any religious denomination, with one exception, has in any way interfered with the purposes of the government, and such interference on the part of the Roman Catholics has arisen evidently, not from intent to produce such effect, but from the incompatibility existing between a strict adherence to their religious system and any provision for public schools other than those taught by themselves. At the seven agencies assigned to the care of the Catholics no restriction has been placed upon their system and methods of education and no other religious body, so far as I am aware, has in any way attempted to interfere. I regret to say that this is not true, so far as the Catholics are concerned, of some of the agencies assigned to other religious bodies and, in some instances, the interference has been a material hindrance to the efforts of this office, through its agents, to bring the Indians under control and to enforce rules looking toward civilization.

INDIAN CIVILIZATION.

The question of Indian civilization is deeper and broader than is to be found in the inquiry and answer as to whether an Indian can be civilized. The question in that form has been long since answered and the only form remaining which is of practical interest to the American people relates to the methods which are essential to any extended and successful effort for civilization, and I believe that the present unsatisfactory condition in which Indians of this country are still found, notwithstanding the large and increasing outlays of money which the government has been making for a half century, is due to the fact that by far the largest portion of the expenditures have been made with no practical reference to the question of civilization. An annuity in money or blankets or bacon and beef may have a tendency to draw the Indians within the reach of the government and prepare them for the beginning of a work of civilization, and also to render them disinclined to take up arms and go upon the warpath, but with any tribe a few years of this treatment is sufficient for the purpose, and after this end has been gained a continuation of the feeding and clothing, without a reference to further improvement on the part of the Indians, is simply a waste of expenditure. This has been the case with a large portion of the money spent upon Indians during the last fifty years. It is true that the letter of treaties may have been complied with by such expenditures, and thus the credit of the nation saved in form, but the spirit of the treaties, which uniformly looked toward the civilization of the Indians, has been disregarded, in that no reasonable methods have been devised and adopted for promoting civilization. This is manifest from the fact that the question has not been raised as to whether an Indian should be subjected to a system of enforced industry, and no plan has been devised looking toward his elevation by bringing to bear upon him the ordinary motives of industry which are found in the responsibilities that attach to self support and individual manhood.

THE CALL TO LABOR MUST COME TO HIM,

not through memorials or treaties, councils or presents, but through his necessities. He must be driven to toil by cold and the pangs of hunger. Then, when he has taken this first step toward self support, his wants, which at the beginning were registered only in his stomach, take on multiplied forms and urge to increased industry. Naturally, when a man begins to toil for that which he receives he begins to learn the value of personal property rights, and thus takes the first step in separating from his tribe and toward individual manhood. Congress, at its last session, recognizing the propriety that Indians, like other people, should toil for what they have, directed that all annuities should hereafter be paid only in return for some form of labor, giving, however, to the Secretary of the Interior, discretion which allows of exemption of certain tribes from the operation of this restriction. This eminently wise legislation has been of great avail to the bureau during the year in enforcing industry, while in some cases it has excited hostility and produced slight disturbance. It has, on the whole, worked with eminent satisfaction. The question has been raised by the Indians, and sometimes by their friends, as to the right of the government to compel them to labor as a condition antecedent to receiving that which the government has promised to give them, and without any such restriction being named in the promise. But when it is recollected that the Indian actually receives that which the government has promised him and enjoys besides the benefit of all the labor he performs, not only in its moral effect of promoting habits of industry, but also in the improvements made and crops raised, there can be no hesitation as to the positive benefit conferred upon the Indian by holding him to this restriction in the enjoyment of his funds; and when it is remembered that the government has upon its hands the care and support of these Indians, not only for the brief period covered by their treaties, but until they shall be able to care for themselves, it will be seen that the interests of the government, as well as those of the Indian, require that whatever expenditure is made in his behalf shall be so made as will tend most rapidly and certainly to his civilization. For this reason I would most respectfully recommend that the restrictions placed upon appropriations for annuities for Indians by the last Congress be hereafter continued, and that the discretion of the department as to releasing any tribe from its operations be reduced to the minimum which the proper handling of wild Indians who cannot be at once reduced to labor will allow, and also that authority be given to expend a necessary portion of annuities in preparing the ground for Indian labor and the purchasing of seeds and implements and stock cattle. There have been several instances where an agent has been unable to put his Indians to labor because they had no land plowed and nothing but their hands to work with, and yet these Indians would not consent that any of their cash annuity should be expended in these means of labor. All attempts to require labor as a condition of receiving annuities will meet with much opposition. The Indians will resist it from their constitutional disrelish for toil. They will also be incited to such resistance by half breeds and squaw men, traders and other interested parties, who always turn up as champions for the rights of an Indian whenever any measure is proposed which threatens to disturb their peculiar relation, as his next friend and entitled to hold his money and divide his annuity goods. As the means of enforcing civilization become more available and the necessity arises to compel Indians through the moral suasion of hunger to do that which they dislike, it will be found necessary in many instances to rid agencies of the interference of this low class of whites by expelling them from the reservation. There is no reason why the government should continue to clothe and feed an army of men who are able to shift for themselves, and especially does such obligation cease toward men who persist in making the terms of a treaty their pretext for thwarting the purposes of the government and retarding the civilization of its wards. A law providing for their summary ejection and punishment for their subsequent return, would relieve many a reservation from great embarrassments.

ECONOMY OF CIVILIZATION.

But the adoption of this method does not by any means secure civilization. It merely prepares the way for a rational effort in that direction. Three essential conditions still require to be met.

First—That the Indian shall be placed or allowed to remain in a country affording water, timber, grass and a soil upon which a white man could make a living. In the warm and dry climates ordinary facilities for irrigation are sufficient.

Second—The necessary fund must be provided to carry the untaught barbarian through the period of his childhood in civilization. This childish ignorance requires