

REPORT

OF THE

COMMISSIONER OF INDIAN AFFAIRS.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
November 23, 1868.

SIR: I have the honor to submit herewith the usual annual report of this office, briefly reviewing the condition of our Indian affairs and relations during the interval between the date of the last report and the present time, and presenting such suggestions and recommendations as are deemed essential for the proper management of the service.

For information in detail in regard to the various tribes, I respectfully refer to the reports of the superintendents and agents of the government having direct charge and supervision of them, which will be found among the documents accompanying this report, believing that they will furnish a history of no ordinary interest, and present a sufficient view of the practical working of the system adopted for civilization of this people, as will tend to encourage all who have any concern in their present and future condition to hope for increasing good results.

The Indian population within the bounds of the United States is about 300,000, exclusive of those in Alaska Territory. It is sad to think that they are decreasing from year to year, fading so rapidly away from the nations of the earth. The causes thereof, as well as of much of the misery and degradation prevailing, may be mainly attributed to intestine wars, the entailment of loathsome diseases by vicious whites, and to the effects of indulgence in the use of spiritous liquors; and these evils, it is feared, will continue to exist to an alarming extent, despite the efforts to remove or even mitigate them.

It may be said that a large portion of our wilder Indian tribes show a strong disposition to emerge from their savage state and throw aside their barbarous customs. They see the urgent necessity of the change in the advancing tide of the white race and in the disappearing of the buffalo and other game, hence they understand their only hope for the future is in the abandonment of their present mode of life for that better one of industrial pursuits. With the semi-civilized, slow progress is made in their improvement. The causes are so well known, having been fully set forth in previous annual reports, that it is unnecessary here to reiterate them, and until the obstacles in the way are surmounted or removed it is not reasonable to look for any great change.

A civilization of any account with them must be a work of time, patiently and hopefully prosecuted; of liberality on the part of the government, and a faithful and prompt fulfilment of all its obligations and promises.

This work also should enlist the sympathy of all lovers of humanity

and incite to its practical demonstrations the divine spirit of charity to a much greater extent than is now shown.

I do not undertake to assign any reasons for it, but it is quite apparent that the same interest is not manifested in the welfare of the red man, by bringing him under moral and religious influences, on the part of benevolent and Christian organizations of the country, as in former years. Many of the tribes have no schools and are without any religious instruction whatever; with them the door is wide open, and fields for Christian labor and benevolent effort are presented everywhere, appealing for help. The subject is worthy of the highest consideration of the philanthropist, and the government should invite the co-operation, in its great duty of protecting, educating and elevating the race to a higher style of being, of all Christian societies or individuals who may be disposed to take part in the work, and should liberally assist in the maintenance of schools and mission establishments.

It is gratifying and encouraging to observe that in negotiating treaties with the Idaho tribes, of late years, the importance of making provision for their educational interests has been prominently kept in view, and no doubt highly beneficial results will follow all judicious arrangements and efforts that may be made for that purpose. With most of the tribes there has been peace during the past year, and friendship has marked their conduct towards the government and its citizens, while at the same time they have been endeavoring with their limited means and qualifications to support themselves and in various respects better their estate. Especially has this been the case with those settled on reservations, engaged in cultivating the soil. With others, however, there have been serious difficulties, which have so extended that it may be said we have now an Indian war on hand. The parties in hostility are the Cheyennes and Arapahoes of the upper Arkansas river. With members of these tribes there has been clearly a violation of their solemn treaty promises to keep the peace and refrain from doing injury to citizens and their property; promises made scarcely a year ago to the commissioners sent to treat with them for a settlement of all former difficulties and for their future good behavior.

It is not difficult to account for the renewal of their bad conduct on grounds lying behind the immediate occasion of its outbreak.

It is believed that the existing war with the Arapahoes and Cheyennes was occasioned by the withholding the delivery to them of the guns and ammunition which the peace commission had said they should have.

Some of their young men went out from their camps and perpetrated gross outrages and murders during the past summer, by which acts nearly all of their tribes have become involved in hostility towards the government. It is true the arms and ammunition were withheld for a time, but there was sufficient reason for it—the Cheyennes had not kept the peace. In June last they made an attack upon the Kaw Indians, with whom, as well as with the Osages and Pawnees, they have been at enmity, and in passing through the settlements of the whites to do so committed a number of depredations; because of this and their threat to attack the Kaws again, it was deemed prudent by the department not to put arms into their hands, as in all probability, in the event of carrying their threat into execution, they would come in conflict with the whites, and thus a war be brought on.

After a while, however, in view of the promises of the peace commissioners, and excitement among the Indians, the arms and ammunition were delivered, first to the Arapahoes, by Superintendent Murphy and Agent Wynkoop, on the 1st of August, and to the Cheyennes on the

9th August (they pledging that the arms should not be used against the whites, but only for the purpose of securing a support for themselves by hunting) by the latter officer, who reported in regard to the matter, that he never knew the Indians to be better satisfied and so contented; that they left for their hunting grounds, and he was sure there would be no trouble with them. But he judged too favorably of appearances, for some members of the tribes were either then, or had been but a few days previous, committing gross outrages and murders of citizens upon the Saline and Solomon rivers. But the substantial cause of this war is to be found in the fact that the department, for want of appropriations, was compelled to stop their supplies, and to permit them to recur to the chase for subsistence. The pursuit of the buffalo to their favorite haunts on the Saline and Solomon rivers brought them into the vicinity of the Kansas settlements, and of their enemies, the Kaws and Osages, and presented to them temptations to gratify the spirit of revenge which seems to have possessed them the moment Agent Wynkoop, in obedience to orders, refused to deliver the arms and ammunition which the peace commissioners had promised them.

Equally as troublesome are the Kiowas and Comanches, a part of whom have been guilty of raiding the past year into Texas, the Chickasaw nation and at the Wichita agency; and have broken faith with the government; and it is not improbable all of these tribes may be drawn into hostilities and join those of the Arapahoes and Cheyennes, who are being driven south into their country. They have a number of captives taken in their raids whom they promise to give up. Their doing so, and promising not to raid upon Texas citizens nor upon their Indian neighbors, will be made conditions upon which their annuity goods will be distributed to them.

The friendly portions of these four tribes, who deprecate war and had no part in the recent raids and hostilities, it is feared will suffer with the guilty in the enforcement of the measures adopted by the military to punish the offenders. To prevent this it was deemed proper that steps should be taken to gather them at some suitable point on their respective reservations, under the care of their agents, and provision made for their support. With this object in view Agents Boone and Wynkoop have been directed to repair to Fort Cobb and gather around them there such of these tribes as are friendly, and those who may come in promising to be peaceable. If the hostile portion of these tribes will not cease their war and outrages, and join the peaceably disposed, they should be punished with severity, and the claims of the guilty upon the government under treaty stipulations, declared by Congress forfeited.

Hostilities, to some extent, yet exist on the part of the wild, warlike Apaches of New Mexico and Arizona Territories, and an unsatisfactory condition of things will continue with these tribes until something is done in the way of establishing them upon reservations or restricting them to particular districts of country, with such aid as policy may require to bring about and maintain a friendly disposition on their part toward citizens and neighboring tribes. At least treaties of peace should be entered into with them, and a clear understanding had of their relations to the government for the better protection of persons and property.

I here call attention to an interesting report made by Captain Charles A. Whittier to General James B. Fry, commanding military division of the Pacific, giving an account of the principal tribes in Arizona, a copy of which was furnished your department by the honorable Secretary of War. It is among the papers herewith.

Information has been received from the governor of Idaho Territory

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that the war carried on for some time past by the Snake and other Indians, upon the border of Idaho, is virtually ended, the military operations against them having been successful in capturing many and compelling the rest to sue for peace, a result highly creditable to the efficiency of that arm of the service in that quarter.

The Sioux tribes of western Dakota, who were for several years just prior to the present year engaged in war against the government, are now, I am pleased to report, comparatively peaceable, and hopes are entertained that no serious trouble will arise with them hereafter.

The efforts of the peace commission, composed of civilians and officers of the army, appointed by the President to investigate the causes of the war and to arrange for peace, have been attended with success to a great degree, and lasting beneficial results will no doubt follow a faithful and prompt fulfilment of their promises to the Indians, and of the treaty stipulations entered into with them. They made a treaty with the confederated northern Arapahoes and Cheyennes on the 10th of May, and the Mountain Crow tribe on the 7th May last, which have been ratified and proclaimed; one with the Brulé and other Sioux on the 29th April ultimo, which has not yet been submitted to the department, and also one with the Ogallalla Sioux on the 25th May, to which a number of Minneconjou chiefs added their signatures. This treaty has been retained at Fort Laramie that it may be signed by the Sans Arcs and Oucpapas bands of Sioux.

The main features of these several treaties are: the binding the Indians, parties thereto, to keep the peace, the providing for the several tribes a suitable reservation, and the means for their education and civilization.

In accordance with the promises made by these commissioners to the Sioux, the military posts designated as C. F. Smith, Phil. Kearney, and Reno, in the Powder River country, the establishment of which was one of the principal causes of their late hostilities, have been withdrawn, and the Indians are now satisfied on that point.

Two of the commissioners, General Sherman and Colonel Tappan, concluded a treaty with the Navajo tribe at Fort Sumner, New Mexico, on the 1st of June last, and it has been proclaimed by the President. It will be remembered that the Navajoes several years ago, being then hostile, were captured in their country, west of the Rio Grande, by the military, and taken to the Bosque Redondo, on the Pecos river, in the eastern part of New Mexico. The reservation proving to be unsuitable, and the Navajoes becoming very much dissatisfied and threatening to leave, and the government being at a heavy expense to support them, it was deemed advisable to procure for them a new location, and hence this treaty was made, which provides a reservation in their old home. They have since left the Bosque Redondo, and are now being established upon the new reservation.

General Augur, as a commissioner, substituted for General Sherman, during the past summer visited Utah Territory, and concluded a treaty at Fort Bridger, in July, with the Bannock and Shoshone tribes, ranging in Idaho and Utah Territories, which provides for their establishment upon a reservation in Wind River valley; the treaty has not yet been received by the department.

The new treaties made by this peace commission in 1867, at Medicine Lodge creek, Kansas, with the confederated Arapahoes and Cheyennes, and the confederated Kiowas, Comanches, and Apaches, and which were before the Senate the past winter, have since been ratified and proclaimed.

Treaties were made in 1867 with tribes in Kansas, for their removal to the Indian country south of that State, and were in due time laid before

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the Senate. That body advised the ratification, with amendments, of those made with the Pottawatomies, confederated Sacs and Foxes of the Mississippi, and the Senecas, Shawnees, Quapaws, Peorias, Weas, Kaskaskias, Piankeshaws, Ottawas, and Wyandotts. That with the Pottawatomies has been ratified; the others yet remain for the action of the President, the acceptance of the amendments by the Indians having been but recently received.

A treaty was concluded on the 2d day of March last by the Commissioner of Indian Affairs and the governor of Colorado Territory at Washington, with the Tabeguache, Muache, Capote, Weminuchee, Yampa, Grand River, and Uintah bands of Utes or Utahs, the principal feature of which is the placing these bands—some being in Colorado and others in New Mexico—upon a large reservation in Colorado, and the establishment of two agencies there; it also provides for them schools, and that they shall be taught in agriculture and the mechanic arts. The Senate has advised the ratification of this treaty with amendments.

Information has been received that some of the bands have accepted the amendments, and that it is highly probable all will accept them.

On the 27th May ultimo a treaty was entered into by myself, Superintendent Murphy, and Agents Boone and Snow, with the Osage tribe, in their country, by which the Osages agree to sell about 8,000,000 acres of land in Kansas for \$1,600,000 to the Leavenworth, Lawrence, and Galveston Railroad Company, and they agree to remove and settle in the Indian country south of Kansas.

The same commissioners also negotiated a treaty on the 1st of June following with the Swan Creek and Black River Chippewas, and the Munsee or Christian Indians. Both of these treaties are before the Senate of the United States.

A treaty was made by the Commissioner of Indian Affairs on the 9th of July last, at Washington, with the Cherokees, as supplementary to, and explanatory of, the treaty concluded with that people on the 19th July, 1866; it has not yet been acted upon by the Senate.

During the past spring, by authority of the President, Special Agent J. W. Cullen was instructed to visit the different tribes in Montana Territory to effect such treaty arrangements as might be best for the interests of the Indians and the citizens of that Territory.

Mr. Cullen has recently reached this city, and submitted to this office treaties made by him with the Blood, Piegan, and Blackfeet Indians, Gros Ventres, Missouri River Crows, and the Baunocks and Shoshones. These treaties provide for the extinguishment of the title of the Indians to a large extent of country, and for their location upon districts of country suited to their wants, where agencies are to be established for them, and where they may receive the benefits derivable from the annuities stipulated to be paid them.

It is earnestly hoped that the several treaties with the tribes in Kansas, yet before the Senate, may be acted upon, and their ratification advised at the next session of that body, in order that the contemplated removal of the Indians from Kansas to the Indian country may be speedily effected. In expectation of the change they thought would take place ere this, many of the Indians felt little or no interest in cultivating and improving their lands, and ceased their labors in a great measure. They have also been very much annoyed by the encroachments of the whites, who are but too eager to get, even by unfair means, possession of their lands. I renew the recommendation made in a previous annual report that the treaty negotiated in 1865, by Superintendent Irish, with nearly all the bands of Utah Indians in Utah Territory, contemplating

their removal to the Uinta reservation, be confirmed, or else a new treaty be made. The Indians are poor, and the game upon which they depend for subsistence is by no means abundant. It certainly is very desirable that their title to the lands in the Territory be extinguished, and they be permanently located on the reservation referred to, where they could be helped, and put in the way of being made self-sustaining in the course of time. A treaty should be made with the Ottoes and Missourias in Nebraska, and with the Stockbridges in Wisconsin. Both of these tribes are in a destitute condition, but they have valuable lands, much of which is no benefit or practical use to them. By the proceeds of a sale of these lands they can be comfortably supported and provided with means to engage in industrial pursuits, and to educate their children. I can but express what is so apparent, and what has heretofore been seen and recommended in communications to and from this office, the propriety and necessity of there being some treaty arrangements entered into with tribes in New Mexico, Arizona, Nevada, and Washington Territories, having no treaty relations with the government, especially with those tribes inhabiting or claiming rich agricultural districts or mining regions, in order that their rights may be determined and secured, peace relations established, and proper measures adopted for their civilization, and, at the same time, the rights of settlers protected, and desirable wastes of country opened for occupancy and improvement by citizens. The tribes in these Territories, as well as others, have long roamed free and uncontrolled over the countries they occupy, which they claim as their own, and it is not surprising they regard with jealousy and bitterness of spirit the encroachments of the whites, who, in many instances, not only ignore their rights but treat them with contempt, and despoil them of life and property. The passing through their country of a continuous stream of emigration, dispersing or destroying the buffalo, is one of the causes of great discontent and suffering with them. Treated thus, and no adequate compensation being made to them for what they have yielded up or lost, their resources of subsistence and trade diminished, with starvation in the future staring them in the face, the wonder is that there prevails any degree of forbearance on their part, with such provocations to discontent and retaliation. The best policy to pursue towards tribes in this condition, and which justice and humanity dictate, is to treat with them, recognize their rights, relieve them from suffering, remunerate them for that of which they have been deprived, and provide for their concentration upon tracts of country guaranteed to them for their possession against any intrusion by whites, and then teach and assist them in whatever will tend to make them ultimately, and at no distant day, a self-sustaining, intelligent people. Under the beneficial measures of such a policy it may be reasonably hoped that with these tribes, now so wild and warlike, there would be manifested gradually evidences of moral and social improvement, and a condition ere long reached as encouraging and as creditable as that presented by some of our best tribes, such as the Choctaws and others. In this connection I desire to call attention to the report of the peace commissioners to the President, dated the 7th of January, among the documents herewith, containing their suggestions and recommendations as to the plans most advisable to be inaugurated for the civilization of the Indians, especially with reference to those not now permanently located upon reservations, in the hope that Congress will favorably consider them, and make appropriate legislation for the carrying into effect that plan.

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THE QUESTION OF THE TRANSFER OF THE INDIAN BUREAU TO THE WAR DEPARTMENT.

It will be seen, by recurring to the proceedings of the peace commission at its late meeting at Chicago, that a resolution was adopted recommending to Congress the transfer of the Indian Bureau to the War Department. In view of probable action upon that recommendation, and impelled by solemn convictions of duty, I feel called upon to offer some facts and arguments, for the consideration of Congress, in opposition to the proposed transfer, and to give some views, suggested by nearly two years' intimate official connection with the Indian service, with regard to the best method for the future conduct of Indian affairs.

In 1849, Congress, upon the creation of the Department of the Interior, incorporated the Bureau of Indian Affairs in that department, giving to its head the supervisory and appellate powers theretofore exercised over Indian affairs by the Secretary of War. It is now proposed to re-transfer the bureau to the War Office.

It is presumed the question for legislative solution will be three-fold: Shall the bureau be transferred to the War Department; or shall it remain under the direction of the Secretary of the Interior; or shall it be erected into an independent department, upon an equal footing in all respects with the other departments, as recommended, unanimously, by the peace commission in their report to the President of 7th January last.

I shall endeavor to present some reasons against the transfer. These I proceed to offer, assuming all the time that the transfer means that in future all our Indian affairs are to be administered by the army, under the direction of the War Office.

My reasons in opposition are—

1. *That the prompt, efficient, and successful management and direction of our Indian affairs is too large, onerous, and important a burden to be added to the existing duties of the Secretary of War.*

There is a limit to human capacity and endurance, and when neither is taxed beyond that limit, it must fail in the performance of its functions, and the result must be disappointment, and most probably disaster, to the service.

The business of the War Department, in all its varied and complex ramifications, is sufficient already, if properly transacted, to employ all the faculties of the most accomplished head, even with all the aids he may summon to his assistance; and there are few men living, if any, who can give the requisite attention to its demands, and at the same time discharge properly and with requisite promptness the delicate, important, and numerous duties the care of Indian affairs would super-add.

None can deny that the safe and successful management of the military affairs of a republic of 40,000,000 of people, demands the constant and exclusive exercise of all the powers of an accomplished and experienced statesman.

A little investigation, and even a superficial knowledge and a little reflection, will convince every candid mind that there is no branch of the public service more intricate and difficult, and involving more varied and larger public and private interests, than our "Indian affairs;" none requiring in their control and direction a larger brain, or a more sensitive and charitable heart.

If these things be true, the conclusion is irresistible that the proposed "transfer" is unreasonable and wrong.

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If the argument applies as well to the Interior as to the War Department, let it be so; its force is not abated by the admission.

2. *The "transfer," in my judgment, will create a necessity for maintaining a large standing army in the field.*

I yield to none in admiration and love of the gallant officers and soldiers of our army. They are the hope of the nation in times of public danger, when the honor, integrity, or the existence of the republic is threatened by foreign or domestic foes. But "there is a time for all things," and I submit that a time of peace is *not* the time for a large standing army. In time of war, the army is our wall of defence. In peace, large armies exhaust the national resources without advantage to the country. The safety of the country in peace is not to be sought in a magnificent array of bayonets; but in the virtue, intelligence, industry, and patriotism of the citizens. With the restoration of all the States to their peaceful relations to the federal government, and the return of their population to industrial avocations and prosperity, if peace is maintained, as at the present, with all foreign powers, our military establishment should soon be reduced to a peace footing, its material returned to industrial and producing employments, and the people, to the extent of many millions of dollars, annually relieved of taxes now expended in the support and pay of the army.

Surely Congress is not prepared to transfer the Indian Bureau to the War Department merely to create a necessity to keep up the army, and with it the taxes.

3. *Our true policy towards the Indian tribes is peace, and the proposed transfer is tantamount, in my judgment, to perpetual war.*

Everybody knows that the presence of troops, with the avowed purpose of regulating affairs by force, arouses feelings of hostility and begets sentiments of resistance and war even in the most civilized and peaceful communities. How much more intense and bitter are the feelings of hostility engendered in the bosoms of barbarians and semi-civilized Indians by the presence of soldiers, who they know are sent to force them into subjection and keep them so. To their ears the sounds of the camp and the boom of the morning and evening gun are the infallible signs of oppression and war; and the very sight of armed and uniformed soldiers in their haunts and hunting grounds provokes and inflames the profoundest feelings of hostility and hate.

If a chronic war, with additional annual expenses of \$50,000,000 to \$150,000,000 annually on account of Indian affairs, is desired, the transfer, it seems to me, is a logical way to the result.

More than half the period in which this bureau was under the control of the War Office was spent in the prosecution of costly and unprofitable as well as unjust wars against the Seminoles and the Sacs and Foxes, and in vexations and expensive troubles with the Creeks and Cherokees. It should not be forgotten, in this connection, that almost all the Indian wars which have depleted the treasury and desolated our frontiers ever since the bureau was given to the Interior Department, had their origin in the precipitate and ill-considered action of the military stationed in the Indian country. As examples, I respectfully refer to the Sioux war of 1852-4, which, as I am informed, originated in this wise: An immigrant Mormon train abandoned a cow. A lieutenant and squad went to the camp of the Indians who had found and eaten her, and demanded the man who had killed her. The Indians refused to surrender the man, but offered to pay for the cow. The lieutenant and his squad fired upon them, killing and wounding a number, when they were surrounded and massacred. The Sioux war ensued, costing us \$20,000,000 to \$40,000,000 and several hundred lives, besides much private and public property.

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In April, 1864, a ranchman named Ripley went to Camp Sanborn, on South Platte, and charged the Indians with stealing his stock. A Lieutenant Dunn proceeded to search for, but could not find it. Falling in with a company of Cheyennes, an attempt was made to disarm the latter. In the mêlée one soldier was killed and some others wounded. Then followed the Cheyenne war, culminating in the massacre at Sand Creek of 120 friendly Indians, mostly women and children, resting in their own hunting grounds under the protection of our flag. This affair is known as the Chivington massacre.

This war cost the treasury probably not less than \$40,000,000, an immense amount of valuable property, and no one can tell how many lives, involving, as it did, not only the Cheyennes and Apaches, but the Arapahoes, Kiowas, and Comanches, and many bands of the Sioux, and was ended by the treaty of 1865, at the mouth of the Little Arkansas.

In 1866 the military took possession of the Powder river country in Dakota, within the acknowledged territory of the Sioux, and planted military posts Phil. Kearney, Reno, and C. F. Smith, without the consent of the Indian proprietors, and in direct violation of treaty stipulations. A fierce and bloody war ensued, costing us many millions of dollars, several hundred lives, including the killed at the Fort Kearney massacre, and much valuable property.

On the 19th of April, 1867, a military command burned the peaceful village of the Cheyennes on Pawnee Fork, western Kansas, who had been at peace with us since the treaty of 1865, on the Arkansas, and were then on lands assigned them by that treaty. The Cheyennes flew to arms, and the war of 1867 followed, in which we lost over 300 soldiers and citizens, several millions of dollars in expenses, and an immense amount of public and private property, and killed, it is believed, six Indians, and no more.

The pretext for our celebrated Navajo war in New Mexico, it is understood, was the shooting of a negro servant boy of a military officer by an Indian, and the refusal to surrender the slayer on the part of the Navajoes, who, nevertheless, proposed to make the amend, after the Indian fashion, by pecuniary satisfaction for the offence.

Four campaigns against the Navajoes resulted, in three of which our army failed of either success or glory. In the fourth the Indians succumbed to the superior strategy of the renowned Kit Carson, and were compelled, by hunger, to surrender.

This war cost the treasury many millions of dollars, and the people the loss of many lives and valuable property.

On the Pacific coast the indiscretions of our military, I am informed, produced similar unfortunate results, and nearly all our troubles with the Indians there, marring our history with cruel massacres, and in some instances with the extermination of whole bands, had their origin in the presence and unwise action of our military. In evidence of this statement I refer to the letter of Mr. Anson Dart, ex-superintendent of Indian affairs for Oregon and Washington Territory, to be found herewith.

Now if, as I think, I have shown military interference has been prolific of war, even since the bureau has been in civil control, what of peace and tranquillity can be expected if it be placed entirely in military hands?

4. Military management of Indian affairs has been tried for seventeen years and has proved a failure, and must, in my judgment, in the very nature of things, always prove a failure.

Soldiers are educated and trained in the science of war and in the arts of arms. Civilians are taught in the sciences and arts of peaceful civilization. In lifting up races from the degradation of savage barbarism

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and leading them into the sunlight of a higher life, in unveiling to their benighted vision the benefits of civilization and the blessings of a peaceful Christianity, I cannot for the life of me perceive the propriety or the efficacy of employing the military instead of the civil departments, unless it is intended to adopt the Mohammedan motto, and proclaim to these people "Death or the Koran."

If the mass of our people desire peaceful relations with our Indian tribes, mean to continue to recognize their natural rights, as our fathers have done, and do not desire their violent extermination, then I submit the peaceful and therefore the civil and not the military agencies of the government are better adapted to secure the desired ends.

Blight follows the sword as surely as desolation sits in the track of the hurricane or the conflagration.

Has not military management essentially failed in civilizing the Indians? When and where did it turn their minds from war and the chase and fix them upon agriculture or pastoral life? When and where did it reduce the cost of Indian affairs? It has only succeeded in illuminating our Indian history with bloody pictures, in surcharging the hearts of our tribes with hatred and revenge, and spending the money of the people by the fifty million dollars, oft repeated.

This war office management, now proposed, may look to the peace that follows extermination as the great desideratum of the service and the panacea for Indian troubles, but such peace is far in the distance if it is to depend upon extermination by arms. If we fought five or six hundred warriors on the little pent-up peninsula of Florida seven years, with the regular army with many thousand volunteer soldiers, and the navy thrown in, at a cost of 1,500 lives on our part, and fifty millions of dollars and more in treasure, leaving at last several hundred Seminoles in the everglades, who still claim to be free, how long will it require and at what expense of treasure and blood to exterminate (not merely subjugate) our 300,000 Indians now occupying and roaming over the plains and mountains of the interior, an area of more than 200,000 square miles? It would seem that the cost price of Indians slain in the Florida war, in the Sioux war, and in the late Cheyenne war, has been on a fair average about a million of dollars each; and if our Indian troubles are to be ended by exterminating the race, it is evident, at the present rate of one Indian killed per month, that the achievement will be completed at the end of exactly 25,000 years; and if each dead Indian is to cost the same hereafter as heretofore, the precise sum total we will have to expend is \$300,000,000,000 to complete the extermination. But besides the cost to the treasury, it is found by actual comparison, approximating closely the truth, that the slaying of every Indian costs us the lives of 25 whites, so that the extermination process must bring about the slaughter of 7,500,000 of our people. Extermination by arms is simply an absurdity, unless we could get the Indians under the protection of the flag in large masses, surround and butcher them as at Sand Creek. But admitting, for the argument, they deserve extermination without mercy, and that we might achieve the grand consummation, it seems to me that the glory of the result would bear no proportion to the fearful sum of the cost.

5. *It is inhuman and unchristian, in my opinion, leaving the question of economy out of view, to destroy a whole race by such demoralization and disease as military government is sure to entail upon our tribes.*

I know no exception to the rule that the presence of military posts in the Indian country is speedily subversive of even the sternest ideas of Indian domestic morals. Female chastity, the abandonment of which in some tribes is punished with death, yields to bribery or fear; marital

rights are generally disregarded, and shameless concubinage, with its disgusting concomitants, spreads its pestiferous stench through camp and lodge. The most loathsome, lingering, and fatal diseases, which reach many generations in their ruinous effects, are spread broadcast, and the seeds of moral and physical death are planted among the miserable creatures.

If you wish to see some of the results of establishing military posts in the Indian country, I call your attention to the 600 or 800 half-breeds till recently loafing around Fort Laramie; to the posts along the Missouri; to Fort Sumner in New Mexico, before the Navajoe exodus, and to all our military posts in the Indian country, with no known exception. If you wish to exterminate the race, pursue them with the ball and blade; if you please, massacre them wholesale, as we sometimes have done; or, to make it cheap, call them to a peaceful feast, and feed them on beef salted with wolf bane; but, for humanity's sake, save them from the lingering syphilitic poisons, so sure to be contracted about military posts.

6. *The conduct of Indian affairs is, in my judgment, incompatible with the nature and objects of the military department.*

The policy of our government has always been to secure and maintain peaceful and friendly relations with all the Indian tribes, and to advance their interests, by offering them inducements to abandon nomadic habits and the chase, and to learn to adopt the habits and methods of civilized life. To carry this benevolent and humane policy into practical effect, we have stipulated to settle them upon ample reserves of good land, adapted to pastoral and agricultural pursuits; to subsist them as long as requisite; to supply them with all necessary stock and implements, and teachers to instruct them in letters, in the arts of civilization, and in our holy religion. But all these things pertain properly, as all will admit, to civil affairs, not military. Military officers will doubtless display wonderful skill in the erection of forts; in the handling of arms and armies, and in the management of campaigns, but who would not prefer a practical civilian in the erection of corn cribs or hay racks; in the manœuvring of ox teams, and the successful management of reapers and mowers? A well-trained lieutenant will doubtless perform admirably in drilling a squad in the manual of arms, but I doubt his capacity, as well as inclination, to teach Indians the profitable and efficient use of the hoe or the mattock, or to successfully instruct naked young Indian ideas how to shoot in a mechanical, literary, or scientific direction. You wish to make your son a farmer, a mechanic, a minister; you do not send him to be educated at West Point, but somewhere else to be taught as a civilian. Will you send professional soldiers, sword in one hand, musket in the other, and tactics on the brain, to teach the wards of the nation agriculture, the mechanic arts, theology, and peace? You would civilize the Indian! Will you send him the sword? You would inspire him with the peaceful principles of Christianity! Is the bayonet their symbol? You would invite him to the sanctuary! Will you herald his approach with the clangor of arms and the thunder of artillery?

The nation thinks of the War Department as the channel through which the chief executive directs the movements of our armies and manages all the military business and interests of the nation, not as the overseer, guardian, teacher, and missionary of the Indian tribes; it regards our officers and soldiers as its sword to repel and punish its enemies in war, to guard and secure its honor and interests, whenever necessary, in peace; but not as its superintendents, agents, agricultural and mechanical teachers of peaceful Indian tribes.

7. *The transfer to the War Office will be offensive to the Indians, and in the same proportion injurious to the whites.*

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Let it be remembered that the demoralization resulting from the presence of military posts is not confined to the Indian, but reacts, with accumulated power, upon the soldier.

The nature and objects of the War Department, as indicated by its very name, WAR, are essentially military, while the nature of our relations with the Indians ought to be, and the objects aimed at in their conduct are, essentially civil.

I have met many tribes within twelve months, and consulted with their chiefs and warriors, publicly and privately, and, without exception, they have declared their unwillingness to have the military among them. It is of paramount importance to the interests of peace and to prevent wars, that respect should be paid to the wishes of these people in this matter. I believe there should be no soldier in the Indian country in time of peace. Who can wonder that these people do not wish to be placed under the control of our military authorities? What have they ever done to conciliate them? Is it to be supposed they can desire to be governed by those who have visited upon their race most of the woes they have experienced? Can they forget who have been employed to drive them from the Atlantic to the plains, and who still pursue them in their mountains and valleys, and persecute them even unto death? Can they ever forget the insignia of those who shot down, by military orders, their old men, women, and children; under the white flag and under our own banner, at Sand creek? Will they forget that our military sometimes burn their homes, as at the Pawnee Fork, and turn their women and children unsheltered into the wilderness?

As a rule, with rare exceptions, if any, Indian tribes never break the peace without powerful provocation or actual wrong perpetrated against them first; if they are properly treated, their rights regarded, and our promises faithfully kept to them, our treaty engagements promptly fulfilled, and their wants of subsistence liberally supplied, there is seldom, if ever, the slightest danger of a breach of the peace on their part.

If for want of appropriations the Indians now at war had not had their supplies of subsistence unfortunately stopped this spring, in my judgment the Cheyennes and their allies would have been at peace with us to-day. Respect then their wishes; keep them well fed, and there will be no need of armies among them. But violate our pledges; postpone, neglect, or refuse the fulfilment of our treaty engagements with them; permit them to get hungry and half-starved, and the presence of armies will not restrain them from war.

8. *In the report, 7th January last, of the peace commission, after full examination of the whole question, the commission unanimously recommended that the Indian affairs should be placed, not in the War Office, but upon the footing of an independent department or bureau.*

Then their facts were correct, their reasoning and conclusion sound, and to go back now upon that report and repudiate their own deliberate and unanimous recommendation, it seems to me, will subject the commission to severe criticism.

I have no reflections to cast upon those gentlemen of the commission who have changed front, for reasons doubtless satisfactory to themselves; but as no such reasons have addressed themselves to my mind, I adhere to the unanimous recommendation of our January report.

I think I can readily understand, however, why my colleagues of the army might desire the transfer. It is but natural they should desire it. It is the history of power to seek more power, and the dispensation of patronage is power. Besides, it is but natural that gentlemen educated to arms, and of the army, should desire to see the aggrandizement of the army.

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9. *The methods of military management are utterly irreconcilable with the relation of guardian and ward.*

The self assumed guardianship of our government over these unlettered children of the wilderness, carries with it all the obligations that grow out of that relation. These can neither be shaken off nor disregarded without national crime as well as disgrace.

Guardianship is a most sacred and responsible trust, and as a nation we must answer to the God of nations for its faithful administration.

The paramount duty growing out of the trust is to teach, to enlighten, to civilize our wards. If teaching means the instruction given to the Aztecs by Cortez and Pizarro; if enlightening signifies the conflagration of Indian villages; if civilization means peace, and peace means massacre *a la* Sand creek, then by all means let us have the transfer. To every unprejudiced mind the mere mention of the military in connection with the relation of guardian and ward discloses the absurdity of the association.

10. *The transfer will in my opinion entail upon the treasury a large increase of annual expenditure.*

It is clearly demonstrable that the war policy in conducting our Indian affairs is infinitely more expensive than the peace policy; and if the transfer is made, as a matter of course the former will prevail. If so, it seems to me, our legislators would do well to investigate the question of comparative cost. It will not surprise me if an examination will show that in the last 40 years the war policy and management of Indian affairs have cost the nation little if any less than \$500,000,000, and also that the civil management or peace policy has cost less than \$60,000,000, including annuities, presents, payments for immense bodies of land, and everything else.

If it be objected that the war management does not necessarily involve war, I answer that Indian management by the military does involve the expense of a large standing army in the Indian country, and will cost the country all war costs except the destruction of property, and that the army can be far better dispensed with than not, under proper civil management, and its cost saved to the treasury. But whether war be a necessary result or not, it always happens that it does result and brings with it all its train of horrors and penalties. If it be alleged that many of our wars have occurred under the civil administration, and are therefore chargeable to it, I answer that while the fact is admitted the conclusion is false, for it has already been abundantly shown that nearly all our Indian wars since the bureau has been in civil hands had their origin in the rashness or imprudence of our military.

If economy is desirable in our present financial situation, the proposed transfer will, in my judgment, be disastrous.

11. *The presence in peaceful times of a large military establishment in a republic always endangers the supremacy of civil authority and the liberties of the people.*

History is so replete with striking illustrations of the truth of this proposition that argument to sustain it would be simply attempting to prove an axiom. I therefore close the argument by merely announcing it.

This brings me to the question, *whether the bureau ought not to be erected into an independent department?*

In whatever management Indian affairs are placed, there should be division of neither duties, powers nor responsibilities, but these should all, by all means, be concentrated in the same hands.

But I have already shown that the War Department should not be intrusted with these affairs, and I am of the opinion that the Interior

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Department should not have charge of them except in the alternative between the two; if for no other reason, from the fact that the head of that department, like the Secretary of War, has already as many duties as he can perform well without superadding the all-important business of Indian affairs.

I reach the conclusion, therefore, that the only wise and proper answer to the question is that Congress ought immediately to create a department exclusively for the management of Indian affairs.

If, however, Congress should think differently and make the transfer, it seems to me in that event the transfer should consist in a change of jurisdiction from the Interior Secretary to the Secretary of War, while all the functions of the bureau should still be performed by civilians.

If the management of Indian affairs by the bureau under the department of war was a failure, and if, as is admitted, it has been not fully satisfactory under the Interior, it is clear that the mere transfer of the bureau from the one to the other will leave the management still a failure.

Why talk of the transfer as if the simple turning over of a bureau from one department to another would magically cure all the defects of this branch of the public service. To me the proposition seems absurd. What is the "transfer?" Only a change, and, in my opinion, from bad enough to worse—that's all. The War Office operated the bureau 17 years and it did not give satisfaction. In 1849 it was transferred to the Interior Department, where it has remained ever since, and still its conduct of affairs is assailed. Each department in turn, with ample time for trial, has failed to manage Indian affairs with popular approbation. If either department is to blame, both are, for both in the public mind have failed. What is the remedy? To know this we must first ascertain the cause. In my judgment, the cause lies on the surface and is simply this: there is too much cargo for the capacity of the vessel, and too much vessel and freight for the power of the machinery. We have crammed into a bureau, which under the supervisory and appellate power is a mere clerkship, all the large, complex, difficult and delicate affairs that ought to employ every function of a first-class department. Now, with the cause of failure before our eyes, what is the remedy? Surely not merely to put the old bureau under another crew and commander! Why, such a transfer can give neither more capacity to the vessel nor more strength to the machinery. There is but one reasonable answer, and that is: If you would have all prosperous and safe in any sea and any weather, adapt your vessel to her cargo, and your machinery to your vessel and tonnage. In other words, launch a new Department of Indian Affairs, freight it with the vast and complicated reciprocal interests of both races, and the experiment must, I believe, prove a grand success.

Can it be that the civil departments of this great government have become so degenerate and weak, or the military so exalted and so potent, that the functions of the one are to be laid at the feet of the other, and the congenial sway of the republican statesman to be replaced by the mailed hand of the military tribune?

I believe there is ingenuity and wisdom enough in the American Congress to devise civil remedies for supposed bureau mismanagement; to strengthen where there is weakness; to purge and purify if there is rottenness; to punish if there is crime; to concentrate power for promptness and efficiency; and to make responsibility answerable in proportion to power, without transferring the functions of civil government to the military organization. If such a transfer of one bureau be necessary for successful administration, why not upon the same principle of others? And if of the bureau, why not of co-ordinate departments? The argu-

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ment is cumulative with the increase of power, and the appetite which now yearns for a bureau may require at last, to satiate its hunger, the transfer of a department. The grasp for power always strengthens and enlarges with every concession of power, and after a while every vestige of civil authority may yield to its demands, and the liberties of the nation and the glories of the republic may wither together under the blighting sceptre of military despotism.

In the management of this great branch of the public service, involving the varied interests and relations of the government and people with so many distinct and dissimilar tribes and nations of men, occupying so many gradations in development, it seems to me there should be but one head to control, govern, and direct. In his hands ought to be placed all the power necessary for the prompt, vigorous, and efficient discharge of the duties imposed upon him by law in the conduct of all Indian affairs. All the agents through whom he operates, and upon whose action depends the success or failure of his administration, should be nominated by him to the President for confirmation by the Senate, and ought to continue in office during good behavior. He and they should be allowed adequate salaries, to place them beyond the temptations of want. The funds applicable to the service ought, under proper restrictions, to be subject to his direction; and always appropriated at least one year in advance of their probable use. I think he ought to be a cabinet minister, with all the influence with the President and Congress of any other head of department; and have under his control an efficient corps of clerks, sufficient in number to transact the business of the department with promptness and despatch, to hold their places during good behavior. Connected with this department, and subject only to the orders of its head, there should be a police force of officers and men sufficient in number to perform such duty as the exigencies of the Indian service might demand; re-enforced, if necessary, from time to time from the regular army or by volunteers, or diminished, as the Secretary might advise; to be stationed not in but on the borders of the several reservations, as deemed necessary by the Secretary of Indian Affairs. With such an organization, having a competent head, well versed in Indian character and the history of our Indian affairs, holding in his own hands all necessary powers for prompt and vigorous action, the nation might confidently expect peace and prosperity on our borders; the rapid and undisturbed settlement and development of our valuable mineral territories; the early and peaceful settlement of all our Indians on their several reservations; their easy transit from nomadic life and the chase to agriculture and pastoral pursuits; their localization in permanent habitations; their reception of ideas of property in things; their instruction in letters and education in the arts and sciences of civilization; and their adoption of the truths of our holy religion; in short, the country would inevitably soon realize a satisfactory solution of the Indian problem. But if our management of Indian affairs, conducted nominally by the bureau under the present mixed jurisdiction of two departments, civil and military, is considered a failure; and if, for 17 years, it was more and worse than a failure under military management, I venture the prediction that it will continue to be a failure under both or either; and that it never can and never will be a success unless conducted upon an independent basis, concentrating all necessary powers in a competent head, and holding him responsible for their faithful and proper exercise.

In urging these suggestions I am fortified fully by the report of the peace commission of January last, presented herewith.

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SHALL OUR INDIANS BE CIVILIZED? AND HOW?

How can our Indian tribes be civilized?—Assuming that the government has a right, and that it is its duty to solve the Indian question definitely and decisively, it becomes necessary that it determine at once the best and speediest method of its solution, and then, armed with right, to act in the interest of both races.

If might makes right, we are the strong and they the weak; and we would do no wrong to proceed by the cheapest and nearest route to the desired end, and could, therefore, justify ourselves in ignoring the natural as well as the conventional rights of the Indians, if they stand in the way, and, as their lawful masters, assign them their status and their tasks, or put them out of their own way and ours by extermination with the sword, starvation, or by any other method.

If, however, they have rights as well as we, then clearly it is our duty as well as sound policy to so solve the question of their future relations to us and each other, as to secure their rights and promote their highest interest, in the simplest, easiest, and most economical way possible.

But to assume they have no rights is to deny the fundamental principles of Christianity, as well as to contradict the whole theory upon which the government has uniformly acted towards them; we are therefore bound to respect their rights, and, if possible, make our interests harmonize with them. This brings us to the consideration of the question:

How can the Indian problem be solved so as best to protect and secure the rights of the Indians, and at the same time promote the highest interests of both races?—This question has long trembled in the hearts of philanthropists, and perplexed the brains of statesmen. It is one that forces itself at this moment upon Congress and the country, for an immediate practical answer.

The time for speculation and delay has passed; action must be had, and that promptly. History and experience have laid the key to its solution in our hands, at the proper moment, and all we need to do is to use it, and we at once reach the desired answer. It so happens that under the silent and seemingly slow operation of efficient causes, certain tribes of our Indians have already emerged from a state of pagan barbarism, and are to-day clothed in the garments of civilization, and sitting under the vine and fig tree of an intelligent scriptural Christianity.

Within the present century their blanketed fathers struggled in deadly conflict with our pioneer ancestors in the lovely valleys of Georgia, Alabama, and Mississippi; among the mountain gorges and along the banks of the beautiful streams of western North Carolina and East Tennessee, and in the everglades of Florida; and made classic the fields of Talladega, Emuckfau, and the Horse-shoe, which gave to history and fame the illustrious name of Andrew Jackson.

Within the memory of living men, their tomahawks reflected the light of the burning cabins of white settlers on the Nolachucky and French Broad, the Hiawasse and the Tennessee rivers and their tributaries; their scalping-knives dripped with the blood of our border settlers, and their defiant battle-yells woke the echoes among the green savannahs and vine-tangled forests of the south.

But behold the contrast which greets the world to-day! The blanket and the bow are discarded; the spear is broken, and the hatchet and war-club lie buried; the skin lodge and primitive tepee have given place to the cottage and the mansion; the buckskin robe, the paint and beads have vanished, and are now replaced with the tasteful fabrics of civilization. Medicine lodges and their orgies, and heathen offerings, are

mingling with the dust of a forgotten idolatry. School-houses abound, and the feet of many thousand little Indian children—children intelligent and thirsting after knowledge—are seen every day entering these vestibules of science; while churches dedicated to the Christian's God, and vocal with His praise from the lips of redeemed thousands, reflect from their domes and spires the earliest rays and latest beams of that sun whose daily light now blesses them as free Christian and enlightened nations so recently heathen savages.

The Cherokees, Choctaws, Chickasaws, Creeks, and Seminoles are the tribes to which I refer. They are to-day civilized and Christian peoples. True, there are portions of each tribe still carrying with them the leaven of their ancestral paganism and superstition, but their average intelligence is very nearly up to the standard of like communities of whites. If any doubt this statement, I respectfully make proof of the delegates of these tribes to be found in this city.

As a body, the men representing all these tribes in Washington will compare favorably with any like number of representative men in our State legislatures and in our national Congress, as respects breadth and vigor of native intellect, thoroughness of cultivation, and propriety and refinement of manners.

I could refer to other tribes and parts of tribes, but those mentioned already will serve the purpose in view.

Thus the fact stands out clear, well-defined, and indisputable, that Indians, not only as individuals but as tribes, are capable of civilization and of christianization.

Now if like causes under similar circumstances always produce like effects—which no sensible person will deny—it is clear that the application of the same causes, that have resulted in civilizing these tribes, to other tribes under similar circumstances, must produce their civilization.

What leading or essential causes, then, operated in civilizing the Cherokees and these other tribes? The Cherokees lived on the borders of the white settlements for a great while, with a boundless wilderness behind them, to which they retired after each successive advance of the whites, until at length they reached the mountainous regions of North Carolina, South Carolina, Georgia, Alabama, and what is now known as East Tennessee. Here they remained for many years, until the enterprise of the whites surrounded their possessions on all sides, and began to press heavily upon their borders. Down to this period the Cherokees had made but small advance in civilization. They were still dependent largely on the chase—still clung to the habits and customs of their savage ancestors—and little change will be found to have taken place in their habits of thought and life until the pressure of immigration on all sides compelled them to so reduce the area of their territory by successive cessions of land, and so destroyed and drove away their game as to compel them to resort to agriculture and pastoral pursuits to save themselves from famine. Agriculture and stock-breeding brought with them the important idea of individual rights or of personal property, and the notion of fixed local habitations, of sale and barter, profit and loss, &c.

Contact with the white settlements all around confirmed and fastened this new class of ideas upon them, and soon resulted in a corresponding change of habits, customs, and manners.

With this change of ideas and habits, when the ancient was struggling more and more feebly with the modern, when darkness was more and more fading away before advancing light, Christianity, under the labors of godly missionaries who had exiled themselves from society and home for the love of God and souls, began to lay its foundations upon

the ruins of a crumbling heathenism. These faithful men went forth "bearing precious seed," struggled and toiled, endured severe privations, afflictions, and trials, and sowed in tears the germs of light, truth, and hope, which have ripened into a glorious harvest of intelligence and Christian civilization. This tribe are not only civilized and self-supporting, but before the fearful disasters of the great rebellion fell upon them, were perhaps the richest people, per capita, in the world.

This historical sketch demonstrates beyond question that the main-springs of Cherokee civilization were, first, the circumscribing of their territorial domain; this resulted in, second, the localization of the members of the tribe, and consequently in, third, the necessity of agriculture and pastoral pursuits instead of the chase as a means of existence; and as a logical sequence, fourth, the introduction of ideas of property in things, of sale and barter, &c.; and hence, fifth, of course, a corresponding change from the ideas, habits, and customs of savages to those of civilized life; and, sixth, the great coadjutor in the whole work in all its progress, the Christian teacher and missionary, moving *pari passu* with every other cause.

Unless history is a fable, and the observation and the experience of living men a delusion or a lie, I have demonstrated that an Indian tribe may become civilized. I think the causes also operating that result are clearly shown, so that they are patent and palpable to every observer. And I might close the argument here with, "It is demonstrated."

But truth must not only be demonstrated, it is necessary also to impress it with fact upon fact; argument must not only be conclusive, but it must be made weighty by cumulative truths.

To make the logic of the argument and the conclusions irresistible, let it be remembered that the history of the civilization of each of the other tribes I have named is in all its leading features the same. The necessities imposed by diminished territory, of individual localization and permanent habitation, of abandonment of the chase, of resorting to the herd, the flock, the field, the plough, the loom, and the anvil, of embracing ideas of property in things, of a change of habits, customs, laws, &c., to suit new ideas and new methods of life, and of imbibing corresponding ideas of morals and religion, operated alike in all these tribes, and led them each through the same pathway into the broad sunlight of our civilization.

Now, if the laws of God are immutable, the application of similar causes to each of the other tribes under our jurisdiction must produce a like effect upon each. If the Cherokees, Choctaws, Chickasaws, Creeks, and Seminoles are civilized and advancing in development, so will be the Cheyennes, Arapahoes, Apaches, Kiowas, Comanches, Sioux, and all our other tribes, if we will only use the means in their cases that have been so wonderfully successful in the first named tribe.

It may be objected that some of our tribes have long been under the action of kindred causes, but have not advanced in numbers, knowledge, or civilization. This I emphatically deny.

If tribes long under the care of the government have failed to improve and advance, the causes of the failure lie on the surface and are easily seen by those who will take the trouble to look.

Our course has generally been to circumscribe, but not to localize them in the proper sense, and thus give them the certainty of fixed and permanent homes, but to hold them as pilgrims resting a year or two on this reservation, and then removing them to a new one on the outer verge of civilization, there to linger awhile in sad suspense till the remorseless rapacity of our race requires them to move farther back into darkness again.

These miserable wanderers after rest in their new reservations, which are always assured to *them and their children forever* by our government in the treaty, meet with a fearful drawback upon their prospects at every remove. Beyond the tide of emigration, and hanging like the froth of the billows upon its very edge, is generally a host of law-defying white men, who introduce among the Indians every form of demoralization and disease with which depraved humanity in its most degrading forms is ever afflicted. These are by far the most numerous examples of civilization, except the military, these creatures ever see; and just when better people begin to appear in the advance of emigration around and among them, away they are required to move again. It is no wonder that the philosophic chief of the Arapahoes, Little Raven, laughed heartily in my face when, having told him something of hell and heaven, I remarked that all good men, white and red, would go to heaven, and all bad ones to hell. Inquiring the cause of his merriment, when he had recovered his breath, he said, "I was much pleased with what you say of heaven and hell and the characters that will go to each after death; it's a good notion—heap good—for if all the whites are like the ones I know, when Indian gets to heaven but few whites will trouble him there—pretty much all go to t'other place." Thus while we have been puzzling our brains to find a solution of the problem of Indian civilization and christianization, the fact of their capability for both and of the manner of achieving both is demonstrated to us so clearly that there is no possibility of being deceived.

What, then, is our duty as the guardian of all the Indians under our jurisdiction? To outlaw, to pursue, to hunt down like wolves, and slay? Must we drive and exterminate them as if void of reason, and without souls? Surely, no.

It is beyond question our most solemn duty to protect and care for, to elevate and civilize them. We have taken their heritage, and it is a grand and magnificent heritage. Now is it too much that we carve for them liberal reservations out of their own lands and guarantee them homes forever? Is it too much that we supply them with agricultural implements, mechanical tools, domestic animals, instructors in the useful arts, teachers, physicians, and Christian missionaries? If we find them fierce, hostile and revengeful; if they are cruel, and if they sometimes turn upon us and burn, pillage, and desolate our frontiers, and perpetrate atrocities that sicken the soul and paralyze us with horror, let us remember that two hundred and fifty years of injustice, oppression and wrong, heaped upon them by our race with cold, calculating and relentless perseverance, have filled them with the passion of revenge, and made them desperate.

It remains for us, if we would not hold their lands with their blighting curse, and the curse of a just God, who holds nations to a strict accountability upon it, to do justice, and more than justice, to the remnant; to hide our past injustice under the mantle of present and future mercy, and to blot out their remembrance of wrongs and oppressions by deeds of God-like love and benevolence.

That they can be elevated and enlightened to the proud stature of civilized manhood is demonstrated. We know the process by which this result is accomplished. Our duty is plain; let us enter upon its discharge without delay; end the war policy; create a new department of Indian affairs; give it a competent head; clothe him with adequate powers for the performance of all his duties, define those duties clearly, and hold him to a strict accountability.

I trust that Congress, at its next session, will make liberal provision for

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the subsistence of destitute Indians. It is to be exceedingly regretted that the requests made of that body in this behalf were not accorded at their last session. The result has been much suffering, the disturbance of peaceful relations with the Indians, war and bloodshed, with the expenditure of large sums of money to suppress hostilities and punish offenders. The proverb is no less true than trite, "Better feed the Indians than fight them." In regard to the tribes who are now at war with the government, it is believed that but for the stoppage of the supplies of subsistence they had been receiving, as promised by the peace commissioners and stipulated to be provided in their treaties, for want of means by the department to continue them, there would have been no trouble. No complaints were heard of depredations. The Indians were apparently satisfied and had no occasion to wander over the country in quest of food, and thereby, under the cravings of hunger, tempted to attack settlers and emigrants in order to supply their need.

The responsibility of the unfavorable condition of our Indian affairs in this regard is not with the department, or any branch of it, for the facts and necessity of action in the matter were faithfully and earnestly represented in communications addressed by this office to Congress through your department; these communications form a part of the appendix to this report.

Some provision should be made speedily for the relief of the Osages and Kaws; both of these tribes are in a deplorable condition, some of their people being reported as having actually starved to death. Prevented by their enemies from following the chase, possessing very limited means for support under treaty stipulations, and being but little inclined or fitted to cultivate the soil, their wants have become very pressing, and unless relieved they will be compelled to steal.

From the time of the war with the Arapahoes, Cheyennes, and Sioux, in 1863, to the present, many claims have been presented to the department, by citizens, for depredations upon their property by these tribes, amounting in the aggregate to about \$400,000. Under the 17th section of the act of June 30, 1834, regulating trade and intercourse with Indian tribes, the annuities of the tribe to which the depredators may be proved to belong are made liable for the payment of claims of this character. Should the claims, or any large portion of them, against these particular tribes, be satisfactorily proved, allowed and directed to be paid, the Indians would be for several years deprived of the benefits of their annuities, and the consequences would likely be great discontent, followed by further and greater depredations. It is very desirable that these claims should be settled, and I recommend that Congress be requested to authorize a commission of three persons, with a secretary, to visit the country of these tribes, to investigate and report all such claims, as well also like claims against the Osages and other tribes of Kansas and Nebraska, and those against tribes in New Mexico Territory.

There are residing in the State of Coahuila, republic of Mexico, near the Rio Grande, a large number of Kickapoos and some Texas Indians, who, it is complained, raid into Texas, and upon being pursued return to Mexico, thus escaping arrest and punishment. These Kickapoos are principally those who separated from the tribe in Kansas years ago, and went down among the southern Indians, locating on or about the Washita river, to whom were added in 1864 another party of about 100, under Chief No-ko-what. They were induced, it is said, to go to Mexico upon representations made to them that the Mexican government desired it. For their own interest and welfare, as well as in justice to the people of Texas, these Indians should be removed back to their former homes, or

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some suitable locality in the Indian country. The matter was submitted to Congress last summer, and an appropriation asked for the purpose. I renew the recommendation then made, and trust that means will be afforded for effecting the object at an early day.

In this connection I recommend that legislation be had for the protection of the people of Texas from invasion by Indians from the north of Red river, and from the east part of New Mexico, which I suggest can be secured by the establishment of a sufficient number of military posts adjacent to or along the northern and western borders of the State.

I feel it my duty to renew the recommendation made in the last annual report of this office, that an appropriation be made by Congress to reimburse the Winnebagoes for expenses incurred in their removal from Minnesota, which they paid out of their own tribal funds. This is manifestly a just claim against the government. Compelled to leave their former home through the covetousness of citizens of Minnesota, who desired for themselves possession of their splendid country, they were brought into a condition of much suffering and need ere they reached the country where they are now permanently established, and it is no more than right that this claim should be promptly satisfied. As a tribe they have abandoned the chase as a means of support, and, from their long association with the whites, have acquired a sufficient practical knowledge of farming and stock-raising to fit them fully to maintain themselves, if they are aided and encouraged by the government.

The attention of Congress should again be called to the necessity of appropriate legislation for the prompt fulfilment of the stipulation of the third article of the treaty made with the Choctaws and Chickasaws, 28th April, 1866, respecting the rights of persons of African descent residing among these nations. As the councils of the nations have decided not to give to such persons rights and privileges of citizenship, it is obligatory upon the government to remove those desiring it from the nation, within a specified time, which has passed, and to expend for their use and benefit the \$300,000 stipulated to be so used and expended in the event of such decision. That sum of money has never been appropriated by Congress, and there being no place designated to which such persons can be removed, nor any provision made for the cost of removal, no action can be taken in the matter by the department. The subject was laid before the Senate by the Secretary of the Interior on the 23d of July last.

I also renew the suggestion heretofore made of the importance of a revision of the laws relating to trade and intercourse with Indian tribes, especially in the respects that there be given to proper courts jurisdiction over cases where crimes or offences are committed by Indians against one another, or that the law define what course shall be taken by a superintendent of Indian affairs, or Indian agent, to arrest and punish offenders, and that the evidence of Indians, in cases of crimes or offences committed by whites against Indians, shall be received. The section of the law regarding the barter, sale, or giving to Indians spirituous liquors, or the introduction of the same into the Indian country, should be amended so as to include in the list of interdicted spirits, beer and cider, as the Indians indulge in these liquors to an alarming extent, and often become intoxicated. In some instances unscrupulous men, knowing they were not liable to a penalty, have established their breweries near Indian reservations.

Upon the subject of an increase of the salary of the superintendents and Indian agents, and that of a reorganization of the clerical force of this bureau, I would again renew the recommendations heretofore made.

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The superintendents, with one or two exceptions, receive \$2,000 per annum, and the agents \$1,500. Taking into consideration the responsible duties devolved upon them, the heavy bond under which many are placed, the increased price of late years of things needful for their support and comfort, it must be apparent to every reflecting mind that the compensation now received by them is not fair, nor measured with the responsibility to which they are held and the service rendered. I would raise the salary of the superintendents to at least \$2,500, and the agents \$2,000 per annum. Or perhaps it might be best to have a gradation in the salaries, those having the greater responsibility devolved upon them and performing the most labor receiving the greater compensation.

I hope that something will be done at the next session of Congress in the way of providing for a reorganization of the clerical force of this bureau. The number of clerks authorized by law as regular or permanent constitutes but little over one-half those now employed, the rest being temporary or extra clerks. In my judgment all the clerical force required for the performance of the business of the office should be authorized by law to continue in service year after year until by law discontinued. The salary of the chief clerk should be raised to \$2,500, and that of the chiefs of divisions to \$2,000, and there should be several more clerks of the fourth and third classes than are now in service. I also again suggest the propriety and justness of an increase of the salary of the head of this bureau.

I transmit herewith the usual statements of funds held in trust by the department for certain Indian tribes, exhibiting in detail the securities on which the funds of each are invested and the annual interest thereon, of transactions in reference to sales and payments of Indian lands during the year, and an exhibit of the present liabilities of the United States to Indian tribes under treaty stipulations and acts of Congress; also tables of statistics of farming operations, population, wealth, and education of different tribes. These statistical tables are not as complete and satisfactory as they might be, and then again they are only a part of what should reach this office in time to accompany this report, hence the actual results in the respects they comprehend cannot be fully stated. Full and accurate returns would no doubt show that the tribes generally have done fully as well the past year in their efforts to provide for their support and comfort as the previous year. Although the Indian tribes in our territory recently acquired from Russia have not been brought under the jurisdiction of this bureau, I have thought it proper to place among the documents herewith transmitted a report made by Brevet Lieutenant Colonel R. N. Scott, by order of Major General Halleck, commanding the military division of the Pacific, in which will be found much valuable and interesting information as to the location, number, and character of the Indians on and near the boundary line between Alaska and the British possessions, a copy of which was furnished to you by the War Department. At the time of this writing, no annual reports from the superintendents of Oregon, Montana, and Arizona, and from several of the agents in New Mexico, Colorado, and Montana have been received, but should they shortly come to hand I will endeavor to have them embraced in an appendix to this report.

Very respectfully, your obedient servant,

N. G. TAYLOR, *Commissioner*.

Hon. O. H. BROWNING,
Secretary of the Interior.

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PAPERS ACCOMPANYING THE REPORT OF THE COMMISSIONER OF INDIAN AFFAIRS FOR 1868.

- A. Report of Indian peace commissioner to the President, January 7, 1868
B. Letter of Anson Dart, relative to the question of the transfer of the Indian bureau to the War Department, and enclosure.

The necessity of early appropriations for the purpose of subsisting destitute friendly Indians.

- C 1. Letter of Secretary of the Interior, transmitting to Congress one from the Commissioner of Indian Affairs, dated April 16, 1868.
C 2. Letter of Secretary of the Interior, transmitting to Congress report of A. R. Banks, special agent, dated April 3, 1868.
C 3. Letter of Secretary of the Interior, transmitting to Congress one from Commissioner of Indian Affairs, dated April 23, 1868, with enclosures.
C 4. Letter of Secretary of the Interior, transmitting to Congress one from Commissioner of Indian Affairs to Secretary of the Interior, June 24, 1868, with enclosed letter of T. Murphy, superintendent, June 23, 1868.
C 5. Letter of Secretary of the Interior, transmitting to Congress one from Commissioner of Indian Affairs, dated July 14, 1868.
C 6. Letter of Acting Commissioner of Indian Affairs to Secretary of the Interior, dated September 12, 1868.

Difficulty between Kiowas and soldiers at Fort Zarah.

- D. Letter of Superintendent Murphy, August 22, 1868, with one enclosed from Agent Wynkoop.

Attack of the Cheyennes upon Katos.—Withholding from the former the arms and ammunition that were to be distributed to them.—Subsequent delivery of the same to them with their annuity goods.

- E 1. Letter of A. G. Boone, special agent, June 4, 1868.
E 2. Letter of E. A. Wynkoop, agent, June 25, 1868.
E 3. Letter of Commissioner of Indian Affairs to Superintendent Murphy, June 25, 1868.
E 4. Letter of Agent E. A. Wynkoop, July 20, 1868.
E 5. Letter of Commissioner of Indian Affairs to Superintendent Murphy, July 23, 1868.
E 6. Telegram from Indian Office to Agent Wynkoop, July 23, 1868.
E 7. Letter of Superintendent T. Murphy, August 1, 1868.
E 8. Letter from same, August 22, 1868, with one enclosed from Agent Wynkoop.

Murders and depredations by Cheyennes at Solomon and Saline rivers, Kansas.—Indian war.—Annuity goods for Arapahoes and Cheyennes, Kiowas and Comanches.

- F 1. Letter from Superintendent Murphy, August 22, 1868, enclosing one from Agent Wynkoop, and report of an interview with Little Rock, a Cheyenne chief.
F 2. Letter from Acting Commissioner of Indian Affairs to Secretary of the Interior, August 22, 1868, and telegram from General Sherman.
F 3. Letter of Superintendent Murphy, September 19, 1868.
F 4. Letter of Secretary of War, September 21, 1868, with one from General Sherman, September 17, 1868.
F 5. Letter from Acting Commissioner of Indian Affairs to Acting Secretary of the Interior, September 25, 1868.
F 6. Letter of Secretary of War, September 29, 1868, to Secretary of the Interior.
F 7. Letter of Secretary of the Interior to Secretary of War, October 1, 1868.
F 8. Letter of Acting Commissioner of Indian Affairs, September 30, 1868, to Acting Secretary of the Interior.
F 9. Letter of E. A. Wynkoop, agent, October 7, 1868.

Duties connected with Indian disbursements devolved upon the Lieutenant General commanding United States army, by recent acts of Congress.

- G 1. Letter of Secretary of the Interior to General Sherman, August 6, 1868.
G 2. Letter of General Sherman to Secretary of the Interior, August 11, 1868.
G 3. General Order No. 4, headquarters military division of the Missouri.

Kickapoo and other Indians residing in republic of Mexico.—Depredations by them upon citizens of west part of Texas.

- H. Letter of Commissioner of Indian Affairs to Secretary of the Interior, July 14, 1868.

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WASHINGTON SUPERINTENDENCY.

- No. 1. Annual report of T. J. McKenny, superintendent.
- No. 2. Annual report of H. A. Webster, agent Makah agency.
- No. 3. Annual report of R. S. Doyle, teacher Makah agency.
- No. 4. Annual report of J. H. Wilbur, agent Yakima agency.
- No. 5. Annual report of A. C. Fairchild, teacher Yakima agency.
- No. 6. Annual report of C. S. King, agent Sklallam agency.
- No. 7. Annual report of H. C. Hale, sub-agent Dwamish agency.
- No. 8. Annual report of C. C. Chirouse, teacher Dwamish agency.
- No. 9. Annual report of J. Hill, sub-agent Quinault agency.

OREGON SUPERINTENDENCY.

- No. 10. Annual report of A. Harvey, agent Grand Ronde agency.
- No. 11. Annual report of T. S. Jeffries, teacher Grand Ronde agency.
- No. 12. Annual report of W. H. Barubart, agent Umatilla agency.
- No. 13. Annual report of A. Vermeesch, teacher Umatilla agency.
- No. 14. Annual report of J. Smith, agent Warm Spring agency.
- No. 15. Annual report of E. A. Gillingham, teacher Warm Spring agency.
- No. 16. Annual report of B. Simpson, agent Siletz agency.
- No. 17. Annual report of L. Applegate, sub-agent Klamath agency.
- No. 18. Annual report of G. W. Collins, sub-agent Alsea agency.

CALIFORNIA SUPERINTENDENCY.

- No. 19. Annual report of B. C. Whiting, superintendent.
- No. 20. Annual report of H. Orman, jr., agent Smith River agency.
- No. 21. Annual report of B. L. Fairfield, agent Round Valley agency.
- No. 22. Annual report of W. H. Pratt, agent Hoopa Valley agency.
- No. 23. Annual report of C. Maltby, agent Tule River agency.

ARIZONA SUPERINTENDENCY.

- No. 24. Annual report of J. Fendge, special agent Colorado River agency.
- No. 25. Report of Charles A. Whittier to General J. B. Fry.

NEVADA SUPERINTENDENCY.

- No. 26. Annual report of H. G. Parker, superintendent.
- No. 27. Annual report of F. Campbell, agent Walker River agency.

UTAH SUPERINTENDENCY.

- No. 28. Annual report of F. H. Head, superintendent.
- No. 29. Annual report of P. Dodds, agent Uinta agency.
- No. 30. Annual report of L. Mann, jr., agent Fort Bridger agency.

NEW MEXICO SUPERINTENDENCY.

- No. 31. Annual report of N. M. Davis, clerk to superintendent.
- No. 32. Annual report of T. Dodd, agent Navajo agency.
- No. 33. Annual report of William F. M. Arny, agent Abiquiu agency.
- No. 34. Annual report of E. B. Dennison, agent Cimarron agency.
- No. 35. Annual report of J. Ayres, agent Southern Apache agency.
- No. 36. Annual report of J. Ward, special agent of Pueblos.
- No. 37. Letter of H. H. Heath, acting governor of New Mexico Territory, relative to Indian depredations.

COLORADO SUPERINTENDENCY.

- No. 38. Annual report of Governor A. C. Hunt, *ex officio* superintendent.

DAKOTA SUPERINTENDENCY.

- No. 39. Annual report of A. J. Faulk, governor, *ex officio* superintendent.
- No. 40. Annual report of P. H. Conger, agent Yankton agency.
- No. 41. Annual report of J. A. Potter, agent Ponca agency.
- No. 42. Annual report of J. R. Hanson, agent Crow Creek agency.
- No. 43. Annual report of M. Wilkinson, agent Fort Berthold agency.
- No. 44. Annual report of B. Thompson, agent Lake Traverse agency.

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IDAHO SUPERINTENDENCY.

- No. 45. Annual report of D. W. Ballard, governor and *ex officio* superintendent.
- No. 46. Annual report of G. C. Hough, special agent.
- No. 47. Annual report of C. F. Powell, special agent for Bannocks and Shoshones.

MONTANA SUPERINTENDENCY.

- No. 48. Annual report of G. B. Wright, agent Blackfeet agency.
- No. 49. Annual report of W. J. McCormick, special agent.
- No. 50. Annual report of N. Pope, special agent.
- No. 51. Annual report of J. W. Cullen, special agent.
- No. 52. Annual report of J. W. Cullen, commissioner to treat with Indians.
- No. 53. Letter of Commissioner of Indian Affairs to Department of the Interior, relative to making treaties with Indian tribes in Montana Territory.

NORTHERN SUPERINTENDENCY.

- No. 54. Annual report of H. B. Denman, superintendent.
- No. 55. Annual report of C. H. Norris, agent Great Nemaha agency.
- No. 56. Annual report of J. N. Gere, teacher Great Nemaha agency.
- No. 57. Annual report of C. H. Whaley, agent Pawnee agency.
- No. 58. Annual report of E. G. Platt, teacher Pawnee agency.
- No. 59. Annual report of C. Mathawson, agent Winnebago agency.
- No. 60. Annual report of E. Y. Hancock, teacher Winnebago agency.
- No. 61. Annual report of W. P. Callon, agent Omaha agency.
- No. 62. Annual report of William Hamilton, teacher Omaha agency.
- No. 63. Annual report of J. L. Smith, agent Otoe agency.
- No. 64. Annual report of J. M. Stone, agent Santee agency.
- No. 65. Annual report of J. P. Williamson, teacher Santee agency.
- No. 66. Annual report of M. T. Patrick, agent Upper Platte agency.
- No. 67. Annual report of J. P. Cooper, special agent Fort Laramie.
- No. 68. Report of C. Geren, interpreter at Fort Laramie.

CENTRAL SUPERINTENDENCY.

- No. 69. Annual report of T. Murphy, superintendent.
- No. 70. Annual report of E. S. Stover, agent Kaw agency.
- No. 71. Annual report of H. S. Taylor, agent Shawnee agency.
- No. 72. Annual report of J. G. Pratt, agent Delaware agency.
- No. 73. Annual report of L. R. Palmer, agent Pottawatomie agency.
- No. 74. Annual report of A. Wiley, agent Sac and Fox agency.
- No. 75. Annual report of E. W. Wynkoop, agent Upper Arkansas agency.
- No. 76. Annual report of G. A. Colton, agent Osage River agency.
- No. 77. Annual report of F. G. Adams, agent Kickapoo agency.
- No. 78. Annual report of G. G. Snow, agent Neosho agency.
- No. 79. Annual report of J. Schoenmakers, teacher Neosho agency.

SOUTHERN SUPERINTENDENCY.

- No. 80. Annual report of L. N. Robinson, superintendent.
- No. 81. Annual report of M. W. Chollar, agent Choctaw agency.
- No. 82. Annual report of W. B. Davis, agent Cherokee agency.
- No. 83. Annual report of J. Harnell, missionary Cherokee agency.
- No. 84. Annual report of J. W. Dunn, agent Creek agency.
- No. 85. Annual report of G. A. Reynolds, agent Seminole Agency.
- No. 86. Annual report of J. R. Ramsey, superintendent of schools Seminole agency.
- No. 87. Annual report of H. Shanklin, agent Wichita agency.
- No. 88. Report of C. F. Gurrett, special commissioner, relative to Indians on leased district.

INDEPENDENT AGENCIES.

Green Bay.

- No. 89. Annual report of M. L. Martin, agent.
- No. 90. Annual report of J. Howell, teacher.
- No. 91. Annual report of E. Goodnough, teacher.
- No. 92. Annual report of R. Dousman, teacher.
- No. 93. Annual report of K. Dousman, teacher.
- No. 94. Annual report of J. Dousmau, teacher.
- No. 95. Annual report of J. Slingerland, teacher.

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Michigan.

No. 96. Annual report of R. M. Smith, agent.

Chippewas of the Mississippi.

No. 97. Annual report of J. B. Bassett, agent.

Chippewas of Lake Superior.

A. Whittlesey, agent. Report embraced in appendix.

New York.

No. 98. Annual report of H. S. Cunningham, agent.

No. 99. Annual report of trustees of Thomas Orphan Asylum.

Sacs and Foxes in Iowa.

No. 100. Annual report of L. Clark, special agent.

Winnebagoes and Pottawatomes in Wisconsin.

No. 101. Annual report of O. H. Lameroux, special agent.

Alaska Territory.

No. 102. Report of Brevet Lieutenant Colonel R. N. Scott, relative to Indians near boundary lines between Alaska and British Columbia.

STATISTICS.

No. 103. Indian trust funds.

No. 104. Indian trust land sales.

No. 105. Liabilities of the United States to Indian tribes.

No. 106. Population of the various Indian tribes.

No. 107. Education, &c.

No. 108. Agriculture products, &c.
