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THE ORGANIZATION OF THE INDIAN TERRITORY.

[To accompany bill H. R. 1709.]

REPORT
OF THE
COMMITTEE ON INDIAN AFFAIRS,
(44TH CONGRESS, 2D SESSION,)
ON THE

Bill (H. R. 3922) to provide for the organization of the Indian Territory

NOVEMBER 27, 1877.—Ordered to be printed.

The Committee on Indian Affairs, to whom was referred the bill (H. R. 3922) to provide for the organization of the Indian Territory, report :

That having given the matter very careful consideration, they have come to the opinion that the organization of the Indian Territory is demanded equally for the best interests of the Indians themselves and of the United States. The Indians are not likely to make any progress in civilization through their unaided efforts. No savage ever civilized himself. No partially-civilized people ever rose to a better state without help from a higher plane. Men always become worse instead of better unless they can be held to their goodness and made progressive therein by other and better agencies than their own. Instead of the lower lifting itself to the higher, the historical fact has always been, that the higher has had to descend upon the lower and breathe into it its own spirit before there could be any progress to a better state.

In our belief the Indians of the Indian Territory are not exempt from the application of this general truth. On the contrary, they illustrate it. All their progress, therefore, has been through incentives supplied from the outside. Missionary agencies, through churches and schools, have prepared the soil and planted the seed of whatever distinguishes them from their former savage state, and from other Indian tribes who are still savages. But for various reasons these agencies do not seem to be now increasing; neither do the Indians of the Territory seem to be making, so far at least as their general condition is concerned, much, if any, progress. The most promising condition of any of the tribes would seem to be that of the Seminoles, who, under the leadership of E. J. Brown, a white man whom they have adopted, are steadily and strikingly improving.

All of the tribes of the Indian Territory have large funds held in trust for them by the United States, the interest of which is semi-annually paid to the nations, a portion of which, according to the terms of the trust, to be applied to the general expenses of the tribes and a portion for educational purposes. The Chickasaws have no separate school fund, their funds being all for national purposes and subject to their own disposal.

The entire fund of the Cherokee Nation amounts to \$2,519,000. Thirty-five per cent. of this fund, by the treaties with the Indians, should be applied to educational purposes. But by reference to the acts of the council of this tribe it appears that a considerable portion of the fund is annually diverted to other objects, to be reimbursed to the school-fund, but there does not seem to be any good evidence that this reimbursement takes place. A recent statement of a delegate from this tribe shows that nearly one-half of the children are growing up in ignorance.

It also appears that an expenditure, which sometimes reaches \$25,000 a year, is made by this nation in the support of delegates at Washington. Notwithstanding the large fund derived from the United States, which is increased by various taxes, this nation has incurred a debt of several hundred thousand dollars, whose evidences in different shapes are sold from twenty-five to fifty cents on the dollar.

No accounts are ever furnished to the Commissioner of Indian Affairs of the manner in which the money is expended, nor are any accounts published in the nation.

The knowledge, therefore, of the manner in which all these trust-funds are expended is limited to a very few persons, most of whom are officers of the nation, drawing salaries from this fund.

The Chickasaw Nation, according to the returns of the Commissioner of Indian Affairs, expends \$46,375 for education, and have an average attendance of 300, the whole number of scholars being 420. At the same time this council refuse to make any appropriation for the education of a part of the tribe who are living within the Territory assigned to the Choctaws; and as the Choctaws decline to make any appropriation, this portion of the Chickasaw tribe have no schools of any kind.

There can be no doubt that if a territorial form of government is organized, the expenditures could be very largely reduced, and that a very much better application of the trust-funds could be made, and that proper educational systems could be devised, which would be for the permanent benefit of the tribes.

For over a generation the Commissioner and the agents among these tribes have reported that there could be no real advance toward civilization until each head of a family had allotted to him a homestead in severalty. Scarcely a report from the Commissioner of Indian Affairs can be opened without finding the same recommendation, either from the Commissioner or the Indian agent. The propriety of this must be apparent to every one. The individual Indian lacks the incentive to industry which comes from personal ownership, and till this is remedied there can be comparatively but little hope of his improvement. But any allotment of the land has been constantly opposed by the Indians, and is, if left to themselves, quite improbable.

It seems almost a self-evident proposition that, if fifty or sixty thousand Indians own in common twenty to thirty millions of acres of land, inclosed in a wall of laws, customs, and habits, separating them from civilization and from all outside influences, that they cannot improve; that, if left to themselves, they must and will continue Indians; that it is only by a law enacted by a higher power that can allot the land in severalty, and organize a better government, where each man can own his own homestead and have an inducement to labor. To change the present system so as to meet this requirement without incurring other and perhaps greater dangers, calls for the utmost care. The Indian invested with the individual ownership of property needs to be guarded,

lest wicked white men wheedle him out of his possessions almost before he has entered upon them.

It is not easy to avoid the manifold difficulties here, which any one can easily see. The whole problem is exceedingly difficult, but it is not insoluble. Equally difficult problems have been met and mastered. But law and government, and the application of the Christian forces of our civilization, are the only hopeful agencies we can employ. There is no hope for the Indian anywhere, or for us in our relation to him, until our government is extended over him, giving him precisely the same protection which any subject may claim, and securing from him the same obedience which every subject should render. If the Indian is not already a citizen, under the Fourteenth Amendment to the Constitution, we ought to look for the time when he shall become such, and we ought to encourage him in the expectation of becoming invested with all the rights and responsibilities of American citizenship. To this end the organization of the Indian Territory, under such restrictions as shall maintain the present rights of the Indians unimpaired, seems of prime importance. We therefore recommend that some suitable measure, which at this time in the session cannot be perfected, be early brought forward in the coming Congress for the organization of the Indian Territory.

A. M. SCALES, *Chairman.*
W. W. WILSHIRE.
A. R. BOONE.
WM. A. J. SPARKS.
CHAS. E. HOOKER.
C. H. MORGAN.
J. H. SEELYE.
H. F. PAGE.
JNO. Q. TUFTS.

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