Board of Indian Commissioners.
BOARD OF INDIAN COMMISSIONERS.

JANUARY 5, 1897.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. SHERMAN, from the Committee on Indian Affairs, submitted the following

REPORT.

[To accompany H. R. 9644.]

The Committee on Indian Affairs, to whom was referred the bill (H. R. 9644) to abolish the office of Commissioner of Indian Affairs and the office of Assistant Commissioner of Indian Affairs and to create in lieu thereof a board of Indian commissioners, have considered the same and submit the following report:

The present organization of the Indian Department is the result of the growth of dealings with Indians extending over a period of more than a century.

During the Revolutionary period Indian affairs seem to have been under the immediate control of the Continental Congress. Under the Articles of Confederation, also, Congress had direct control until 1786, when, by an act, the Indian Department was divided into two districts: One, the northern, to include all Indians north of the Ohio and west of the Hudson; the other, the southern, all tribes living south of the Ohio. Each district was placed under the supervision of a superintendent, who, in turn, was placed under the order of the Secretary of War, through whom all correspondence relating to the Indians was to be made to Congress.

Upon the establishment of the present system of government in 1789, the Indians were left under the jurisdiction of the Secretary of War, who continued to manage all Indian affairs for a long period thereafter.

In 1832 Congress, by the act of July 9, created the office of Commissioner of Indian Affairs, and in 1834, by the act of June 30, organized the Department of Indian Affairs. Under the former act it became the duty of the Commissioner of Indian Affairs, under the direction of the President and Secretary of War, to have the management of all Indian affairs and of all matters arising out of Indian relations. The latter is the organic act under which the Department of Indian Affairs is in existence to-day.

In the early history of the service the country seems to have been divided geographically, with relation to Indians, into several divisions, called superintendencies, and each division or superintendency placed under a superintendent and the several tribes in these superintendencies placed under the respective superintendents. For a time each tribe in a superintendency, or in some cases two or more tribes associated together, were placed in charge of a separate person or agent, whose jurisdiction was known as a subagency, who reported to the superintendent, who in turn reported to the Commissioner of Indian Affairs.
These superintendents and agents or subagents continued until 1877, when Congress discontinued the appropriations for superintendents, appropriating only for agents, and since that time the various Indian tribes have been in charge of agents and all dealings of the Department with the tribes have been through these agents direct, without the intervention of a superintendent.

Upon the creation of the Interior Department, in 1849, by the act of March 3 of that year, the Bureau, as well as the Department of Indian Affairs, was transferred to the Department of the Interior, and the Indians passed from military to civil control. By the act of July 11, 1888, the office of Assistant Commissioner of Indian Affairs was created, who should also act as chief clerk.

While it was perhaps entirely within the ability of the Commissioner of Indian Affairs to manage, single handed, Indian relations in the beginning, the changed condition of things, especially in later years, has increased his duties both in extent and variety, so that now the efficient administration of the service is almost beyond the individual capacity of a single commissioner. This will be at once apparent upon even a comparatively superficial study of the history of the service.

Formerly the Indians were chiefly hunters, subsisting themselves by means of the chase, and were almost entirely self-supporting. The aid received from the Government was only that called for by treaty stipulations, and was limited generally to a few necessary articles, such as blankets, clothing, and agricultural implements. Very little, if anything, more was done toward their civilization, but when game became extinct and the Indians were no longer able to obtain a livelihood by the hunt, and as their lands began to be opened for settlement and they themselves to be allotted, with the attendant responsibilities, their surroundings and conditions changed. The Government was compelled, on the one hand, by the very force of circumstances, to assume the responsibility for their care, support, and education, while the Indians themselves were compelled, on the other, to begin, from necessity, if not from choice, to practice the arts of civilized life for a living. As they advance in civilization their wants increase in proportion, with a consequent increase upon the time and intelligence of the administrative office.

The increase in the number of Government schools and the development of the Indian school system has contributed very largely, perhaps more than anything else, to increase the duties of the Commissioner of Indian Affairs. Without going into a history of school work among the Indians, it may be sufficient to show the growth of Indian schools in a single decade. Ten years ago there were 5 large training schools; to-day there are 32. In 1866 there were 214 Indian schools of all description; in 1896 there were 293. For the fiscal year 1886 the amount appropriated for Indian education, outside of treaty provisions, was in round numbers $1,211,000; in 1896 it had swollen to $2,517,000. In the year to come, if the policy indicated by the last Congress is to be carried out with respect to educating Indian pupils under contract, there will be a still further increase in Government schools and consequently a still greater demand upon the Commissioner and his Office.

The allotment of lands which practically began under the act of 1837 and has been carried on quite extensively ever since, has brought to the Commissioner additional care and responsibility which were hardly contemplated in 1832. The most difficult and intricate questions growing out of this are constantly arising, requiring much time, patience, and legal skill to determine. Indeed, the whole question of Indian lands,
since so many of them have been thrown open for settlement, has assumed
an importance of no slight magnitude.

The responsibility arising out of financial transactions are heavy and
increasing, and the questions arising therefrom are important and often
perplexing. The total expenditure for the Indian service for 1832 was in
round numbers $1,350,000; that for 1895 aggregated nearly $10,000,000.
The expenditure for the current fiscal year will, it is estimated, reach
$12,000,000. The responsibility for this large expenditure rests almost
wholly upon the Commissioner of Indian Affairs, as it is, as a rule, upon
his recommendation and under his direction that it is made.

It will thus be seen that the duties of the Commissioner of Indian
Affairs are important and multifarious and are on the increase, and
while the President and the Secretary of the Interior bear strong testi­
mony to the efficiency with which they are at present discharged, in
which opinion I fully concur, it would seem that these duties were grow­
ting too onerous to be placed upon a single individual.

The object of the accompanying bill, and which it is believed it will
accomplish, is to effect a still further efficient administration of Indian
affairs and secure more permanency in the service. A more efficient
administration can, it is believed, be obtained by apportioning the details
of the different branches of Indian work among three individuals, let­
ting each one, as a general rule, attend to a particular portion, thus
relieving a single individual of the sole responsibility. By this means
the work could be more quickly and efficiently done, as more time could
be given to the consideration of the various questions presented. The
general policy of the Bureau, as well as all important matters connected
with it, would, of course, be considered by the Commission as a whole,
and the conclusions reached would thus be the judgment of three instead
of one.

That which is of more importance, however, is that a greater per­
manence in the service will result, and consequently a more uniform
and systematic method of dealing with the Indians and prosecuting
the work of their civilization. In the very nature of things, under
a condition of constant change, all attempts to lift the Indian up
from his natural state and fit him for the ways and duties of civilized
life must be more or less sporadic. A new Commissioner just entering
upon duty may, and probably does, have different ideas from those of
his predecessor as to the policy to be pursued in dealing with Indian
tribes, and consequently adopts different methods and follows different
plans. The result is that one plan is hardly understood and begun
before another follows. It is not so much which is the best plan as
that it shall be a continuing one. With a commission of three mem­
ers, all of whom would not be subject to change at the same time,
this idea could be better carried out. There would be a continuity of
service in the head of a bureau, and consequently a permanency and
continuity of any system adopted for the education and elevation of
the Indian race.

There is another and important consideration. The extent of the
Indian Department is not generally appreciated. While the Bureau in
Washington is small, the outside Department is almost coextensive with
the country itself, extending, as it does, from the Gulf of California to
the Great Lakes, and from Florida to Puget Sound, and even beyond. It
embraces territory greater in extent, if taken together, than all the
New England States, New York, New Jersey, Delaware, and Maryland
combined, and an Indian population of nearly, if not quite, 250,000.
The condition, character, and habits of the Indians occupying this
territory are almost as various as the tribes themselves. The occupations
of those in one part of the country are entirely dissimilar to the occupations of those in another, depending largely upon their surround­ings. In some sections they excel as fishermen; in others, stock raising; in others, agriculture.

To administer the variety of affairs growing out of this condition of things to the greatest advantage requires not only a theoretical but a practical knowledge of the Department in all its workings. The theoretical part can be gotten by study, but the practical can only be obtained by observation and experience. Under the present régime, the latter is difficult to get, as the constant demands upon the time of the head of the Bureau confine him so closely to his desk that he has little, if any, opportunity to go abroad and visit the various tribes and schools. If there were three commissioners instead of one this could be remedied. Each in turn could devote some of his time to visiting the various branches of the service, and thus become, by personal observation, familiar with their condition and needs, and better able to discharge the duties imposed upon him.

The plan embraced in the accompanying bill has the sanction of the President and two Secretaries of the Interior. Secretary Smith, in his annual report for 1895, after discussing the work of the Indian Bureau and its importance, says:

To assure this requisite permanence of the Service I submit the following recommendation:

First. That instead of a single commissioner the Indian Service be placed in charge of three commissioners, two of them to be civilians appointed from different political parties, and one to be a detailed army officer.

Secretary Francis, in his Report for 1896, indorses the recommendation of his predecessor, and says:

The policy of those now in control of, and those connected with, the Indian Bureau, has been humane, just, and elevating, and the Indians themselves have come to realize that the Government is sincerely desirous of promoting their welfare.

Experience in dealing with such a people is the best if not the only training one can undergo to become qualified to protect their interests and guide their develop­ment. The delay in their progress, consequent upon a complete change in the personnel of those whose duty it is to care for them, has been greatly diminished by placing most of the subordinates of the Department in the classified service, but the head of a Bureau determines largely the policy of the Government in the line that Bureau represents, and if every change of administration means a change of policy in the Indian Bureau, the Indians will advance very slowly toward civilization.

In his last annual message to Congress the President devotes space to this subject as follows:

It may be said in general terms that in every particular the improvement of the Indians under Government care has been most marked and encouraging.

I endorse the recommendation made by the present Secretary of the Interior, as well as his predecessor, that a permanent commission consisting of three members, one of whom shall be an army officer, be created to perform the duties now devolving upon the Commissioner and Assistant Commissioner of Indian Affairs. The management of the Bureau involves such numerous and diverse details, and the advantages of an uninterrupted policy are so apparent, that I hope the change suggested will meet the approval of Congress.

The plan proposed contemplates very little if any additional expend­iture. The present Commissioner gets $4,000 a year and the Assistant Commissioner $3,000. The bill offered provides for two civilians at $5,000 per annum each, an increase of $3,000 over the present law, but this increase can and will be more than overcome by reductions in the personnel of the Department.

The committee respectfully recommend that the bill be passed.