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Report of the Secretary of War, 1831

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REPORT

OF

THE SECRETARY OF WAR.

DEPARTMENT OF WAR,

November 21, 1831.

SIR: In obedience to your instructions, I have the honor to submit herewith a general view of the operations of this Department, and of the various branches of its administration, together with the accompanying reports of the officers in charge of the different bureaus for the past year.

The plan of organization by which the great objects of public concern, committed to the War Department, are divided into different classes, and placed under the more immediate control of respectable and responsible officers, is well calculated to promote fidelity, promptitude, and economy in the management of these important interests. By assigning to each office a particular branch of the service, experience in the general administration is acquired at the Department, and in the practical details at the places of execution. On this subject I have only to remark, that the importance of our Indian relations, both present and prospective, demands a similar arrangement for this portion of the public affairs. The existing organization rests upon executive authority, but the efficiency and responsibility of that department would be greatly promoted, if its duties were regulated by a legislative act. This measure has more than once been recommended in the reports of my predecessors, and I beg leave to add my conviction to theirs of its necessity.

The condition of the army is satisfactory in its *materiel*, and so far in its *morale* as depends upon the exertions of the officers. Its appropriate functions are performed honorably for itself, and usefully for the country. Although some of the details of the service are susceptible of improvement in their administration, and some in their legislation, still, in the general result, whether viewed as an arm of national defence, or as a depository of military knowledge and experience, it has attained the great objects for which it was raised and is maintained. It is efficient without being expensive, and adequate to the exigencies of our service without being dangerous. I refer to the report of the Major General commanding, for the detailed operations of the year.

The annual reports of this Department have already brought before the Government the subject of desertion; and I regret to state, that this serious evil not only continues but increases. Inquiries have been instituted into the causes of this offence, and the most efficient remedy, and much valuable information is contained in a report from the War Department of February 17, 1830. But no measures have been adopted to check a practice, which, from its extent and impunity, not only materially injures the service by the loss of the men and the consequent expense, but threatens in its progress, and by its example, to destroy that principle of fidelity which is the only

safe bond of connexion between the soldier and his country. In the present state of our martial law, and of its necessary administration, there is in fact no adequate punishment for the crime of desertion. Confinement and employment at hard labor are the only efficient sentences, which military tribunals can inflict; and where a soldier is confined in a guard-house, and his companions stationed without to secure him, and with all the facilities of constant communication, we may well doubt whether his situation is so much more unpleasant than theirs, as to give to this mode of punishment any salutary effect upon the discipline of the army; and at all our posts, and particularly at those upon the inland border, the soldiers are generally employed either in the line of their duty or upon fatigue, and a sentence to hard labor subjects them to little more than the ordinary demands of the service.

Whether any system of moderate rewards will prevent this practice, may be doubted; but certainly the abolition of all efficient punishment, without providing any substitute to operate upon the pride and hopes of the soldier, is in fact to invite him to abandon his colors, whenever the restraints of discipline cause temporary dissatisfaction.

To retain a part of the bounty and the pay, and thereby to provide a fund for the use of the soldier when discharged, to reduce the period of service, and to increase the pay of the rank and file of the army, and particularly of the non-commissioned officers, are among the most prominent suggestions, which have been offered upon this subject.

The number of desertions in

1826	were	-	-	-	636
1827		-	-	-	848
1828		-	-	-	820
1829		-	-	-	1,115
1830		-	-	-	1,251

And in 1831 they will probably amount to 1,450

An estimate has been prepared at the Adjutant General's office, founded upon a minute examination and comparison of the various expenses incident to the maintenance of a soldier, and exhibiting the actual pecuniary loss of the Government arising from this cause.

This loss was for	1826	-	-	-	\$54,393
	1827	-	-	-	61,344
	1828	-	-	-	63,137
	1829	-	-	-	98,345
	1830	-	-	-	102,087
	1831 probably	-	-	-	118,321

The tabular statement accompanying the report of the commanding general shows, that the pay of the non-commissioned officers, musicians, and privates, may be increased so as materially to improve their condition, and not exceed the aggregate amount of \$85,920. The non-commissioned officers particularly are, in our service, inadequately paid. Every military man is sensible of their importance to the character and efficiency of an army; and such inducements should be offered, as would ensure the engagement of competent men, qualified, by their principles, habits, and intelligence, to acquire the confidence and to command the respect of the soldiers. That this additional compensation would have a tendency to diminish the mischief of desertion, there is no doubt—whether in so great a degree as to save the whole sum proposed to be given, experience only can determine.

A very large proportion of all the crimes committed in the army may be traced to habits of intemperance. This vice is in fact the prevalent one of our soldiery. I am satisfied that ardent spirits should not form a component part of the ration. By issuing it, we furnish to those already accustomed to its use the means of vicious indulgence, and we invite those, who are yet temperate, to acquire this destructive habit. It is certainly sufficient for all useful purposes; if there be in truth any utility in the consumption of ardent spirits, that the officers be authorized to grant permission for its purchase, in proper quantities, to those whose situation may require it, without the direct agency of the Government in allowing and providing it.

There were issued to the army, in 1830, 72,537 gallons of whiskey, at the cost of \$22,132. If this sum were applied to the purchase of tea, coffee, and sugar, for the use of the soldiers, their habits and morals would be greatly improved, and the discipline and respectability of the army promoted. The regulation of this Department, by which an offer is made to the soldier of commuting the whiskey ration by the payment of one cent, is productive of little advantage. In this estimate of the value of this part of the ration, reference has been had only to the actual average cost of the article, delivered in large quantities at the various posts. But this is unjust to the soldier. He estimates it very naturally at the retail price, averaging probably five cents, and the present offer of commutation is in fact to ask him to sell his whiskey for one-fifth of its value. It is far better to leave the troops no choice, but to allow them a liberal compensation, and in such articles as will be most useful.

The American soldier is well paid, fed, and clothed; and, in the event of sickness or disability, ample provision is made for his support. But his moral culture is wholly neglected. There is no arrangement in our service for his mental or religious improvement. And there is perhaps no similar service, in which such a measure is more necessary. Many of the positions occupied by our troops are upon the verge of civilization, or beyond it. There, they are retained for years, and under circumstances, which, if not counteracted, almost necessarily lead to great demoralization. None of the ordinary means of instruction are within their reach, and neither their habits nor principles can be improved or fortified by those institutions, which are elsewhere so generally established, and so useful. Independently of any obligation which may be supposed to exist on the part of the Government, to provide for the moral as well as the physical wants of a class of men, who, in devoting themselves to the service of the country, become unable to provide for their own wants, it is certain, that, as a question of expediency, this measure is recommended by powerful considerations. Where moral and religious principles are practically acknowledged, their sanctions will add validity to the obligations voluntarily assumed by the soldier, and his duties will be performed with more fidelity and alacrity. As he becomes a better man, he will become a better soldier. Discipline and subordination will be promoted, punishments diminished, and all the details of the service will feel the spirit of improvement. I am satisfied, that the appointment of chaplains, and their employment at such of our military posts, as from their position and the strength of the garrisons may seem to call for such a measure, would be productive of great advantages to the service; and to the soldiers individually the measure would be equally beneficial. Reproofs and exhortations in life, and the consolations of religion in death, would be freely offered to them. The experiment, I think, is

worthy of trial; and the expense can scarcely be placed in fair competition with an object, which promises such useful results for the present improvement and future happiness of the soldiers.

The various departments of the staff of the army have performed with fidelity their accustomed routine of duties. In the three great divisions of efficiency, economy, and accountability, the present mode of administration seems well adapted to the nature of our service. The several tabular statements accompanying this report exhibit the satisfactory manner in which the public funds have been expended and accounted for. Nor is there any reason to believe, that the slightest loss will occur from the fiscal operations of the year. A system, whose effects are thus beneficial, must be not only safe in itself, but safely administered. And for this administration we are indebted to the superintending care of the several bureaus, and to the various officers employed under them, throughout the country. It is evident, that a fund of knowledge has been provided, which cannot fail to be useful in any future exigency. Armies may be suddenly raised, and discipline in some measure introduced, by great exertions, and in great emergencies. The experience of other nations, and of our own, too, has demonstrated, that the peculiar information, upon which depend the subsistence, the health, and the movement of troops, and the supply of their necessary *material*, can only be acquired by time and experience. The disasters and prodigal expenditures in the beginning of the late war furnished a memorable lesson upon this subject, which it is hoped will not be forgotten, as we recede from the period of their occurrence. Our present organization is small enough for the wants of the service, and yet such is its nature, that it may be indefinitely extended, as the pressure of circumstances may require, ensuring in every branch of the service a judicious system of administration, and experienced officers to direct and apply it.

The Military Academy has existed sufficiently long, under its present mode of instruction, to enable the Government and the country to form a correct estimate of its value, both with relation to the cadets themselves, and the character of the army. Of 560 officers, having rank in the line, and now in service, 404 were educated at that institution. These young men have been prepared by a rigid and judicious course of instruction and discipline for the various duties of their profession. 660 have entered the army, of whom but thirteen have been dismissed; and during the present year only two have been brought before courts martial, and they upon charges not affecting their moral character.

These facts are honorable and decisive proofs of general good conduct, when the high state of discipline and the course of vigilant inspection in our service are taken into view. In the annual reports of the Visitors at West Point, is exhibited the result of the most careful observations, made by persons competent to estimate, and prepared to scrutinize the claims and condition of the institution. For some years these reports have borne unequivocal evidence to the fidelity and ability of the superintendent, and the academic staff generally, and to the proficiency and correct deportment of the pupils. The record which is kept of their progress and conduct, the spirit of emulation necessarily excited, and the judicious plan of rewards, which are offered, by the publication of the names of the most distinguished individuals, and by their admission into the army in the order of merit, are powerful incentives to exertion, and, when combined with the strict and impartial examinations to which all must submit, can scarcely fail to secure

for the service of their country such and such only, as are qualified to be useful.

The science of war is an advancing one. In Europe, where peace is seldom long maintained, a large portion of the talent and intelligence of the community is devoted to this study, and to the consideration and suggestion of changes and improvements in all the branches of their military establishments, whether they relate to the operations in the field, to the various supplies, or to the necessary course of administration. We must look to those nations for the benefit of their experience. And our progress in the elements of military knowledge will depend, in a great measure, upon the careful preparation and education of the young men, who are annually appointed in our service. Our local position, as well as our free institutions, may delay, but we have no right to expect they will prevent, the occurrence of war. As this event may happen, it is the part of true wisdom to be prepared for it, as far as preparation can be made without too great a sacrifice. Our army is barely sufficient to furnish small garrisons for the fortifications upon the seaboard, and to hold in check the numerous and restless Indian tribes upon our inland frontier. Under these circumstances, the practical duties of the profession are acquired; and as long as the officers enter the service, with a well grounded knowledge of its principles, we may look to the army as the depository of a fund of information upon this important subject, which will enable the Government to diffuse it among the community upon the approach of danger. By assigning a portion of the officers, previously in service, to new regiments and corps, these will soon acquire a competent knowledge of their duties, both in subordination and discipline. The great objects of present economy and future security can in no other mode be so certainly attained. When we advert to the comparative effects of training young men for the course of life before them, or of selecting them indiscriminately for the army, without reference to previous pursuits, it will be manifest, that the present system can alone ensure the attainment of the important objects, connected with our military establishment.

It has been stated, that the number of cadets allowed at the Military Academy is 260. There are in the line of the army 512 officers of all descriptions. Of these, on the 1st day of November, there were present for duty 303, of whom 19 were field and 284 company officers. There were 66 sick and on furlough. And 143 were detached upon various staff duties, including the regular staff departments of the army, objects of internal improvement, and the emigration of the Indians. The number of companies being 106, there were not three officers to each company. Taking into view the casualties of the service, there ought not to be less than that number at all times with their companies. The law provides, that there shall be three to each company of infantry, and five to each company of artillery. In addition to these, the act of April 29th, 1812, allows one supernumerary brevet 2d lieutenant to be attached to each company. Of these, there are in service 93, leaving 13 vacancies to be filled from the graduates of the Military Academy for 1832. The number of the average annual vacancies in the army for five years has been 23, and of the graduates to fill these, 40. There may, therefore, at the next examination, be forty cadets candidates, for appointment, and but 36 vacancies to be filled. It would suggest the expediency of adding 34 to the number of brevet 2d lieutenants, and

leaving them unattached to do duty whenever required. Every company may thus have three officers at all times present; to the great advantage of the service.

I refer to the report of the chief of the Engineer Department for the various details connected with this interesting branch of the public service.

The suggestions he has made, appear to me worthy of consideration; and I particularly recommend to your notice the proposition for a new organization of the corps of engineers. The views of this Department upon that subject, were expressed in a report of January 13th, 1831, in answer to a call of the House of Representatives, and in those views I fully concur. The measure is required by the public interest.

Unless provision is soon made for the repair and preservation of the road constructed by the United States from Cumberland to the Ohio river, that expensive and useful work will be ruined. Many parts of it are now so seriously injured as to render travelling difficult, and sometimes dangerous. The destruction of this great connecting link between the Atlantic and the western States, which, with a light transit duty and a proper system of administration, would last for ages, cannot be anticipated without great concern. The continuation of this road in the State of Ohio is free from this danger. With the assent of the General Government, that State has established toll gates, and levies a moderate duty upon that part of the road within her jurisdiction, which is finished.

I consider it my duty to bring this matter before you, in the hope that it will engage the attention of Congress, and that a similar system for the preservation of the road from Cumberland to the Ohio river will be adopted. If it were placed by the General Government in proper repair, and then surrendered to the States respectively, through whose territories it passes, under the same conditions, as were annexed to the cession of the road in Ohio, there is reason to believe, that the arrangement would receive the sanction of those States, and that a permanent system and adequate means would be provided for the preservation of this work, and in a manner not burthensome to the communication upon it. If this be not done, or some other expedient adopted, the road will soon fall into a state of entire dilapidation.

By an executive regulation of the 21st of June, 1831, the topographic corps was separated from the Engineer Department, and now constitutes a distinct bureau. The duties of this corps are important to the country; and if its organization is rendered commensurate, a mass of valuable materials, exhibiting a general and accurate view of the geographical outlines of the Union, will be collected, to be used for any of the great purposes of peace or war. In a report from this Department, of January, 1831, this subject was considered, and the necessity of the measure stated and enforced. To that report, containing valuable suggestions, I take the liberty of referring.

A minute knowledge of the features of a country is essential to any plan of military operations; and this knowledge should be gathered in a season of leisure, and deposited in our archives. In Europe, it is considered one of the most important elements of military science, and upon its contributions have often depended the efforts of a whole campaign. All the surveys made by the topographical corps are returned to the depot in this Department, where they can be detached or combined, as it may become necessary to exhibit views more or less general. These surveys, dissecting the country in all directions, and particularly along its streams or routes, where roads already are, or probably will be established, present those features, which are most important to the operations of armies. A general survey of our coasts, both

Atlantic and interior, is demanded by considerations of national interest as well as of character. Arrangements for the former were made some years since, and expensive instruments procured, which are yet in the possession of the Government. The work was actually commenced, but was abandoned before much progress had been made. If this operation were resumed, and committed to one of the scientific corps of the army, its constitution would prevent the recurrence of those circumstances, to which the abandonment of the project may be attributed. Our own lakes are but imperfectly known to us, and the advance of the settlements and the extension of commerce require, that this defect should be supplied. Labors of this nature have engaged the attention of the most enlightened Governments, and the materials become a part of the general stock of public knowledge. The necessity of peculiar instruction for officers devoted to these duties, both in the scientific principles and in the practical details, is well illustrated in the report from the Topographical Office. Some of the operations require an intimate knowledge of the most abstruse investigations of the present day, in mathematical and physical science; and we shall in vain look for their accomplishment, unless the Government make provision for the measure.

To the Ordnance Department is committed the duty of providing and preserving the necessary armament for the land service of the United States. The trust is a responsible one, requiring fidelity in the administration, and practical as well as scientific knowledge in the execution. The expenditure for these objects exceeds \$900,000 annually, and the value of the accumulated property equals twelve and a half millions. But the nature of the service gives it a still deeper interest, than the pecuniary considerations connected with it. Unless our arms are well fabricated and preserved, and in sufficient abundance, and unless we keep pace with the improvements, which modern science and ingenuity are making, the consequences may hereafter prove disastrous. The necessary provision for these objects cannot be made without much time and experience, and that they may be ready for war they must be procured in peace. A stable and efficient organization is therefore essential to the ordnance corps; and in the report of the officer at the head of it, will be found his views of its present condition. I recommend the subject to your favorable notice. The suggestions are the result of much experience, and present in a forcible manner the defects of the existing system, and the meliorations that are required. I am satisfied, that the adoption of the measures proposed would give renewed efficiency to the operations of this section of the public interest, and more economy in its expenditures.

A commission of experienced officers will be directed to investigate the subject, and to report their views concerning the various matters connected with it; and particularly with respect to the patterns and construction of the small arms and cannon, and any alterations which experience may have indicated. Their report, when received, will be laid before you.

I have made some examination into the condition of this branch of the national defence, with the view of ascertaining the supplies in service and in depot, and determining the quantity yet required to meet the demands of a prudent forecast. The result I shall submit for your consideration.

The United States have now in serviceable condition about 465,000 muskets. The annual demand to supply the necessary loss in the army and the militia, and to furnish the issues to the respective States, is 18,300. The number manufactured in the public armories is about 25,000, and at private

works about 11,000, making a total of 36,000, at the average cost of twelve dollars each. We had at the commencement of the late war 240,000 muskets in depot, and during its progress 60,000 were made and purchased. At its termination, there were but 20,000 at the various arsenals, and many of those in the hands of the troops were unserviceable. Eight years were then required to replace the number lost during the war.

From 1802 to 1814 there were 3,956,257 small arms of all descriptions procured for the French service.

And during the same period, for the British service, 3,142,366.

The average number of small arms annually fabricated in the French arsenals from 1805 to 1814, was 219,372.

In the British arsenals, from 1802 to 1814, 261,947.

The stock on hand in Great Britain, in 1817, in depot, was 818,280

In the public service, - - - - - 200,974

Total, - - - - - 1,019,250

The number in depot in France, in 1811, was 600,000, not including the great number in service.

These statements may be useful in determining the proper number of small arms, which ought to be provided in this country. Being almost imperishable, when properly secured and preserved, their accumulation occasions no actual loss, as the time must, in all probability, come when they will be wanted.

Considering the nature of our service, requiring, as it does, an unusual expenditure of these articles, in consequence of the great proportion of militia we employ, and the system of rotation, by which their services are regulated, and great losses consequently occasioned, and also the necessity of large deposits in different sections of such an extensive country, each of which should be adequate to any probable emergency, it is evident that our stock of small arms should at all times be large. Whether the quantity now on hand be sufficiently so, is for Congress to determine.

There are now 623 cannon of various calibres, for field service. And there are at the arsenals and in the old fortifications 1,165. But these cannon are all of antiquated patterns, and, with the exception of the six pounders, amounting to 344, and a few of the heavier pieces, are considered unserviceable. There have been procured for the armament of the new fortifications 1,214 cannon of the improved pattern.

The old fortifications will require, (probably,) - - - - - 646

The new, already completed, - - - - - 2,587

Those contemplated by the board of engineers, a part of which are now constructing, - - - - - 4,045

Besides these, proper field trains, deposited in different sections of the Union, and sufficiently large to meet probable contingencies, may be estimated at - - - - - 850

The average cost of our cannon is \$5 $\frac{24}{100}$ per hundred pounds, which gives the following prices for those of different calibres.

For 42-pounders,	-	-	-	-	\$520
32	"	-	-	-	450
24	"	-	-	-	330
18	"	-	-	-	245
12	"	-	-	-	150
8	"	-	-	-	70

It is estimated that an iron cannon will not safely bear more than 1,200 discharges with the service charge, after which it should be broken up.

The United States have no armories for the fabrication of cannon. The practice for some years has been to make contracts with the owners of the four founderies at Richmond, Georgetown, Pittsburg, and West Point, to the amount of the annual appropriation, allowing about an equal proportion to each, and paying such price as the Ordnance Department, on the best information, judge reasonable.

This procedure has been repeatedly stated in the annual reports to Congress, together with the reasons which led to it. These are founded in the capital and experience required to conduct this business; in the necessity of depending, in some degree, upon the integrity and character of the manufacturers, as there may be defects in the piece not easily discoverable, owing to the necessity of mixing together iron of different qualities; and in the belief, that, if a general competition for these supplies were excited, the existing establishments would be broken down, and others endeavor to take their places, which would either fail from similar causes, or furnish cannon unfit for service, and thus leave the Government, at some critical period, without the means of procuring this indispensable arm of defence. The provisions of the acts of Congress of March 3d, 1809, seem, however, to present serious objections to this course; and I bring the subject before you at this time, that it may be fully considered.

It appears to me, that a public armory for the fabrication of cannon is required by obvious considerations. By forming such an establishment, the necessary experience and artisans would be provided, and such supplies of heavy ordnance manufactured as the Government might direct. The actual value of the article would be ascertained, and contracts with individuals could be formed with a full knowledge of the circumstances. There would be no danger of combinations, nor would any injury result from fair competition. The supplies might be so controlled as to leave no fear of a deficiency in the quality or quantity of this essential arm of defence.

In the report of the Surgeon General will be found a review of the operations of the medical department, and the propositions submitted by him for its better organization. Fourteen thousand dollars are annually expended for the employment of private physicians, because the corps is not sufficiently numerous to discharge the duties demanded of it. We have sixty-four military stations and recruiting rendezvous requiring surgeons, and we have in service but fifty-three surgeons and assistants. There is no economy in the present arrangement, nor is it advantageous to the public interest. An increase of the corps, as recommended by the surgeon general, is evidently required.

The considerations urged by him for an addition to the pay of surgeons and assistants, are certainly forcible. There is no portion of the army, whose compensation is so inadequate, nor is there any, which presents less prospects of reward. There are but two grades of rank in our medical service, and the emolument of the highest is but little superior to that of a captain.

It is due to the army, that the subject of brevet commissions should be placed before you. So far as respects the services and compensation of officers holding those commissions, the present regulations are just, and well calculated to prevent any injury to the public service. No officer can receive the pay of his brevet rank unless serving in that capacity when on duty and

having a command according to his brevet rank. There are twenty-nine officers in the army now drawing brevet pay.

These brevet commissions presuppose experience in the officer, and are founded upon the presumption, that circumstances may arise when his services may be useful in a more extensive sphere than that in which, by his lineal commission, he is required to act; and these circumstances will often be found in our service, than in any other. Our regular troops and militia must frequently act together. When thus co-operating, the officers of the regular army take rank of all militia officers of the same grade, whatever may be the date of their respective commissions. This rule is highly beneficial to the public interest, because, without creating invidious distinctions, it gives to experience its proper weight. By granting brevet commissions, after ten years' service in one grade, agreeably to the present rule, experienced officers will be provided for command upon detachment, or at posts where the objects are important or the danger imminent.

The construction, which has been given to the law upon this subject, has restricted the granting of brevet commissions upon prior ones to those cases only where ten years' services have been rendered under such prior commissions. There may be some doubt respecting the correctness of this view, and also the expediency of the restriction.

These commissions, except in the few instances stated, and those very proper, occasion no expense to the Government. They are in their operation rewards for past good conduct, and incentives to future. They cannot be abused, for ten years' services certainly qualify an officer for a higher grade; and to attain by brevet promotion the rank of brigadier general from the commencement of the term of a captain, requires a period of forty years. And if to this be added the necessary progress through the two lower grades of first and second lieutenant, the prospect of a young man, on entering our service, is not very flattering. Nor has he much to hope from his pay. It is barely sufficient to enable the officers, with rigid economy, to live respectably; and few of them leave for their children any inheritance but a good name.

It is important that a just pride of character, personal and professional, should be encouraged in a class of men, whose usefulness depends essentially upon the cultivation of such a feeling. This system of promotion, so useful in war and economical in peace, offers honorable objects of ambition, and cannot fail to stimulate the exertions of the officers of the army.

The situation of the militia demands the attention of the Government. Owing to defects in the system itself, or in the mode of its administration, public confidence has been impaired in the efficacy of that great branch of the national defence. This is to be regretted; for, although this force cannot be regarded as our most important means of safety in the event of war, it is still a valuable auxiliary, and one which the nature of our institutions, opposed as they are to a large standing army, renders indispensable. The power of organizing, arming, and disciplining the militia is granted by the Constitution to Congress; and if the laws upon this subject are inadequate, or inadequately executed, it is for the wisdom of that body to apply the remedy.

If this great defensive force be called out under proper circumstances, it may contribute, essentially, to the security of the country. In recurring to our own experience, we find many instances of the courage and devotedness of our militia; and the two battles that opened and closed our military history furnish practical illustrations of the value of this institution, and of its

powerful effects in situations favorable to its operation. The National Guard of France, upon which the fate of that interesting country seems to depend, is but a local militia, constituted like our volunteer companies, but with a more efficient organization. By anticipating too much, however, from our militia force, we prepare the way for disappointment; and this was the error of the late war: in consequence of which, our attention has been probably withdrawn from the value of the system itself. A regular force is indispensable to the vigorous prosecution of any permanent military operations, offensive or defensive. But it may be aided by irregular troops, and its place also supplied, until measures for providing it can be adopted. We cannot expect, that the militia drill, upon the present system, will give much instruction. The time and attention devoted to it are utterly insufficient for such a purpose. Nor is it probable, that enough of either will be granted in time of peace, to convey much military knowledge to the great body of our citizens. It is still important, however, that a due organization should be preserved, and a portion of time devoted to this duty. In the most unexpected and serious emergency, the national strength could not be called into action, unless individuals were assigned to particular classes, either local or personal, and knew their situation; and unless there were officers to direct the movements. And this arrangement has also a tendency to preserve and diffuse much military knowledge; for many will always direct their attention to the subject, led by inclination as well as duty to acquire information, and to qualify themselves for the various functions required to be performed. Our countrymen, generally, are accustomed to the use of fire arms from early youth; and in the management of these they have little need of instruction. In devoting the field days, therefore, to the simpler evolutions, some knowledge will be gained, and the whole community will be practically reminded of the claim, which may be made upon their services. They will feel that his civil relations are not the only ones which exist between the citizen and his country, but that he is bound by other obligations, and that the defence of all is entrusted to all.

In 1826, a board of officers, selected from the regular army and the militia, was convened at the seat of Government, and instructed to take into consideration the militia system generally, and to suggest such alterations as might appear to them useful. This board combined much intelligence and experience; and their report is an able and interesting one. I advert to it, in the hope, that this subject may engage the attention of Congress, and in the conviction, that the plan of organization recommended by that board is the only one, which offers any real prospect of improvement or efficiency.

The condition and prospects of the aboriginal tribes within the limits of the United States are yet the subjects of anxious solicitude to the Government. Circumstances have occurred within a few years, which have produced important changes in the intercourse between them and us. In some of the States, they have been brought within the operation of the ordinary municipal laws, and their regulations have been abrogated by legislative enactments. This procedure renders most of the provisions of the various acts of Congress upon this subject inoperative; and a crisis in our Indian affairs has evidently arrived, which calls for the establishment of a system of policy adapted to the existing state of things, and calculated to fix upon a permanent basis the future destiny of the Indians. Whatever change may be contemplated in their condition or situation, no one will advocate the employment of force or improper influence in effecting it. It is due to the

character of the Government and the feelings of the country, not less than to the moral and physical imbecility of this unhappy race, that a spirit of kindness and forbearance should mark the whole course of our intercommunication with them. The great object, after satisfying ourselves what would best ensure their permanent welfare, should be to satisfy them of the integrity of our views, and of the wisdom of the course recommended to them. There is enough in the retrospect for serious reflection on our part, and for unpleasant recollection on theirs; and it is only by a dispassionate examination of the subject, and by prudent and timely measures, that we can hope to repair the errors of the past by the exertions of the future.

The Indians, who are placed in immediate contact with the settled portions of the United States, have now the alternative presented to them, of remaining in their present positions, or of migrating to the country west of the Mississippi. If they are induced to prefer the former, their political condition becomes a subject of serious consideration. They must either retain all those institutions, which constitute them a peculiar people, both socially and politically, or they must become a portion of that great community which is gathering round them, responsible to its laws, and looking to them for protection.

Can they expect to maintain that *quasi* independence they have heretofore enjoyed? and could they so maintain it, would the privilege be beneficial to them?

The right to extend their laws over all persons, living within their boundaries, has been claimed and exercised by many of the States. The Executive of the United States has, on full consideration, decided that there is no power in that department to interpose any obstacle to the assumption of this authority. As upon this co-ordinate branch of the Government devolves the execution of the laws, and particularly many of the most important provisions in the various acts regulating intercourse with the Indians, it is difficult to conceive how these provisions can be enforced, after the President has determined they have been abrogated by a state of things inconsistent with their obligations. How prosecutions can be conducted, trespassers removed by military power, and other acts performed, which require the co-operation of the Executive, either in their initiation or progress.

I do not presume to discuss this question. I find it determined, and the settled policy of the Government already in operation. Whatever diversity of opinion there may be upon the subject, those who are most opposed to these views will probably admit, that the question is a doubtful one, complicated in its relations, and pregnant with serious consequences. The claim of exemption from the operation of the State laws, which is presented in favor of the Indians, must rest upon the Constitution of the United States, upon natural right, or upon conventional engagements. If upon the former, it may be doubted whether that instrument contain any grant of authority to the General Government, which necessarily divests the State Legislatures of their jurisdiction over any class of people, living within their respective limits. The two provisions, which can alone bear upon the subject, seem to have far different objects in view. If the claim rest upon natural right, it may be doubted whether the condition and institutions of this rude people do not give to the civilized communities around whom and among whom they live, the right of guardianship over them; and whether this view is not fortified by the practice of all other civilized nations under

similar circumstances—a practice, which, in its extent and exercise, has varied from time to time, as the relative circumstances of the parties have varied, but of whose limitations the civilized communities have been and must be the judges. And, besides, if the Indian tribes are independent of the State authorities, on account of the natural and relative rights of both, these tribes are equally independent of the authorities of the United States. The claim, upon this ground, places the parties in the attitude of entire independence; for the question then is not how we have divided our political power between the confederated Government and its members, and to which we have entrusted the exercise of this supervisory authority, but whether the laws of nature give to either any authority upon the subject. But, if the claim rest upon alleged conventional engagements, it may then be doubted whether in all our treaties with the Indian tribes there is any stipulation, incompatible with the exercise of the power of legislation over them. For if there were, the legislative power of Congress, as well as that of the respective States, would be annihilated, and the treaties alone would regulate the intercourse between the parties. But, on a careful investigation, it will probably be found, that, in none of our treaties with the Indian tribes, is there any guaranty of political rights incompatible with the exercise of the power of legislation. These instruments are generally either treaties of peace or of cession. The former restore and secure to the Indians interests of which they were deprived by conquest, and the latter define the boundaries of cessions or reservations, and prescribe the terms and consideration, and regulate generally the principles of the new compact. In both, every sound rule of construction requires, that the terms used should be expounded agreeably to the nature of the subject-matter, and to the relations previously subsisting between the parties. If general expressions are not controlled by these principles, then the term “their land,” or, as it is elsewhere called; “their hunting grounds,” instead of meaning what our own negotiators and the Indians themselves understood, that possessory right, which they have heretofore enjoyed, would at once change our whole system of policy, and leave them as free to sell, as it would individuals or nations to buy, those large unappropriated districts, which are rather visited than possessed by the Indians.

It may be remarked that all rights secured by treaty stipulations are wholly independent of this question of jurisdiction. If the Indians are subject to the legislative authority of the United States, that authority will no doubt be exercised so as not to contravene those rights. If they are subject to the respective States, such, too, will be the course of legislation over them. And if, unadvisedly, any right should be impaired, the Indians have the same resort as our own citizens to the tribunals of justice for redress; for the law, while it claims their obedience, provides for their security. The supremacy of the State Governments is neither inconsistent with our obligations to the Indians, nor are these necessarily impaired by it. It may be difficult to define precisely the nature of their possessory right, but no one will contend that it gives them the absolute title of the land with all its attributes; and every one will probably concede that they are entitled to as much as is necessary to their comfortable subsistence. If we have entered into any stipulations with them, of which, however, I am not aware, inconsistent with the limited powers of the Government, or interfering with paramount obligations, the remedy is obvious. Let ample compensation be made to them by the United States, in a spirit of good faith and liberality. The

question would be one, not of pecuniary amount, but of national character and national obligations.

That we may neither deceive ourselves nor the Indians, it becomes us to examine the actual state of things, and to view these as they are, and as they are likely to be. Looking at the circumstances attending this claim of exemption on the one side, and of supremacy on the other, is it probable that the Indians can succeed in the establishment of their pretensions? The nature of the question, doubtful, to say the least of it; the opinion of the Executive; the practice of the older States, and the claims of the younger ones; the difficulties which would attend the introduction into our system of a third government, complicated in its relations, and indefinite in its principles; public sentiment, naturally opposed to any reduction of territorial extent or political power; and the obvious difficulties, inseparable from the consideration of such a great political question, with regard to the tribunal, and the trial, the judgment, and the process; present obstacles which must all be overcome before this claim can be enforced.

But could the tribes, and the remnants of tribes, east of the Mississippi, succeed in the prosecution of this claim, would the issue be beneficial to them, immediately or remotely?

We have every reason to believe it would not; and this conclusion is founded on the condition and character of the Indians, and on the result of the efforts, which have been made by them, and for them, to resist the operation of the causes that yet threaten their destruction.

I need not stop to illustrate these positions. They are connected with the views, which will be found in the sequel of this report. And it is not necessary to embarrass a subject already too comprehensive.

A change of residence, therefore, from their present positions to the regions west of the Mississippi, presents the only hope of permanent establishment and improvement. That it will be attended with inconveniences and sacrifices, no one can doubt. The associations, which bind the Indians to the land of their forefathers are strong and enduring; and these must be broken by their migration. But they are also broken by our citizens, who every day encounter all the difficulties of similar changes in the pursuit of the means of support. And the experiments, which have been made, satisfactorily show, that, by proper precautions, and liberal appropriations, the removal and establishment of the Indians can be effected with little comparative trouble to them or us. Why, then, should the policy of this measure be disputed, or its adoption opposed? The whole subject has materially changed, even within a few years; and the imposing considerations it now presents, and which are every day gaining new force, call upon the Government and the country to determine what is required on our part, and what course shall be recommended to the Indians. If they remain, they must decline, and eventually disappear. Such is the result of all experience. If they remove, they may be comfortably established, and their moral and physical condition meliorated. It is certainly better for them to meet the difficulties of removal, with the probability of an adequate, and final reward than, yielding to their constitutional apathy, to sit still and perish.

The great moral debt we owe to this unhappy race is universally felt and acknowledged. Diversities of opinion exist respecting the proper mode of discharging this obligation, but its validity is not denied. And there certainly are difficulties which may well call for discussion and consideration.

For more than two centuries we have been placed in contact with the Indians. And if this long period has been fruitless in useful results, it has not been so in experiments, having in view their improvement! Able men have been investigating their condition, and good men attempting to improve it. But all these labors have been as unsuccessful in the issue, as many of them were laborious and expensive in their progress.

The work has been aided by Governments and communities, by public opinion, by the obligations of the law, and by the sanction of religion. But its history furnishes abundant evidence of entire failure, and every thing around us upon the frontiers confirms its truth. The Indians have either receded as our settlements advanced, and united their fragments with some kindred tribe, or they have attempted to establish themselves upon reservations, in the vain hope of resisting the pressure upon them, and of preserving their peculiar institutions. Those, who are nearest to us, have generally suffered most severely by the debasing effects of ardent spirits, and by the loss of their own principles of restraint, few as these are, without the acquisition of ours; and almost all of them have disappeared, crushed by the onward course of events, or driven before them. Not one instance can be produced in the whole history of the intercourse between the Indians and the white men, where the former have been able, in districts surrounded by the latter, to withstand successfully the progress of those causes, which have elevated one of these races and depressed the other. Such a monument of former successful exertion does not exist.

These remarks apply to the efforts, which have been heretofore made, and whose history and failure are known to us. But the subject has been lately revived with additional interest, and is now prosecuted with great zeal and exertion; whether with equal effect, time must show. That most of those engaged in this labor are actuated by pure and disinterested motives, I do not question. And, if in their estimate of success, they place too high a value upon appearances, the error is natural to persons zealously engaged in a task calculated to enlist their sympathies and awaken their feelings, and has been common to all, who have preceded them in this labor of philanthropy, and who, from time to time, have indulged in anticipations of the most signal success, only to be succeeded by disappointment and despondency.

That these exertions have recently been productive of some advantage, may well be admitted. A few have probably been reclaimed from abandoned habits, and some, perhaps, have really appreciated the inestimable value of the doctrines which have been taught them. I can speak from personal observation only of the northern and northwestern tribes. Among them, I am apprehensive the benefits will be found but few and temporary. Of the condition of the Cherokees, who are said to have made greater advances than any of their kindred race, I must judge from such information as I have been able to procure. Owing to the prevalence of slavery and other peculiar causes among them, a number of the half-breeds and their connexions, and perhaps a few others, have acquired property, and with it some education and information. But I believe the great mass of the tribe is living in ignorance and poverty; subject to the influence of the principal men, and submitting to a state of things, with which they are dissatisfied, and which offers them no rational prospect of stability and improvement.

The failure, which has attended the efforts heretofore made, and which will probably attend all conducted upon similar principles, may be attributed

partly to the inherent difficulty of the undertaking, resulting from characteristics peculiar to the Indians, and partly from the mode in which the operations have been conducted.

Without entering into a question which opens a wide field for inquiry, it is sufficient to observe that our primitive people, as well in their habits and opinions as in their customs and pursuits, offer obstacles almost insurmountable to any considerable and immediate change. Indolent in his habits, the Indian is opposed to labor; improvident in his mode of life, he has little foresight in providing, or care in preserving. Taught from infancy to reverence his own traditions and institutions, he is satisfied of their value, and dreads the anger of the Great Spirit, if he should depart from the customs of his fathers. Devoted to the use of ardent spirits, he abandons himself to its indulgence without restraint. War and hunting are his only occupations. He can endure, without complaining, the extremity of human suffering; and if he cannot overcome the evils of his situation, he submits to them without repining. He attributes all the misfortunes of his race to the white man, and looks with suspicion upon the offers of assistance that are made to him. These traits of character, though not universal, are yet general; and the practical difficulty they present, in changing the condition of such a people, is to satisfy them of our sincerity and the value of the aid we offer; to hold out to them motives for exertion; to call into action some powerful feeling, which shall counteract the tendency of previous impressions. It is under such circumstances, and with these difficulties in view, that the Government has been called upon to determine what arrangements shall be made for the permanent establishment of the Indians. Shall they be advised to remain or remove? If the former, their fate is written in the annals of their race; if the latter, we may yet hope to see them, renovated in character and condition by our example and instruction, and by their exertions.

But, to accomplish this, they must be first placed beyond the reach of our settlements, with such checks upon their disposition to hostilities as may be found necessary, and with such aid, moral, intellectual, and pecuniary, as may teach them the value of our improvements, and the reality of our friendship. With these salutary precautions, much should then be left to themselves, to follow such occupations in the forest or the field as they may choose, without too much interference. Time and prosperity must be the great agents in their melioration. Nor have we any reason to doubt but that such a condition would be attended with its full share of happiness, nor that their exertions would be stimulated by the security of their position, and by the new prospects before them. By encouraging the several kinds of soil, sufficient tracts might be assigned to all disposed to cultivate them; and, by timely assistance, the younger class might be brought to seek in their farms a less precarious subsistence than is furnished by the chase. Their physical comforts being increased, and the desire of acquisition brought into action, a moral stimulus would be felt by the youthful portion of the community. New wants would appear, and new means of gratifying them; and the great work of improvement would thus commence, and, commencing, would go on.

To its aid, the truths of religion, together with a knowledge of the simpler mechanic arts and the rudiments of science, should then be brought, but if our dependence be first placed upon these, we must fail, as all others have failed, who have gone before us in this field of labor. And we have

already fallen into this error of adapting our efforts to a state of society, which is probably yet remote among the Indians, in withdrawing so many of the young men from their friends, and educating them at our schools. They are there taught various branches of learning, and, at some of these institutions, a partial knowledge of the mechanic arts, and of the principles of agriculture. But after this course of instruction is completed, what are these young men to do? If they remain among the whites, they find themselves the members of a peculiar caste, and look round them in vain for employment and encouragement; if they return to their countrymen, their acquirements are useless: these are neither understood nor valued; and, with the exception of a few articles of iron, which they procure from the traders, the common work of our mechanics is useless to them. I repeat, what is a young man, who has been thus educated, to do? He has no means of support, no instruments of agriculture, no domestic animals, no improved farm. Taken in early life from his own people, he is no hunter; he cannot find in the chace the means of support or exchange; and that, under such circumstances, he should abandon himself to a life of intemperance, can scarcely excite our surprise, however it must our regret. I have been earnestly asked by these young men, how they were to live; and I have felt that a satisfactory answer was beyond my reach. To the Government only can they look for relief, and if this should be furnished, though in a moderate degree, they might still become useful and respectable; their example would be encouraging to others, and they would form the best instructors for their brethren.

The general details of a plan for the permanent establishment of the Indians west of the Mississippi, and for their proper security, would require much deliberation; but there are some fundamental principles, obviously arising out of the nature of the subject, which, when once adopted, would constitute the best foundation for our exertions, and the hopes of the Indians.

1. A solemn declaration, similar to that already inserted in some of the treaties, that the country assigned to the Indians shall be theirs as long as they or their descendants may occupy it, and a corresponding determination that our settlements shall not spread over it; and every effort should be used to satisfy the Indians of our sincerity and of their security. Without this indispensable preliminary, and without full confidence on their part in our intentions, and in our abilities to give these effect, their change of position would bring no change of circumstances.

2. A determination to exclude all ardent spirits from their new country. This will no doubt be difficult; but a system of *surveillance* upon the borders, and of proper police and penalties, will do much towards the extermination of an evil, which, where it exists to any considerable extent, is equally destructive of their present comfort and their future happiness.

3. The employment of an adequate force in their immediate vicinity, and a fixed determination to suppress, at all hazards, the slightest attempt at hostilities among themselves.

So long as a passion for war, fostered and encouraged, as it is, by their opinions and habits, is allowed free scope for exercise, it will prove the master spirit, controlling, if not absorbing, all other considerations. And if in checking this evil some examples should become necessary, they would be sacrifices to humanity, and not to severity.

4. Encouragement to the severalty of property, and such provision for its security, as their own regulations do not afford, and as may be necessary to its enjoyment.

5. Assistance to all who may require it in the opening of farms, and in procuring domestic animals and instruments of agriculture.

6. Leaving them in the enjoyment of their peculiar institutions, as far as may be compatible with their own safety and ours, and with the great objects of their prosperity and improvement.

7. The eventual employment of persons competent to instruct them, as far and as fast as their progress may require, and in such manner as may be most useful to them.

Arrangements have been made upon fair and equitable terms with the Shawnees and Senecas of Lewistown, with the Shawnees of Wapaghkonetta, and with the Ottowas of Blanchard's fork, and the Maumee, all within the State of Ohio, for the cession of their reservations in that State, and for their migration to the region assigned for the permanent residence of the Indians. A similar arrangement was made with the Senecas in the early part of the year, and they are already upon their journey to their new country. A deputation from the Wyandots has gone to examine the district offered to them; and the general outlines of an arrangement for a cession have been agreed upon, to be formally executed, if the report of the exploring party should prove satisfactory.

It has been suggested, that a considerable portion of the Cherokees in Georgia are desirous of availing themselves of the provisions of the treaty, May 6th, 1828, for their removal. With a view to ascertain this fact, and to afford them the aid offered by that treaty, if they are inclined to accept it, a system of operations has been adopted, and persons appointed to carry it into effect. Sufficient time to form a judgment of the result of this measure has not yet elapsed.

But in all the efforts, which may be made, the subject will be fully and fairly explained to the Indians, and they will be left to judge for themselves. The agents are prohibited from the exertion of any improper influence, but are directed to communicate to the Indians the views of the President, and his decided convictions, that their speedy removal can only preserve them from the serious evils which environ them. It is to be hoped, that they will accept this salutary advice, and proceed to join their countrymen in the district appropriated for their permanent residence.

If the seeds of improvement are sown among them, as many good men assert and believe, they will ripen into an abundant harvest—profitable to themselves in the enjoyment, and to all the members of this dispersed family in the example.

The details of an outrage committed by a party of Fox Indians upon a number of Menomonies at Prairie du Chien, while encamped under the protection of our flag, will be found in the report of the officer having charge of the bureau of Indian affairs. The alleged motive for this wanton aggression was some previous injury of a similar nature, stated to have been committed by the Menomonies upon the Fox Indians—a justification, which can never be wanting, where neither time nor treaties, as in this case, are permitted to cancel the offence.

This aggression, together with the difficulties at Rock island with the Sac Indians, of which the same report furnishes the particulars, shows the necessity of employing upon the frontiers a corps of mounted men, to be station-

ed at the most exposed points, and to be always prepared to follow every party, that may attempt to interrupt the peace of the border by attacking either our citizens, or other Indians. These predatory bands strike a stroke, and disappear. And there is in the institutions of the Indians such a strong tendency to war, that we shall long be liable to these outrages. Military prowess and success form their principal road to distinction. And the interminable forests and prairies of the West offer them the means of shelter and escape. No infantry force can expect to overtake them; and if we are not provided with mounted troops, who can prevent or punish these aggressions, we shall frequently be compelled to adopt measures more expensive and inconvenient to us, and more injurious to the Indians.

Very respectfully, sir,

I have the honor to be,

Your obedient servant,

LEWIS CASS.

To the PRESIDENT of the United States.