

Indians: Conditions and Claims

The Redman - Nov. 1915.



Presidents of the United States and the Indians:

From the Salem (Mass.) News.



OW best to secure the independence and prosperity of the North American Indian is a question that has projected itself before each administration, from that of President Washington to President Wilson.

That the welfare of these people is eliciting as much interest from public officials and private citizens today as at any time in the history of the United States is made evident by the measures brought forward for consideration by both State and Federal Governments looking toward the betterment and protection of these people.

A paper read by Gen. R. H. Pratt before the Society of American Indians, and published in that society's journal, reviews the position taken by some of the Presidents of the United States in regard to the Indian questions, and sets forth expression from these executives embodying sentiments of the widest humanity. General Pratt says in part:

"It seems to me best that we consider now and always the earnest and official views about Indians and their welfare coming from our greatest rulers, who have had responsibility for their care and progress in civilization."

President Washington Said:

I CANNOT dismiss the subject of Indian affairs without again recommending to your consideration the exigencies of more adequate provisions for restraining the commission of the outrages upon the Indians without which all specific plans may prove nugatory. To enable by competent rewards the employment of qualified and trusty persons to reside among them as agents would also contribute to the preservation of peace and good neighborhood.

If in addition to these expedients an eligible plan could be devised for promoting civilization among the friendly tribes, and for carrying on trade with them upon a scale equal to their wants, and under regulations cal-

culated to protect them from imposition and extortion, its influence in cementing their interests with ours could not but be considerable.

I add, with pleasure, that the probability even of their civilization is not diminished by the experiments which have thus far been made under the auspices of government.

The accomplishment of this work if practicable will reflect undecaying luster on our national character and administer the most grateful consolation that virtuous thoughts can know.

President Jefferson Said:

IN TRUTH, the ultimate point of rest and happiness for them (the Indians) is to let our settlements and theirs meet and blend together, to intermix and become one people. Incorporating themselves with us as citizens of the United States is what the natural progress of things will bring on; it is better for them to be identified with us and preserved in the occupation of their lands than to be exposed to the dangers of being a separate people.

President Madison Said:

THE peace and friendship of the Indian tribes of the United States are found to be so desirable that the general disposition to pursue both continues to gain strength.

I am happy to state that the facility is increasing for extending that divided and individual ownership which exists in moveable property only to the soil itself, and of thus establishing in the culture and improvement of it a true foundation for a transit from the habits of the savage to the arts and comforts of social life.

President Monroe Said:

EXPERIENCE has clearly demonstrated that independent savage communities can not long exist within the limit of a civilized population. The progress of the latter has almost invariably terminated in the extinction of the former, especially of the tribes belonging to our portion of the hemisphere among whom loftiness of sentiment and gallantry of act have been conspicuous.

To civilize them and even to prevent their extinction it seems to be indispensable that their independence as communities should cease, and that the control of the United States over them should be complete and undisputed. The hunter's state will then be more easily abandoned and recourse will be had to the acquisition and culture of land, and to other pursuits tending to dissolve the ties which connect them together as a savage community and to give a new character to every individual. Their civilization is indispensable to their safety.

President John Q. Adams Said:

AS independent powers we negotiated with them by treaties; as proprietors we purchased from them all the land which we could prevail upon them to sell; as brethren of the human race, rude and ignorant, we endeavored to bring them to the knowledge of religion and letters. The ultimate design was to incorporate in our own institution that portion of them which could be converted to the state of civilization.

We have been far more successful in the acquisition of their lands than in imparting to them the principles or inspiring them with the spirit of civilization. But in appropriating to ourselves their hunting grounds we have brought upon ourselves the obligation of providing for them with subsistence, and when we have had the rare good fortune of teaching the arts of civilization and the doctrines of Christianity, we have unexpectedly found them forming in the midst of ourselves communities, claiming to be independent of ours and rivals of sovereignty within the territories of the members of our Union.

This state of things requires that a remedy should be provided, a remedy which, while it shall do justice to those unfortunate children of nature, may secure to the members of our confederation their rights of sovereignty and of soil.

President Jackson Said:

WHILE professing a desire to civilize and settle the Indian we have at the same time lost no opportunity to purchase their lands and thrust them farther into the wilderness—two policies wholly incompatible. By this treatment they have not only been kept in a wondering state, but been allowed to look upon us as unjust and indifferent to their fate. Thus, though lavish in expenditure upon the subject, the Government has constantly defeated its own policy, and the Indians receding farther and farther have retained their savage habits.

If they submit to the laws of our State, receiving like other citizens protection in their person and property, they will ere long become merged in the mass of our population. If they refuse to assimilate they are doomed to weakness and decay.

President Grant Said:

THE proper treatment of the original occupants of this continent, the Indians, is one deserving of careful study. I will favor any course toward them that tends to their civilization and ultimate citizenship.

President Cleveland Said:

THE conscience of the people demands that the Indians within our boundaries shall be fairly and honestly treated as wards of the Government and their education and civilization promoted with a view

to their ultimate citizenship. I would rather have my administration marked by a sound and honorable Indian policy than by anything else.

Governor Seymour Said:

EVERY human being upon our continent or who comes here from any quarter of the world, whether savage or civilized, can go to our courts for protection, except those who belong to the tribes who once owned this country. The cannibals from the islands of the Pacific, the worst criminals from Europe, Asia, or Africa, can appeal to the law and courts for their rights of person and property, all, save our native Indians, who above all, should be protected from wrong.

(The following is General Pratt's closing statement:)

"We have levied taxes upon our own people, raised and expended on account of the Indians \$500,000,000, catering to a false system of control which forces them to continue in tribal masses. We continue to enlarge this indurating system at increased expense, refusing to listen to the wisdom of the fathers, are decoyed by the voice of those who fatten on exploiting and consolidating Indianism under many guises.

"Let me in closing submit for your pondering what Lowell through Hosea Biglow said, 'The great American idea is to make a man a man, and then to let him be.'"



Congressional Record

SEVENTIETH CONGRESS, SECOND SESSION

Conditions of Indians in the United States

REMARKS

OF

HON. W. B. PINE

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Saturday, January 26, 1929

ARTICLE IN THE CURRENT ISSUE OF GOOD HOUSEKEEPING,
BY VERA L. CONNOLLY

Mr. PINE. Mr. President, I ask unanimous consent to have printed in the RECORD an article in the current issue of Good Housekeeping. This article is written by Vera L. Connolly, and is entitled "The Cry of a Broken People." It contains information regarding the treatment received by the Indian wards of the Government.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is here printed, as follows:

THE CRY OF A BROKEN PEOPLE—A STORY OF INJUSTICE AND CRUELTY
THAT IS AS TERRIBLE AS IT IS TRUE

(By Vera L. Connolly)

(On, and ever on! That has been the story of the Indian ever since the white man began to covet his lands. To-day, when he can be driven no farther, he is oppressed, mistreated, robbed, starved. Shall we allow this injustice to continue until the Indian is gone forever? The answer is with us.)

The solemnity of that roomful! Never shall I forget it!

It was in the Indian pueblo of Taos, N. Mex., in July, 1928. A council of grave import was being held for us by the headmen of the tribe.

All around the bare, whitewashed walls ran a narrow seat. On this we sat, tense and waiting, a few palefaces in a long line of silent, dignified Indian men.

In a corner by the fireplace stood a table with a small lamp. Beside this sat the Indian "governor" of the pueblo—a man of majestic stillness, with a hawk face and quietly folded arms. He wore a shirt of faded red that glowed softly in the lamplight. His hair hung forward over his shoulders in two braids twisted with colored strands. Near him, crouching on the floor, respectful, silent, was the Indian interpreter.

In a rear room huddled the women and young girls. They had greeted us when we arrived with the gracious gestures of an ancient race. Then, soft voiced, charming in their vivid shawls, they had quietly withdrawn. The council is not for Indian women.

The room after that had commenced rapidly to fill with sober-faced Indian men. Like Arabs they had come slipping in, swathed in their white cotton blankets, and had taken their seats solemnly around the wall. Now every inch of the encircling seat was occupied. And the doorway was filled with shrouded figures, beyond whom, on the moonlit desert without, we could faintly discern a throng of other still forms.

The seated men had thrown off their white blankets, and the room glowed with the soft colors of their shirts—faded blue, sage green, pale vermilion. Some wore turquoise earrings and a few had about their necks strings of old Indian jewelry—wampum, coral, and silver beads—in some cases the owner's sole wealth. For though self-supporting and of regal dignity, these were poor Indians.

Presently the governor raised his hand. The council began.

He first addressed the Indians, speaking in the native tongue. He told them that we, their white visitors, had heard in New York City that all was not well with the Indian people, wards of our Nation. We had come out to the West to learn if these rumors of misery and injustice were true.

When he had finished speaking the interpreter repeated the words to us in English. And again a sober silence fell. Outside on the moonlit rooftops an Indian drum sounded softly, and then a low, minor chanting began and drifted in at the doorway.

Suddenly, one by one, the Indians commenced to speak. They spoke heatedly, rapidly, with gestures. Yet their passion was so restrained

that no voice ever rose above a tense monotone. Each addressed the governor, who in turn asked the interpreter to translate for us.

It was a passionate plea for just one thing—better treatment of Indian children in the Government boarding schools. The other wrongs the race may have suffered in the past at our hands—loss of lands, water rights, and personal freedom—obviously signified nothing in their eyes compared to the sufferings of the 27,000 Indian children in the Government boarding schools to-day.

These children, it was explained to us, are taken forcibly from their mothers' arms, as early as 6 years of age in some Indian communities, and sent away to distant boarding schools to stay till 18. There they are underfed, roughly treated, and required to work half of every day at hard industrial labor in the fields or in the laundry, in addition to the half day of school.

It was a story of frightened, lonely, hungry, exhausted childhood they told. Of children poorly housed in crowded dormitories, with so little protection against disease that infections rage through the schools. Of children cruelly overworked. Of children so underfed that they snatch like famished little animals at plates of bread. Of children struck and thrown into the school "jails" for infringement of minor rules.

And these statements coincided with the rumors that has caused the editor of Good Housekeeping to send me West, to the Indians themselves, to ascertain the facts.

The governor told of visiting one of these schools himself in May, 1928, and finding the food not only insufficient in quantity but of the wrong kind for growing children forced to do hard work.

THE CHILDREN ARE HUNGRY

Another Indian, Alvino Lujan, described his visit to the Santa Fe School in 1928.

"I sat down to supper with the little boys," he said, "and when the bread arrived the boys grabbed all of it, yet were still hungry. No more was served them. I asked for some bread for myself and was given two thin slices. But when it came the little boy beside me kept staring so at my bread—he was so pitiful—I turned my head away. When I looked around again my bread was gone.

"At breakfast the same thing happened. The boys snatched the bread as though half starved. I went to San Ildefonso pueblo and asked some bread from the Indians and took it to the hungry boys at the school. All this is wrong! Those children work very hard! The night I slept there one boy was awakened at midnight to go out and work on some machinery."

A third Indian—Juan Archuleta—declared that the main meal at noon, when he visited the Santa Fe School in 1927, consisted of "gravy, a kind of tea just like water, and some bread and sirup." And "the boys did not have enough of this," he added. "They left the table hungry."

Antonio Mirabal, the interpreter—a man with a fine, thoughtful face—told with quiet compassion of his visit to the Albuquerque School in March, 1927. "Breakfast was oat meal with sirup, bread and coffee. The boys rushed for it. There was not nearly enough. So I ate nothing. I wanted them to have it all."

When the men had finally ceased speaking, some of the boys, home on vacation, told timidly of their treatment in the schools. Again it was a tale of loneliness, overwork, undernourishment, and brutal discipline. How tragic, thought the writer, for this cruelty to be inflicted on the boys and girls of a race noted for its love of children! One may wander all day about an Indian pueblo, up and down the ladders, in and out of the quaint, many-storied house, and never see a child struck or hear a harsh word spoken to it. Indian women, if one of their number scolds a child, derisively call her "white woman." Firm discipline of childhood, yes. That is to be found in the Indian household. But it is not the rule of fist and boot.

"The disciplinarian closed the door," said Fernando Romero, a school-boy, in describing the punishment meted to him at the Santa Fe boarding school, because of a misunderstanding over the washing of some shirts, "and grabbed hold of my neck and tried to choke me. Then he struck my mouth, and it began to bleed. Then he grabbed me again and knocked my head against the door and told me to go back to work. I couldn't eat for two days, my mouth was so swollen."

Other boys told of the cruel jails at the schools; of little boys of 12 forced to dig ditches and do other work too hard for them; of boys hit in the face for coming late to work; of the terrible food—usually oat-meal, sirup, bread, and coffee for breakfast; gravy and bread, potatoes

and tea for dinner; and beans and bread and tea for supper. And never, never enough!

Leaving the council room, the writer slipped back for a word with the shy girls in the rear part of the house. They told a similar story, describing the long, exhausting hours in sewing room and laundry before the school day began. Girls were roughly punished, too; sometimes struck; sometimes made to kneel on the floor in the hall all night for being late to work.

Several girls had tubercular coughs. "They never sick till they go away to boarding school," said a woman, with quiet despair, in broken English.

I recalled then some of the statements in the official reports I had recently seen—that the Indian boarding schools are overcrowded, unsanitary, and foul with two diseases—tuberculosis, a gift of the white race to the Indian people, and trachoma, an eye disease closely connected with malnutrition.

I had read that often healthy children were brought to these schools and, after being subjected to years of hunger, unkindness, overwork, and infection, sent home dying of tuberculosis or half blind with trachoma to infect their helpless families and communities.

Could these things be? In the United States of America?

THEIR HOPE IS IN US

I returned to the council room. The meeting was over, and we departed, promising to tell white Americans—parents themselves—what the Indian child is suffering in the boarding schools, and promising to make a plea that day schools on the reservations be substituted for these distant boarding schools.

When we passed out the door the white-robed, Arablike forms fell back respectfully, and we walked between them across the plaza, upon which the centuries-old houses look down, to our waiting automobile.

As we drove away over the moonlit desert plateau we looked back at the Sacred Mountain, with ancient Taos pueblo crouching at its foot. From the roof tops there still reached us faintly the chanting of the singers. It was buoyant, confident singing! It was a song of good hope, explained one who was with us—a hope that the council meeting had not been in vain.

In the weeks that followed, the writer of this article visited many groups of Indians, not only in New Mexico but in Arizona, Colorado, Oregon, Washington, and Wisconsin. In all these States and in California, she also studied every official report she was able to obtain. Besides, she interviewed prominent white men and women who for years have been quietly battling for the Indian people.

Partly as a result of her own fleeting observations, but chiefly through her interviews and study of authentic reports, among them the one submitted a year ago by the Institute for Government Research after a 15 months' investigation made at the request of the Secretary of the Interior, the writer found abundant verification of all that had been claimed in the Taos Council regarding the boarding schools. And she also discovered that this wrong being done the Indian people is but one of many!

Gaunt poverty is apparent on almost all reservations to-day. And so is hunger. And so is contagious disease. And so is complete subjugation of person and property. Although all Indians to-day are citizens, made such in recognition of their voluntary service during the World War, the Indian Bureau, which for 70 years has had despotic control over the Indians, pronounces 225,000 of them "incompetent." This bureau regards its acts as not subject to court review.

To quote from Congressman JAMES A. FREAR, of Wisconsin, in a recent issue of Plain Talk:

"The Indian Bureau holds itself above the law, and in the disposition of property belonging to 'incompetent' Indians considers that its acts are not reviewable by the courts. This arbitrary stand makes it impossible for the 225,000 'incompetent' Indians to prevent the wholesale wasting of their property. More than \$90,000,000 in cash and securities and more than \$1,600,000,000 in land and personal property belonging to Indians are under the exclusive control of the Indian Bureau, while the owners of the property are denied any voice in its disposal and often refused any share of the proceeds. As an inevitable consequence, the property of the Indians has literally been looted to the extent of millions of dollars."

SLAVERY STILL EXISTS

The American Indian can not sell his own lands. He can not worship in his own way. He can not rear his own children. If he leaves the reservation without permission, he can be tried by a "judge" appointed by the agent and thrown into jail for any length term in ball and chain. For him there is no jury trial unless he has been specifically charged with one of eight major crimes named in Federal law; in the latter case he may demand and get trial in the Federal courts, though the bureau controls his money for hiring attorneys and his choice of attorneys. For all other cases, for crimes and misdemeanors named or unnamed in law, or for simple disagreements with bureau officials the Indian may be arrested without warrant, imprisoned without (a) trial in any court of record; (b) advice of counsel; (c) right to be confronted by accuser or to compel attendance of witnesses; or (d) any right of court review. The Indian agent carries out the

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whole process—or an "Indian judge" appointed by the agent and paid \$11 a month carries it out. There is no limit in any law of Congress to the amount of fine or length of imprisonment.

Virtual slaves, in a land where slavery was abolished years ago, victims of horrible diseases the whites have brought but will not bother to cure, deprived of the children they have borne, hungry and in despair, thousands of our Indian citizens present a spectacle that touches the heart.

"If Harriet Beecher Stowe were here," said Congressman FREAR before a Senate committee, on his return from a 4,500-mile trip at his own expense to 20 reservations, "she could write a story far worse than anything that ever appeared in Uncle Tom's Cabin."

The writer of this article found that the information she was obtaining was of three sorts—personal wrongs, maladministration of property, and suggestions as to a solution of the Indian problem. She has, therefore, prepared three articles, one devoted to each of these phases.

This first article will deal with the personal wrongs.

The maltreatment of the Indian child has already been touched upon, and will be referred to again later in this article.

Next, there is the dire poverty of the Indians. For most of them are poor, bitterly poor. A few tribes have discovered oil on their arid lands, and the sudden wealth of these has created the public impression that all Indians to-day are prospering. This is a mistake. Most of them are extremely poor. Some are starving.

Next to the threat of starvation, our greatest crime against the Indians to-day is our gross neglect of their health. This is of tragic importance. Not only is a lovable, picturesque race dying of contagious diseases we have bestowed on it—the Indian death rate increased 62 per cent from 1921 through 1925—but in dying the Indians are unconsciously wreaking on us, their white conquerors, a grim revenge for our century and a half of cruelty and neglect. For to-day many Indian settlements threaten to become dangerous sources of infection from which contagious diseases will spread to the surrounding white communities.

Such is the sober warning sounded in the institute report. It is the statement of all recent investigators. And it is my earnest warning, fleeting as were my glimpses, in six States of Indian life.

At Walpi, an ancient sky town of crazy, picturesque stone houses flung up in wild beauty against the heavens atop a mesa, or rock island, rising sheer from the Arizona desert, I saw a gifted people so afflicted with a virulent skin disease (impetigo) that some faces were literally covered with scabs. It is here that the famous snake dance is held, to which tourists flock from all over the world. The danger to the white race is obvious. And so is the needlessness of the situation. We are told in the Reference Handbook of the Medical Sciences that treatment of impetigo is simple and effective. It consists of "removal of the crusts by soaking in olive oil . . . after which an application of a 5 to 10 per cent ointment of ammoniated mercury completes the healing in a few days." Why were those Indians not receiving this treatment?

At Zuni, in the home of the pueblos' governor, while I listened to a story of contaminated drinking water, dysentery, and a reservation doctor who would not pay visits to sick Indians, I saw a young mother anxiously looking down into the face of the terribly sick baby in her arms. The child was covered with a scabby disease.

At Hotavilla, an Indian pueblo on the Arizona desert, I stopped to witness a ceremonial dance in the plaza. It was a colorful scene. The partly naked men dancers were painted and hung with green sprigs and animal skins; their heads were encased in grotesque masks; they carried gourd rattles which they shook as they danced. On the roof tops sat the Indian women, one blaze of color in mantas, kerchiefs, and shawls. And thronging the narrow street were white tourists under vivid parasols. Yet within 10 feet of me, in that crowd of Indians, I observed four women and five children in advanced stages of trachoma. This village is a favorite haunt of tourists.

TUBERCULOSIS RAGES UNCHECKED

As for tuberculosis—it was appallingly in evidence in all Indian settlements I visited, especially on the Bad River Indian Reservation in Wisconsin. Even on the blazing Arizona desert it seemed to me to be raging. Figures prove that my impression was correct, as the tuberculosis death rate among Arizona Indians is seventeen times the general rate for the country as a whole. This is partly due to the children returning from the boarding schools infected and giving tuberculosis to the adults.

Statistics show that the medical service provided by the Indian Bureau is hopelessly inadequate in virtually all Indian communities. In some settlements there is none at all. As a result 21 per cent of the Indians, or more than 60,000, have trachoma. And the average Indian death rate in the country as a whole is two and one-fourth times that of the general population.

At Pine Ridge, S. Dak., an investigator recently discovered two physicians serving 7,800 Indians scattered over 2,400 square miles. In the western Navajo jurisdiction one serves 8,000 Indians scattered over 5,000 square miles. At Soboba, in southern California, Dr. Allan F. Gillilan, who was making a survey for the State board of health, found

one doctor serving 1,500 Indians, his territory extending 100 miles to the east of the hospital and 25 miles to the west and south. Doctor Gillilan had previously surveyed conditions in northeastern California. He offered the following conclusions regarding the California Indians:

- "1. That the ill treatment of the Indians during the past 70 years has resulted in reducing the population from over 100,000 to about 17,300. . . .
- "2. That the Indians are now living a hand-to-mouth existence.
 - "(a) In houses not fit to live in.
 - "(b) Upon land that is useless.
 - "(c) Without water.
- "3. That they are not receiving an education worthy of the name.
- "4. That a great deal of sickness exists among them and they are receiving absolutely no care.

"5. That they are not receiving any advice, assistance, or encouragement in their business dealings with the outside world or in the personal side of their lives or in the lives and health of their families."

At Odanah, Wis., on the Bad River Reservation, the writer talked to a number of Chippewa Indians and to two white missionaries. All declared health conditions on the reservation unspeakably bad.

"According to Government statistics," said W. H. Thompson, the Methodist missionary, "over 60 per cent on this reservation have venereal disease. Tuberculosis is rife here as well. I've been here four years, and 80 per cent of my funerals have been over tuberculosis victims. No effort is made to check these diseases. We have no doctor. We have no hospital. Conditions are pitiable!"

And Rev. E. P. Wheeler, a noted missionary and lifelong friend of the Chippewas, had this to say of the Bad River Reservation:

"Things are seriously, horribly wrong here. The reservation seems wide open to liquor and prostitution. Venereal disease is rampant."

MEDICAL SERVICE IS IMPERATIVE

Sometimes it is claimed that a good medical service would be wasted on the Indians, that they would not make use of it. Congressman FREAR quotes as follows Dr. Frances Sage Bradley, director of the State Division of Child Welfare, Montana. She is speaking of the Blackfoot Indians:

"Pathetic and hopeless is the physical condition of young children and the eagerness of the mothers for help. We have held what we call children's conferences on various reservations, and men and women have sledged their children 35 and 40 miles in snow on a level with their roofs, with the thermometer 14 below zero, to find out how to cure rickets, trachoma, tuberculosis . . . I want to state that nothing but a prompt, vigorous, baby-saving campaign can prevent the extermination of the Blackfeet."

If we wonder at this high mortality rate among the Blackfeet, perhaps we can find the explanation of it in the testimony given in 1927 before the Senate Indian Affairs Committee by William Madison, who had just returned from the Fort Peck, Blackfeet, and Flathead Reservations in Montana.

He tells of old Indians living in tents in the bitter cold, with no food but the flesh of horses found on the town dump or killed by passing trains. He describes one old woman who was refused food and help by the agent, the latter telling her to drown out gophers for meat to eat. He cites the case of a woman whose child died eight days after birth, and who, while the child was still in the coffin, and with the thermometer at 30° below zero, was ordered with her husband to vacate the house, the exposure making her a hopeless invalid.

Hunger! Sickness! Maltreatment! They are to be found, apparently, in some form, from the Canadian border to the Pima Reservation in Arizona!

At Riverside, Calif., the writer interviewed the gallant, silver-haired white woman, Mrs. Stella M. Atwood, who is gratefully called "mother" to-day by Indians all over the United States. It was Mrs. Atwood who, in 1921, at the Salt Lake convention of the General Federation of Women's Clubs, informed the club women of America of the tragic plight of the Indian people. She was assisted in her plea by Mrs. Gertrude Bonnin, a beautiful and cultivated Indian woman. And so eloquently did the two plead that there was created the Indian welfare division of the general federation, with Mrs. Atwood at its head.

The torch Mrs. Atwood lighted was caught up by John Collier, already a student of the subject and a publicist, and thrust up before the public gaze. For over seven years these two pioneers have fought—Mrs. Atwood with the club women of America as a mighty force behind her, John Collier as executive secretary of the American Indian Defense Association. They have fought in season and out, at home and abroad, in Congress, among the Indians, among the whites. And they have blocked some of the most vicious legislation of recent years designed to rob the Indians.

An epitome of courage, strength, and motherly kindness, of all that is best in womanhood, Mrs. Atwood sat facing the writer in Riverside last August, telling of pitiable conditions among the Indians to-day.

"The health service," she declared, "is atrocious! Indian reservation doctors are, for the most part, derelicts. I found four doctors who were dope fiends the first month I was in this work, nearly eight years ago."

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Many of the doctors, she went on to say, while not dope fiends or liquor addicts, are callously indifferent. Frequently they refuse flatly to respond to a summons. She cited an instance. A doctor on the Navajo Reservation in 1927 refused point-blank to drive 40 miles at night, with some white people who had come for him, to attend a Navajo woman dying of hemorrhages after childbirth.

FOOD FOR THIS STARVING PEOPLE

"But the first, the crying need of our Indians to-day," Mrs. Atwood exclaimed, and tears sprang suddenly to her eyes, "is food! Simply enough food to satisfy the pangs of semistarvation! About five years ago I was invited out to Arizona, to Sacaton, where the Indians and whites were celebrating San Carlos day. The agent—there are kind subordinate officials in the Indian Service as well as the other sort—was giving the Indians a feast that day, consisting of frijoles, beef, coffee, and bread.

"I walked with him to the place where the food was. And when I saw the Indians coming out with hungry, eager faces, and trembling hands, I exclaimed, 'Why, these Indians are famished!' He said, 'Yes; this is the only full meal they'll get during the year.' These were the Pima Indians, gentlemen and gentlewomen. Their proud boast is that they have never shed a drop of paleface blood. In the early days they always succored the whites, taking them into their homes when dying of thirst and nursing them to health.

"These Indians were starving because the whites had taken their water from them on the upper reaches of the Gila River. The Government had built a storage dam but had failed to put any laterals down to the Indian land. So for three successive years the Pimas had planted their crops and seen them wither and die. It was all a wicked injustice! They are such fine farmers that when they could get even a little water they took all the sweepstakes in prizes in State and county fairs."

But we are digressing! This article has to do only with personal not property wrongs. Just a word more about cruelty to adults, then we will consider again, briefly, the plight of the little Indian child.

Chain-and-ball treatment for both sexes—in one case an Indian woman was put in a 1-room jail with three men; semistarvation; the giving of spoiled food to helpless old Indians as "rations"; the refusal of reservation doctors to attend women dying in childbirth; permitted bootlegging and moral evils; these cruelties to the Indian race were reported in almost all sections I visited.

Mrs. Gertrude Bonnin—Zitkala-Sa, president of the National Council of American Indians, a descendant of Sitting Bull, and one of the most cultivated women of her race, made the following statement to me:

"During my visit this summer to various reservations, I saw, at one place, Indians bathing the corpse of a man. They cried aloud so hopelessly that I wept with them. The body of the dead did not have a bit of flesh on it. It was just skin and bones. He had starved to death. He had had no food and no proper medical care. I saw hungry Indians everywhere I went.

"Then, too, there is increasing immorality and drunkenness, due to slack supervision, on all reservations."

Now—one last word about the children! The writer is convinced that if the white children of this country, whose beloved outdoor clubs are based on Indian woodcraft and Indian folklore, could know of the treatment the little Indian child is receiving, there would be a modern children's crusade. Perhaps, when the facts are told, there will be a crusade of American white mothers in behalf of the Indian child, our ward.

Think what is required in an average American family to feed a white child one day. Then listen to this, taken from page 327 of the Institute report, regarding the Indian boarding schools:

"The average allowance for food per capita is approximately 11 cents a day. . . . At Rice School (San Carlos Apache Reservation, Ariz.) . . . the average amount spent for food was 9 cents a day. The dietary was examined . . . and it was obvious that the children were not receiving an adequate amount of food even of the very limited variety supplied. Malnutrition was evident. They were indolent, and when they had the chance to play, they merely sat about on the ground, showing no exuberance of healthy youth."

Exuberance? In an Indian boarding school?

LABOR IS ENFORCED IN SCHOOL

I visited a number of these prison-like schools. Everywhere I found extensive provisions for child labor. Provisions for play were almost lacking. In two schools I was shown "recreation rooms." Both were gloomy, musty-smelling basement rooms. And this on the desert where sunlight and space are cheap! But the rooms showed no signs of use. Indian boarding-school children evidently have neither the time nor the vitality for play.

"The labor of children as carried on in Indian boarding schools," the report tells us further on, "would, it is believed, constitute a violation of child labor laws in most States."

And the report goes on to tell us: "The laundry is an important feature of every Government school. It is one of the chief sources of labor for the pupils. . . . The space allotted to the laundry is often small. At one large school this fact is capitalized. The superintendent reported that he can get

much more work out of the children if he keeps large piles of laundry before them. An inspection of the plant verified his statement. A number of small children were literally hidden behind great piles of wet laundry in a greatly overcrowded room filled with steam * * *

Finally: "The prevalence of tuberculosis in boarding schools is alarming," the report informs us on page 206.

There is not room here to tell of half the horrors in these schools where our little Indian wards spend their lives from 6 to 18, virtually as prisoners, though they have committed no offense except that of being Indians instead of whites.

One investigator last year found 30 children sleeping two in a bed, in single beds, at one school. And at a school in Arizona the writer saw one dormitory which contained 18 beds and only two small outside windows. Bathing and sanitary facilities are usually of the very worst, and epidemics sweep the schools.

Dr. B. O. Thrasher, formerly the doctor at the Fort Apache Indian School, describes as follows the condition of the little Indian children being "civilized" hundreds of miles from their mothers' arms:

"Many of these small boys came to the clinics with their hair filled with nits. Some with crusted sores on their heads from lice. Many with clothing many sizes too large for them. Clothing of some stiff with dirt. Stockings tied up with pieces of string. Some were found using segments of automobile tubes as garters. These little boys were being criminally neglected * * * in their dormitory."

In the Towaoc School, in Colorado, the cook discovered that the dried fruit was full of worms. The attention of the school principal was called to the situation, but he told her that when the water boiled it would sterilize the worms and it would not hurt the children to eat them. She was made to serve this food and also to cook and serve maggoty meat.

More light has been shed on this Towaoc School by the former matron, who loved the children and was loved by them. The flour, she declares, which was stored in the basement, was infested with mice, rats, and weevils. In addition, when the floors above were scrubbed the dirty water would drip down on the flour. Finally she ordered all the flour removed. The school principal, hearing of this, declared that the flour was all right, in proof of which he thrust his hand into a sack. When he withdrew his hand it contained a number of small mice as well as flour. Yet he ordered a portion of the flour used for the children. The remainder was put in storage and given to the poor and old Indians.

The children, this former matron declares, were lice infested and pitifully underclad. Only cheap canvas shoes were provided, gingham dresses, and no petticoats, and only the thinnest of underwear. All were underfed. The food actually "smelled." There was much sickness, and the children received no care. She sent one very sick little girl to the hospital, but the doctor twice returned her, refusing to have her there.

The boarding schools! Everywhere the writer went among Indians she heard the pitiful plea:

"We don't want boarding schools away off; our children come home sick; we want day schools here."

And the bitter complaint from the children: "We work too hard. They don't give us enough to eat."

On the Colorado plain near Ignacio the Utes—in gorgeous bead and feather regalia, for it happened to be the last day of a 4-day sun dance—gathered around the writer and told their troubles. The elders complained of injustice, of lack of medical care, of cruel neglect of aged Indians. The shy young people, home on vacation, told of harsh punishments in the distant boarding schools.

SCHOOL DISCIPLINE IS CRUEL

And as the writer continued to move about among Indians and whites in half a dozen States she heard more and more of the cruel discipline at the Indian boarding schools.

"I have seen Indian boys chained to their beds at night for punishment," Construction Engineer Russell, of Flagstaff, Ariz., has declared. "I have seen them thrown into cellars under the building which the superintendent called a jail. I have seen their shoes taken from them and they forced to walk through the snow to the barn to help milk. I have seen them whipped with a hemp rope, also a water hose, and forced to do servants' work for employees and superintendent without compensation, under the guise of industrial education."

W. Carson Ryan, jr., professor of education, Swarthmore College, one of the Institute investigators, found these conditions on his trip to Wahpeton, N. Dak.:

"School supplies right down to rock bottom—not sure whether they can hold out, and superintendent may have to keep youngsters alive out of his own pocket. Rations consist of bread and mush. This and

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other schools in the Dakotas and Minnesota make one wonder if Dakota is not the Siberia of the Indian Service.

"The superintendent showed me a dungeon in the basement previously used for girls, up to his coming two years ago. 'I never locked up any Indian child yet, and I don't intend to begin,' he said. The dungeon is 18 by 8, absolutely dark. Girls told the superintendent of two or three of them sleeping there on mattresses and rats crawling over them at night. Their food was bread and water. Brick walls showed where the girls had worked holes through and escaped."

Finally Mrs. Bonnin made to the writer the following statement in regard to the Oglala School in South Dakota:

"Conquering Bear's two boys were in Oglala boarding school, and they ran away to Corn Creek, about 40 miles away. Policeman Jumping Eagle and the disciplinarian went after them and brought them back and gave them a severe beating. They were about 12 and 14 years at the time. Their heads were shaved, though it was winter. One of the boys had a ball and chain locked onto his leg and was locked to the bed at night. My informant saw this herself. The boys were in the jail above her room. They were in a dirty, filthy place, with a bucket to be used as toilet.

"She said it hurt her so to see all these things, such as this little boy carrying the ball when marching to meals, that she could not eat. The boy even went to school with the ball and chain on, and it bothered the other children. Many requests were made to the principal to have the disciplinarian take the chain off, but days went by before this was actually done."

And Mrs. Bonnin related this incident:

"A district-school teacher, still in the Indian Service, hitched 12 little boys together and plowed an acre of ground. When a boy lagged behind because of exhaustion he was prodded with a sharp stick. The father of one of the boys told me this during my visit last summer."

WHO IS RESPONSIBLE?

What of the Indian Bureau—the Indians' "guardian"—while these things are taking place? Are these frightful conditions never reported to the Indian Commissioner and Assistant Commissioner?

I am informed they are. That every now and then some bureau employee, placing loyalty to humanity above loyalty to superintendent or other petty superior, reports conditions directly to Indian Commissioner Burke.

For example: Dr. S. S. Warren, at the Leupp Boarding School on the Navajo Reservation, made such an appeal, in desperation, during an epidemic in 1925 to save the lives of little Navajo children. First, however, he notified the local superintendent of the epidemic, as follows:

"We have approximately 100 cases of measles and 7 cases of pneumonia. Having just gone through an epidemic of influenza, our nursing force of teachers and two nurses are worn out and unfit for duty."

For a time he made these appeals daily to the reservation superintendent, urging the desperate need of more nurses and medical assistance. He did not get either. Finally, as a last measure, with children dying all about him needlessly, he wired directly to Indian Commissioner Burke on April 29 in these words:

"We have had an epidemic of measles and influenza since March 17. Four deaths, and typhus suspect in hospital now. Dormitories and hospitals foul with contagion. No sanitary measures have been taken in conformity with public health and State laws to clean up. Children being bedded in and occupying quarters used for the sick, to the future detriment of health."

Doctor Warren obtained no aid. Six months later the following rebuke was sent him:

"In the Indian Service all matters of importance should be carried out through the superintendent as administrative officer. If you will inform the superintendent in writing as to what you believe should be done * * * your responsibility ceases. All such matters are checked up sooner or later, and should the superintendent fail in his duty he must take the consequences."

Checked up sooner or later? Ah, no doubt.

But the dying little Navajos had not been able to wait. They had gone on the long trail to hunting grounds which, we hope, were happier than those.

Edwin M. Stanton, Secretary of War in Lincoln's Cabinet, said in 1864, when Bishop Whipple, of Minnesota, was in Washington on behalf of the Sioux Indians:

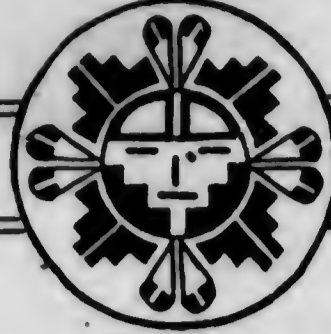
"What does Bishop Whipple want? If he has come here to tell us of the corruption of our Indian system and the dishonesty of Indian agents, tell him that we know it. But the Government never reforms an evil until the people demand it. Tell him that when he reaches the heart of the American people the Indians will be saved."

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Hope for California Claims

AT LAST the Indians of California may hope for a settlement of their claims in the near future, and for a fund adequate for their rehabilitation. A special meeting of the Senate Committee on Indian Affairs last Spring, and prolonged hearings by the House Committee and by a subcommittee headed by Mr. Sheppard of California, have paved the way. At these hearings it was clearly brought out that by some means not understood, after all parties in conference had apparently agreed to an excellent compromise Bill, the undesirable S. 1651 with its unrealistic provisions and special arrangement for an attorney's field day, was introduced and passed in the Senate, after an erroneous statement that it was the administration's Bill.

Mr. Sheppard has worked long and earnestly upon the problem. We are confident that his sub-committee will report an excellent revised Bill. Properly supported, it should be passed by the House, and accepted by the Senate in conference.

This matter is important to the white citizens of California as well as to the Indians. The poverty and low living standards of many California Indians have a depressing effect on the common welfare. A sound Bill will mean that funds for a wide program of rehabilitation for these Indian citizens will be made available in short order.—O. LAF.

General Indian Claims

SUCCESSIVE administrations have worked for years for a General Claims Bill, setting up efficient machinery by which the vast mass of Indian claims against the government, valid and invalid, could be justly determined and cleared away. It has never yet been possible to get such a Bill past the House. The face of some of these claims is large, and regardless of justice, there has been steady opposition from the "economy bloc."

The effect of hopes for great amounts upon the Indians is most detrimental. Nor would the payments actually required be anything like the amounts claimed. Even where the claim is worthless, no greater service can be done to the tribe involved than ridding it of constant waiting for the pot under the rainbow. We understand that it is planned to revise the Burdick General Claims Bill, hoping for realistic attention in Congress.—O. LAF.

Navajos and Whites Unite for Boundary Extension

By MORIS BURGE

NAVAJOS joined with their supposed enemies, the white homesteaders of the area affected by the proposed Navajo boundary extension, to urge passage of the Navajo-New Mexico Boundary Bill, in a meeting at Albuquerque, N. M., on November 18th. The homesteaders, representing a large majority of the white landowners in the disputed area, made it clear that in spite of past statements to the contrary, they wanted the Bill passed, and would work with the Indians to this end.

They told in language as dramatic as it was simple, of the hardships they had endured. Brought to New Mexico by false promises of real estate promoters, they moved their goods and chattels in the hope that they could make a living from the soil. They found that because of shortage of water, farming was precarious, and at times impossible, and that instead of having vast areas of public land on which to run their stock, they were surrounded by Indian allotments. They told of the difficulties of schooling, and the utter lack of community life. Many of their children had to walk or ride horseback six or ten miles to school in all weather.

It was a touching statement by a group of people who were desperate in the face of conditions over which they had no control. They stated that their only hope was to be bought out by the government as is proposed in the Navajo-New Mexico Boundary Bill, and move elsewhere.

The Navajo Eastern Boundary Association was represented at the meeting, and delegates from various Indian groups spoke of the cooperation of all concerned, and their common need. In the past it has been stated that the small white stockmen

of the district were opposed to extension, and a petition to this effect was once presented to the Senate. There is no longer room for doubt; the whites, too, want and need the benefits of the proposed extension, and one more argument alleged against the Bill is eliminated.

Eastern Navajos Organize

By MORIS BURGE

IN THE controversy over the extension of the Navajo Reservation in New Mexico, there has been a surprising lack of support from the Navajos living in the area affected. The majority of the Indians living on scattered allotments in the proposed extension are neither clear nor articulate about their needs. They are in extreme need, of that there is no doubt, but the solution of their problem is more complicated. The boundary question has been purposely confused with other issues, with the result that many Navajos have been led to believe that the passage of the Boundary Bill would mean wholesale stock reduction, and an increase of hardships and poverty.

In the last few months, however, a spontaneous movement has started which promises to be historic in the annals of the tribe. Commenced by a few Indians who were determined to clarify the misunderstanding and doubts of the Navajos on the Boundary question, and express themselves in favor of the Boundary Bill, this movement has resulted in the formation of the Navajo Eastern Boundary Association which has an imposing membership throughout the affected area.

Under the leadership of Howard Gor-
(Continued on Page Four)

President Roosevelt Extends Trust Periods

BY EXECUTIVE ORDER of September 29, the President has extended for twenty-five years, the trust periods on Indian Lands which would have expired during 1938. This order, affecting fifteen reservations in California, North and South Dakota, Oklahoma, and Montana, which did not come under the Indian Reorganization Act, means continued security for tribes which would otherwise be facing rapid destitution. The original allotments on these reservations numbered about 5,200.

The trust period on a number of Indian allotments expires yearly. Those tribes which are not protected by the Indian Reorganization or the Oklahoma General Welfare Acts are dependent, when this occurs, upon the decision of the administration in power. The expiration of trust periods in the past was perhaps the greatest single factor in the loss of 90,000,000 acres of Indian lands.

Montana Survey

THERE are approximately 16,000 Indians in Montana, on seven reservations, of which the best known are the Crow, the Blackfeet, and the Flathead. The Flathead was the first reservation to receive a corporate charter under the Indian Reorganization Act, while the Crow rejected that Act entirely. Under Superintendent Robert Yellowtail, himself a Crow Indian, that tribe is carrying out an interesting program of game development, including the maintenance of herds of buffalo and elk. The condition of the Indians varies, but a large percentage of them is in desperate need of help.

The Mixed-Blood Problem

Many of them have little Indian blood, and do not warrant the protection of the Indian Office. Nevertheless, they are Indians by law, and come under the government's jurisdiction. Sometime in the future this problem must be clarified by legislation, with the elimination of those who have neither need nor real claim to the help and protection of the Indian Office.

The Indians of Montana are voters, and this fact in itself has important implications. The vote varies in significance in different parts of the state, but inevitably it affects the administration of a reservation, and at times places the local officials in a difficult position. We understand from reports that the letters written by Indians to political office holders in Montana make an imposing array each year.

Indian Land and Leases

In general the land owned by the Montana Indians is good, with some notable exceptions. Unfortunately they are not using this land to the best advantage, and a discouraging proportion of it is being leased to white farmers, although some has been recaptured for Indian use in the past two years. Some of the Crow leased land is considered the finest farming land in Montana. Until the Indians learn to make full use of their lands, the present tendency to swell the relief rolls, with its resulting degradation, will continue.

On my recent visit to Montana at the invitation of the Lewistown Branch of the American Association (see page four—Ed.), lack of time and funds and the severe weather prevented making more than a cursory, preliminary survey of the Indians. A little more time was given to the Blackfeet and Flathead Agencies. A brief report on the Blackfeet is included in this issue.—M. S. B.

The Blackfeet of Montana

From the FIELD REPRESENTATIVE'S REPORT

ALTHOUGH differing from other Montana Indian Reservations in many essential respects, the situation on the Blackfeet Reservation contains elements which are significant in a general way of the Indian problems in the State.

Once a nation of roaming hunters, who depended on the buffalo for their food supply, and who claimed a territory stretching from the "North Saskatchewan River in Canada to the southern head-streams of the Missouri in Montana," the Blackfeet have dwindled to 4,300 Indians most of whom are living in want and poverty. Of this 4,300 only 800 are full bloods, and many of the remainder are not recognizable as Indians.

The Blackfeet Reservation consists of some 2,000 square miles of land in the northernmost part of Montana, just east of the Rocky Mountains. This land is for the most part good grazing land, and much of it excellent for farming. The Reservation was allotted in 1912, and since that time a large portion of it has passed into the hands of whites. However, there remains in possession of the Blackfeet Indians considerable land which, if properly utilized, could be the basis of a sound economy. This would consist chiefly of cattle raising, supplemented by farming of feed crops. Unfortunately, most of the land is leased to white farmers, for amounts insufficient to enable the Indians to live without constant relief from the government. At the time of my visit to the Blackfeet Agency over 2,000 Indians were on rations, and it was expected that this number would increase as the winter set in.

It is a vivid example of the failure of the Government in the past to help Indians to make the adjustments necessary to meet the changing conditions with which they were faced. Fortunately, there is still time for a rehabilitation of the Blackfeet Indians, but it will necessitate a vigorous and courageous policy.

Degradation at Browning

Browning, Montana, is a dramatic symbol of the degradation of the Blackfeet. This town consists of the Agency Buildings, garages and stores kept by white traders, and a conglomeration of shacks and shanties. Here in squalor and poverty lives a large portion of the Blackfeet tribe, close to the Agency where they go for rations. Living part of the time on lease money, picking up odd jobs on and away from the Reservation, these Indians are forced to depend on handouts from the Government much of the time.

The solution of this situation is a long and difficult one. The affairs of the tribe

are inevitably in the hands of the members of only part Indian blood, whose problems in many cases have little relation to the rest of the tribe. The leasing of land must be stopped, and the land utilized by the Indians themselves. This will mean years of demonstration and education by the government, in the face of opposition from Indians and whites alike. The Blackfeet must use their land if the present tendency towards swelling our slums is to be stopped.

In the past the inefficiency of Indian Service employees, and the lack of a continuous and intelligent policy on the part of the Indian Service has hindered rather than helped these Indians to make the necessary adjustments. On the sincerity and ability of the field officials, and the backing they receive from Washington will depend the fate of the Blackfeet in the future.

Hope in Irrigation

An irrigation project has been proposed which will be an important element in the rehabilitation of the tribe. This plan when completed will put some 80,000 acres under irrigation, and allow Indians to raise feed for their cattle and crops for food. Funds for this project will come from various sources, including tribal funds. Besides the importance of this project for the development of the reservation programme, and the alleviation of want and suffering among the Indians, it is also necessary to protect the water rights of the tribe, which are in danger of being lost through non-use. Some years ago a similar irrigation project was started by the government but never completed. The present plans will allow for the completion and repair of this.

Arts and Crafts

The Blackfeet Indians have long been adept at beadwork and buckskin work, although there has been an inevitable decline in both quality and quantity in recent years. A proposal has been made to start a workshop and museum for the Blackfeet arts and crafts in Browning, in conjunction with another museum in Glacier Park under the direction of the Park Service. This plan is only in the formative stages, although considerable material has already been promised for the museums. Without a greater knowledge of the situation, and more detailed plan I do not feel we are in a position to offer any criticism or suggestions. I do, however, feel that if successful such a workshop would draw a large number of Indians, and in view of the present situation in Browning I question the desirability of this.—M.S.B.



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CONGRESS CONVENES

A NEW SESSION of Congress must always mean hope and anxiety to Indians, who are dependent upon its decisions as is no white man. Congress' goodwill towards its wards is unquestionable, yet at times misinformation or outside pressure will mislead a body preoccupied with greater issues. Last session saw a series of attacks on the foundation of Indian reform, offset by the passage of some excellent measures.

We earnestly hope for cooperation between Congress and the Indian Office. The passage of a general Indian Claims Bill is long overdue. This session should see final, satisfactory legislation for California Claims, and for settlement of the acute Navajo-New Mexico Boundary problem, both discussed elsewhere in these pages. Above all, we hope for an end to sniping at the basic structure of Indian protection and reform.

ECONOMY AND THE INDIANS

ALL too often the government has made immediate savings of money at the expense of the Indian Service, although in fact it is false economy to maintain disease by low health appropriations, or by present thrift to postpone yet further the day when Indians will be able to take care of themselves. Indians have benefited greatly from relief funds, but the Indian Service can work effectively only through long-term planning and the maintenance of an adequate, permanent personnel. The news that, in addition to the \$1,000,000 reindeer fund, described in this issue, which will render over 10,000 people self-supporting, the general Indian Service budget for 1939 has been slightly increased, is a welcome sign of wise expenditure for long-range economy.

THE NEW EMBLEM

THE new symbol of the Association, carried on our front page head, was designed by Ramoncita Cruz of San Juan Pueblo, New Mexico. It was selected from many designs submitted by Indians in a competition. It represents the sun-shield,

JOHN RANDOLPH HAYNES

NOTHING which affected the lives of his neighbors, his city, state or nation was alien to Dr. Haynes.

Although a physician by choice and training, all the world was his clientele as a humanist, and as a member of a society based on the family and on representative government.

He saw the inescapable effect upon private life and liberty of opportunity resulting from abusive monopoly in business, and from corruption, bigotry, and partisanship in public affairs. Sickness, whether of the body or soul, of the individual or the community, enlisted his acute diagnostic skill and proposal for direct and effective remedy.

To such a man devoted to human values, to redressing of evils, to bringing out the best in character and performance of everyone he met, the plight of the American Indian became inevitably one of his major occupations. Generous to a degree with his own material resources, and extravagant in expenditure of his own time and talents he became a spearhead and acknowledged leader among those who blocked the nefarious Bursum Bill. Year in and out over the past decades Dr. Haynes was a power for good in every effort to stop the ruthless spoliation of the Indians by government and their economic ruination by predatory whites. Constructive, liberal, aggressive, his advice was sought by all who were determined to save the culture, the self-respect, the body and religion of Indian life.

Dr. Haynes will remain a symbol of the best that personal responsibility through the privileges and opportunities of citizenship has produced among us. One could not meet him without being entangled in the mantle of kindness which served as an abundant protection to those who needed refuge and courage. His life was filled with all that made it precious to others.—H. E.

surrounded by clouds and feathers. Sun, rain, and eagle-feathers—what a synthesis of Indian life is there!

The competition brought out an amusing difference in Indian and white thought. Some of the best designs submitted contained skunks, to the Indian a handsome animal of happy significance.

Dr. Mekeel Resigns

DR. H. SCUDDER MEKEEL has resigned from the Indian Service to become Director of the Laboratory of Anthropology in Santa Fe. As Field Representative of the Commissioner, in charge of Applied Anthropology, he has done splendid work. His new post offers a continued field for constructive scientific activity.

Reindeer Fund Budgeted

THE President's budget includes an item of \$1,000,000 to carry out the purposes of the Alaskan Reindeer Act of September 1, 1937, bringing new hope of ensuring self-support for some fifteen thousand Eskimos and Indians.

During the nineteenth century, the caribou and other game upon which many natives of Alaska depended, were killed off. To remedy this situation, 1,280 reindeer were brought to Alaska at the turn of the century, to be run by natives as subsistence herds. The animals flourished until there are now about a million head. Not less than 10,000 natives are dependent upon them.

Beginning in 1914, a small group of white men pushed themselves into the picture, and following the well-known methods by which strong cattle-owners have always squeezed out small owners, created the situation described below, which the Reindeer Act is designed to correct.

The Senate Report

In reporting on the Bill (S. 1722), the Senate Committee said, in part:

"Reindeer are . . . the only assured, controllable crop which this region can support and the future of the Eskimo villages must be planned upon this industry . . ."

"The security of the Eskimo in the reindeer industry is threatened by non-native ownership of deer and by non-native occupation and control of the range . . . In 1914 white interests secured their first deer. At the present time, approximately one-third of all the deer in Alaska are owned by non-natives and on certain ranges, important to the Eskimos, the percentage is higher. The Eskimos must have their herds within a reasonable distance of their villages . . ."

Whites and Natives in Conflict

"Attempts to occupy range jointly by Eskimo and non-Eskimo owners have not been successful. Bitter conflicts growing out of differences of languages, social customs, business experience . . . and in tempo of living, have led to strife which seriously threatens to damage the reindeer industry and the development of the native peoples. Attempts to separate herds of non-native and native owners have, invariably been futile . . . To maintain a continued separation would require constant herding . . . and the expense would be prohibitive.

"These problems, together with the charges and counter-charges of distraught and bewildered reindeer owners, have been the subject of several lengthy investigations and voluminous reports. A review of the entire matter, the scope, details, and seriousness of which this pre-

(Continued on Page Four)

Eastern Navajos Organize

(Continued from Page One)

man, a young Navajo who resigned from his post in the government for the purpose, the Navajo Eastern Boundary Association is holding meetings at strategic points in the Extension area, consolidating opinion and explaining the effect of the proposed legislation. Petitions are being presented to various groups of Indians. Already some five hundred Navajos have joined the Association, most of whom are family heads, and actually represent a considerably larger number.

Harmony for Single Goal

It has been significant that in this movement other controversies have been discarded, and the Indians have united in an effort to solve their most urgent problem. One speaker at a recent meeting made the following statement: "Let by-gones be by-gones, the future stares us in the face, what are we going to do? Let 'yes' for Wheeler Howard Act be one side and 'no' on the other. Let it be short coats and long coats. Let anti-administration be and let pro-administration be likewise. As for the Navajo Eastern Boundary Association, we will take the middle path for securing our land back." This is typical of the attitude that is being taken by Indians all over the Eastern side.

Meeting of Navajos

I attended a meeting recently at Crown Point called by the Navajo Eastern Boundary Association. It was held in the auditorium of the Crown Point School. Government officials and members of the tribal council were there at the invitation of the Association. The meeting was presided over by Howard Gorman who gave various people a limited time in which to speak. The hall was crowded with some 500 Navajos, many of whom had come long distances to attend the meeting. All types were present, but older men and women predominated.

Throughout the speeches ran the demand for unity on this all pressing question, and the pledge of supporting the work of the new association. Howard Gorman in his closing speech reviewed

Lewistown, Montana Branch Organized

FOR the first time, this Association has a branch in Montana, although in the past it has been active in that state, particularly in regard to the Flathead Power controversy.

The Lewistown Branch was organized following a visit made by Mr. Moris Burge, our Field Representative, at the request of interested citizens there. Lewistown is in the exact geographical center of the state, and is central also in relation to the reservations.

The response was splendid; the branch now counts over fifty members, and its charter has been approved. The Association will lean heavily upon this group for guidance in matters affecting the Indians of Montana. We are indebted to Mrs. Ruth V. Robinson for her effective efforts, as well as to the other officers of the new branch, who are giving their time and energy.

the entire Boundary question, and the progress made by the Association. There was no opposition or dissension at the meeting but an undivided interest in the speeches and explanations.

American Association's Support

Believing this development to be a most healthy one, after careful investigation, the American Association is giving its advice and help to the Navajo Eastern Boundary Association. As the Indians of that section are desperately poor, and Howard Gorman, the leader, sacrificed his only source of income when he resigned his government position to take up this work, the Board of Directors of the American Association voted to give the Navajo organization financial aid sufficient to enable it to get started. This is not a permanent subsidy, as we believe that a healthy movement of this type, once launched, must be able to maintain itself.

The initial aid is justified, in our judgment, by the truly non-partisan nature of this organization formed for a purpose of unquestionable desirability. The American Association has carefully refrained from having any hand in organizing the Indians, and will not attempt in any way to dictate the Navajo Association's policies.

Reindeer Fund

(Continued from Page Three)

sentation can only indicate, forces the conclusion that the rehabilitation of the Eskimo . . . can be safeguarded only if complete ownership of deer and control of range is again established in the natives . . .

"To establish the economic security and relieve the present distress of the Eskimo groups thus dependent upon the raising of reindeer . . . it becomes necessary to purchase such reindeer and reindeer grazing rights together with handling and processing equipment now owned by the non-native owners. It is likewise necessary to vest in the Secretary of the Interior authority to regulate grazing, round-ups, and other matters of importance . . . and to give to the Secretary of the Interior sufficient latitude in the operation of the reindeer industry . . . to administer it to the best interests of the natives of Alaska."

The Reindeer Act

In the form finally passed, the Act well serves the purposes summarized above. It also authorizes an appropriation of \$2,000,000 to put its provisions into effect, of which the one million carried in the new budget is an adequate first installment. If this appropriation is approved by Congress, it will not only correct a grievous condition, but by ensuring that these thousands of Federal wards become securely self-supporting, will be an investment in the truest kind of long-range economy.

Special credit for this legislation goes to the Delegate from Alaska, Mr. Anthony J. Dimond, and to Senators Thomas and Frazier, who as a sub-committee, investigated the problem on the spot in 1936.

851,351 acres of grazing land leased to whites for a pittance in 1934, have now been recaptured and are being grazed by Indians, in Montana, Idaho, and Wyoming.

AMERICAN ASSOCIATION ON INDIAN AFFAIRS, INC.

Successor to the National Association on Indian Affairs, and the American Indian Defense Association

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Object: To promote the Welfare of the American Indian in the U. S. by creating an enlightened public opinion, by assisting and protecting him against encroachment of his constitutional rights, and by promoting suitable legislation and enforcement of law; by aiding in the improvement of health and educational conditions and in preserving and fostering his arts and crafts; and in furtherance of this object, it shall gather and disseminate facts bearing on the welfare of the Indians and shall assist in formulating and making effective a constructive national policy.

The Association invites members through the National Office and its various branches.

1000 MADISON AVENUE, NEW YORK, N. Y.

Field Office, Santa Fe, New Mexico

Western Office, 426 Mills Building, San Francisco

American Indian Defense Association, Inc.

1924-25

C. Hart Merriam
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May 3, 1924.

BULLETIN NO. 6.
The American Indian
Defense Association, Inc.,
The General Federation of
Women's Clubs.

PUEBLO INDIAN LAND BILL.

In bulletin "5" we pointed out that the Pueblo Lands Bill, Senate 2932, required amendment granting mandatory compensation to the Pueblos for lands lost to them. Our organizations made representations to the committee having charge of this bill, and as a result it has been amended in committee. It contains a section providing mandatory compensation to the Pueblo Indians for lands they have lost through encroachments by white settlers.

SAN CARLOS IRRIGATION PROJECT.

Action must be taken at once if H. R. Bill 129 is to be enacted. This bill calls for an appropriation of \$5,500,000 for the construction by the Indian service of the San Carlos Reservoir in Arizona, which will furnish water for lands farmed by the Pima Indians. The Pimas have been reduced to penury because white settlers have appropriated the waters of the Gila River to which the Indians had priority rights. The reservoir will provide ample water for both Indians and whites. The cost will be paid eventually by those who will benefit from the project. The Senate has passed this bill and it is now before the House. Write your Congressman today and tell him to vote for the measure when it comes up for action .

THE OKLAHOMA GUARDIANSHIP SCANDAL.

Congress should also be induced to pass H. R. Bill 6900, which will remedy an evil in Oklahoma where 20,000 Indian estates have been plundered by unscrupulous guardians. This bill gives the Indian Bureau jurisdiction in handling the estates of minor and incompetent Indians. Such cases are at present handled by the Courts of Oklahoma, where judges are appointive, where "guardians" of Indians succeed in living largely off Indians' money, and where politics determines to a great extent the fate of the Indian estates.

The American Indian Defense Association, Inc. has a Three Thousand Dollar deficit because of its efforts to gain justice for the American Indians. We invite you to assist by sending in a contribution.

By Cash Asher
Associate Executive.

Gentlemen;

Find enclosed \$ _____ to help your Association continue its efforts on the behalf of the American Indians.

Name _____

Address _____

June 1924.

BULLETIN NO 7.
The American Indian
Defense Association, Inc.
The General Federation of
Women's Clubs.

CONGRESS PASSES PUEBLO INDIAN LAND BILL

Two bills of especial interest to friends of the Indian were passed by the 68th Congress. The Pueblo lands bill and the San Carlos reservoir bill, for which the American Indian Defense Association and the General Federation of Women's Clubs fought for nearly two years, were passed and have been signed by the President. This is good news, but it does not mean that the Indian Problem had been SOLVED. Many such legislative victories must be won before we can call our work finished.

Health conditions on many of the reservations are appalling. Thousands of Indians are going blind from trachoma. Out of 68,718 recently examined by the medical service of the Indian Office, 30,000 were found to have this dreadful eye disease; 24,773 had tuberculosis. Tuberculosis kills; trachoma, unchecked, ends in blindness, as the many blind men and women on the reservations can testify. The government employs doctors for less than \$1000 a year to combat these diseases. The need of reform is manifest.

"Whether the tragedy goes to its final curtain with obliteration of the Indian or is arrested in its horrible enfoldment depends upon the medical aid rendered," declares a doctor in a recent issue of the American Journal of Clinical Medicine. "Highly skilled physicians, possible only in a service of adequate salaries, freed from lay supervision, seems to be the only answer," he continues.

RELIGIOUS PERSECUTION

The Indian Bureau admits that it is attempting to DESTROY the Indian race by breaking up the tribes. In order to accomplish this it is denying religious freedom to its wards. Secretary Hubert Work of the Interior Department, who is over the Office of Indian Affairs, said in a recent article in the Saturday Evening Post: "If his--the Indian's -- religion is to be PROSCRIBED another appealing interpretation of his faith should be advanced to take its place." In another paragraph, the Secretary mentions certain Indian ceremonies, which "the public NEVER SEES, CANNOT CENSOR and WOULD not APPROVE." Despite the testimony of many white scholars to the contrary, the insinuation is made that Indian dances are immoral; and on this basis many have been broken up. Within the past few weeks, the Indian Bureau has climaxed its persecutions by an "order" which denies the Indians the right to give their children religious instructions.

The Indian problem cannot be solved until we have a more enlightened policy. The American Indian Defense Association, Inc., has an extensive program outlined and invites your assistance. Address all communications to 33 West 42nd Street, New York City.

Cash Asher,
Associate Executive.

THE AMERICAN INDIAN DEFENSE ASSOCIATION, Inc.

NON-PARTISAN

NON-SECTARIAN

OBJECTS: To secure to the American Indian just treatment from the Government and People of the United States and to promote his welfare.

Room 1525
33 WEST 42ND STREET
AEOLIAN HALL NEW YORK

Telephone, Longacre 0506

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J. P. WARBASSE
WALTER V. WOHLKE

October 13, 1924.

Dear Dr. Merriam:-

The enclosed statement contains facts that every American should know. I ask that you read it.

Sincerely yours,

Irving Bachelier

President.

October, 1924.

BULLETIN NO. 8
The American Indian
Defense Association, Inc.,
33 West 42nd Street,
New York City.

OUR OWN "NEAR EAST"

Is there any REASON why Indians should be permitted to go blind from trachoma in the presence of known methods of prevention?

Is there any REASON why 143 out of 150 Pueblo Indians picked at random should have trachoma?

Is there any REASON why experts for the Public Health Service, after an investigation in Montana, should report that health conditions among the Indians of that state are so alarming as to be a menace to the surrounding population?

Is there any REASON why the California State Board of Health should characterize health conditions among the Indians of that State as "incredible?"

Is there any REASON why all but 11 of 92 children in an Indian Boarding School in California should have trachoma?

Is there any REASON why Dr. Frederic L. Hoffman of the Prudential Insurance Company should find the tuberculosis death rate among the Navahos to be ten times higher than in the registration area of the United States?

THE REASON FOR THESE INHUMAN AND DANGEROUS CONDITIONS IS THE LOW SALARIES PAID DOCTORS AND NURSES, THE CONSTANT SHORTAGE OF BOTH IN THE INDIAN SERVICE AND THE APPALLING LACK OF PROPER FACILITIES FOR TREATING DISEASE. DOCTORS IN THE INDIAN SERVICE RECEIVE AN AVERAGE OF \$1,000 YEARLY AND ARE SUBORDINATE TO RESERVATION AGENTS WHO ARE UNSKILLED IN THERAPEUTICS.

The Commissioner of Indian Affairs in his last annual report "estimates" the number of trachoma cases among 210,000 reservation Indians at 30,000 and of tuberculosis, 25,000. "Our facilities for reducing infant mortality and furthering a campaign for better babies are inadequate," he says.

Statistics used in this bulletin are based on investigations and reports made during the past two years.

The American Indian Defense Association, Inc., invites your aid in remedying conditions. We plan comprehensive health and relief measures to be conducted this winter by the National Health Council. Twenty thousand dollars is needed.

Find enclosed check for \$_____ to help your Association in its efforts to remedy health conditions among the American Indians.

Name _____

Address _____

November, 1924.

BULLETIN NO. 9
The American Indian
Defense Association, Inc.,
33 West 42nd Street,
New York City.

OUR OWN "NEAR EAST"

Is there any REASON why Indians should be permitted to go blind from trachoma in the presence of known methods of prevention?

Is there any REASON why experts for the Public Health Service, after an investigation in Montana, should report that health conditions among the Indians of that state are so alarming as to be a menace to the surrounding population?

Is there any REASON why the California State Board of Health should characterize conditions among the Indians of that state as "incredible?"

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Is there any REASON why the Commissioner of Indian Affairs in his last annual report should estimate the number of trachoma cases among 210,000 Indians at 30,000 and of tuberculosis, 25,000? "Our facilities for reducing infant mortality are inadequate," he says.

THE REASON FOR THESE INHUMAN AND DANGEROUS CONDITIONS IS THE LOW SALARIES PAID DOCTORS AND NURSES IN THE INDIAN BUREAU MEDICAL SERVICE, THE CONSTANT SHORTAGE OF BOTH, AND THE APPALLING LACK OF FACILITIES FOR TREATING DISEASE. DOCTORS IN THE INDIAN SERVICE RECEIVE AN AVERAGE OF \$1,000 YEARLY AND ARE SUBORDINATE TO RESERVATION AGENTS WHO ARE UNSKILLED IN THERAPEUTICS.

OUR PROGRAM:

(1) A comprehensive health survey to be conducted by the National Health Council. (2) Transfer of the medical care of the Indians from the Indian Bureau to the Public Health Service. (3) Rectification of the guardianship abuses in Oklahoma through Congressional action. (4) Employment of counsel for the Pueblos to handle Indian claims before the Pueblo Land Board which convenes this autumn. Land worth millions and the future existence of the Pueblo communities depends on this assistance. (5) Establishment through test cases of the Indian's right to civil and religious liberty and the protection of the courts. (6) The enactment of legislation to reorganize the present antiquated system of handling Indian affairs.

You, a contributor to the relief funds for Belgium, Armenia, Russia, Germany, must help bring belated justice to the victims of American avarice and neglect. It is a NATIONAL RESPONSIBILITY.

THE AMERICAN INDIAN DEFENSE ASSOCIATION, Inc.

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J. P. WARBASSE
WALTER V. WOHLKE

November 11th, 1924.

My dear Dr. Merriam;-

The enclosed statement contains facts that every American should know. I ask that you read it.

Sincerely yours,

Irving Bacheller

President.

March 1, 1926

The American Indian Defense Association, Inc.
Legislative Office, 636 Munsey Bldg., Washington
Phone, Franklin 8124.

Legislative Bulletin 5-A

THE ALBERT B. FALL INDIAN TITLE CANCELLATION SCHEME REVIVED.

The Indian Bureau has endorsed House Resolution 9133. S. 3159 is identical in its main features with H. R. 9133. The bills are before subcommittees of the Indian Affairs Committees House and Senate; the House sub-chairman, Hon. George F. Brumm, Senate sub-chairman, Hon. Sam A. Bratton.

These bills provide that unallotted lands on any Executive order reservation may be leased for oil and gas mining in accordance with the act of May 29, 1924, dealing with the treaty reservations. So far, good.

The bills then make the following provisions:

1. They validate about 425 oil prospecting and leasing permits on Executive order land, issued by Secretary Fall before former Attorney General Stone overruled Fall on the questions of the vested right of Indians in Executive reservations and the applicability of the general lands leasing act to Executive reservations. This validation recognizes by implication a vested right in the permittees, because not only are those permittees authorized to go ahead who have invested substantially in good faith, but the Secretary of the Interior may validate every permit including the wildcat and speculative ones. This means that the bills in Section 3 are a congressional declaration that the Executive reservations are only public lands, hence that the Indians have no title or vested right in them.

2. The bills in Section 2 establish that 37 $\frac{1}{2}$ % of the oil and gas royalty from Executive order Indian reservations shall be paid to the state within whose boundaries the lands are situated; 62 $\frac{1}{2}$ % shall go to the credit of the Indians. Slightly varying provisions are contained in the two bills, designed to insure that some of the money paid to the state shall be used for Indians.

The effect, as demonstrated below, will be to place on the Indian the whole oil production tax burden, at a rate which would be deemed confiscatory by whites, and in a manner to exempt the producing companies from any taxation, federal or state.

The larger effect of Section 2, independently and likewise in conjunction with Section 3 which validates the Fall permits, will be to legislate out of existence any title or vested right possessed by the Indians in Executive order reservations. This result will follow in so far as action by Congress can effect such nullification, and it is shown below that this proposed action by Congress will heavily prejudice if not predetermine the Supreme Court opinion on

this subject of dominating importance to the Indians.

The Executive order area is 23,000,000 acres and natural wealth of billions is represented. Two-thirds of the whole unallotted area of Indian lands is Executive order reservation. Executive Indian reservations exist in eleven states, and in them scores of tribes have staked absolutely all their legal and equitable rights. Many Executive reservations go back a generation and usually they are the ancestral homes of tribes.

Secretary Fall had many projects affecting Indian wealth. His boldest and greatest project was that of establishing the total absence of a vested right by Indians in Executive reservations, thus making it possible for the administration without the consent of Congress to take away or confiscate all the Indian property values in the unallotted areas of all these reservations.

Now comes the Indian Bureau endorsing as a legislative proposal that which Secretary Fall attempted by administrative act and a construction of law subsequently overruled by the Attorney General.

It is taken for granted that the measures here discussed, like so many other Indian bills, are the product of the Indian Bureau which has endorsed H.R. 9133, and that the congressional sponsors are not prime movers or intentionally parties to the sought-for confiscation.

The Executive Indian reservations need to be opened for oil and mineral development; taxation on such development needs to be permitted. These legitimate matters can be attained as stated below, without incidentally, or by primary intent, legislatively clouding or destroying the Indian vested rights. Many Western Senators want development of the Executive reservations and want these reservations to yield revenue to the states. All friends of the Indians should want the same thing. No friends of the Indians or of American honor should want the vaster and wholly different result of nullifying the Indian vested right and repudiating national undertakings that have been cumulative across fifty years.

What the House Indian Affairs Subcommittee hearing revealed Feb. 20.

H.R. 9133 places the whole production tax burden on the Indian receivers of royalty. This, in contradistinction to the status under the act of May 29, 1924, authorizing a production tax on unallotted treaty lands.

In absence of specific congressional permission, the states cannot tax Indian lands. The pending bills omit such specific permission but place the burden exclusively on the Indians. Page 60 of the House hearings: "Mr. Hayden: Oklahoma levied a production tax on oil (from unallotted treaty reservations), and the money was collected and impounded, and the Supreme Court said: 'This oil came out of untaxed Indian land, and the land itself could not be taxed and the production could not be taxed.' Then we passed this subsequent act (of May 29, 1924) that permitted a tax to be levied. It could not be done without the consent of the United States." Comr. Burke concurred.

"Mr. Hayden: The Supreme Court has passed on (the taxation question) specifically and directly in the Oklahoma case, that a state cannot levy a tax on oil from Indian lands without the consent of the United States.

"Mr. Collier: Then the tax burden will be shifted (by the pending bill) from the producer to the Indian.

"Commr. Burke: A tax levy is very abhorrent to an Indian."

(Commissioner Burke has exquisite humor. He has endorsed the proposal establishing a $37\frac{1}{2}\%$ tax levy on the Indians.)

"Mr. Hayden: If you levy a production tax of 100% on the oil produced you would probably get more money that way (for the states) than you would if you took $37\frac{1}{2}\%$ of the royalty. It is a question of what kind of a law the State Legislature passes."

(In other words, the States get little or no advantage from a levy tax exclusively on the Indians in contradistinction to a moderate tax assessed against producers and Indian royalty receivers on a ratable basis.)

The facts are categorical. If the exploratory leases bring 5% royalty, the State would get 1.875% on the total production through the proposed $37\frac{1}{2}\%$ tax against the royalty alone.

If leases average $12\frac{1}{3}\%$ royalty after exploration, the States would get 4.337% of the value of total production.

For years to come it may be anticipated that in these new oil fields the average royalty on exploration and post-exploration leases would not exceed 8% . The State would then get 3% of the total production.

But by this scheme the Indian would pay the whole tax.

A given state, if it has, or if it enacts, a moderate production tax no higher than that of Oklahoma, would get 3% of the total production by a tax scheme ratably dividing the burden between the oil producing companies and the Indian royalty receivers. It would get no more by the pending scheme of taxing exclusively the Indians and at a confiscatory rate.

The distinction concerns not states but the oil producers. Shall the producers be left tax exempt? Shall the Indians be subjected to confiscatory taxation; shall the effort of the oil interests to block the institution of adequate production taxes in the Western states be assisted by Congress?

Continuing with the hearings of February 20:

The hearings recite that Secretary Fall ruled the Indians had no vested right in Executive Order lands and the

General Lands Leasing Act therefore applied to such lands. It is further recited that Attorney General Stone, when the matter was referred to him by the President, reversed Secretary Fall. Thereafter it was recited that the district court of the State of Utah held contrary to the Attorney General Stone view.

And then the following statement appears, quoted in substance from the testimony of Commissioner Burke:

"That if Congress passes these pending bills (whose effect in congressionally prejudicing the Indian claim of vested right is admitted by all and is fully argued in this memorandum), then the Government's appeal from the ruling of the Utah district court will not be carried forward."

Thus an adverse ruling by the inferior Federal court, joined with an adverse declaration by Congress, will stand as the law. The Indian title or claim of vested interest would be destroyed, not only for the Navajo oil field but for the whole Executive Order area, 23,000,000 acres in eleven states.

The Indians might attempt independent suit to secure a Supreme Court determination. But with the proposed action by Congress, such a suit would be disastrously prejudiced for, as pointed out below, the Supreme Court is likely to seek to follow the will of Congress.

So much for the status revealed in the hearings of February 20.

The Consequences if these Measures,
Endorsed by the Indian Bureau, be-
come Law.

The history and character of Executive Indian reservations and the Indian stake in them, and the consideration bearing on Indian title, are discussed below.

If the Bureau-endorsed measure becomes law, joined with the acceptance of it and of the Utah District court decision by the Government as establishing the law, the unallotted Executive Order reservations become nothing except public land which the Indians occupy with a vested right exactly equal to that of guests who may be told to depart, or of cattle allowed to graze in their owner's field.

Under these circumstances, there will have been placed in the hands of the Administration (nominally the President, actually the Secretary of the Interior and Indian Bureau), the power to turn the Indians out from any unallotted Executive area without compensation and without any court redress for the Indians; and also without taking the matter to Congress. As shown below, this means that the Indian Bureau, with the President's authority, will be empowered to confiscate any part or all of the unallotted Executive Order area, either at one time or gradually, turning the Indian lands, timber, oil, water power and mines, back into the public lands, and making of the Indians trespassers, without any right in law, illegally occupying their ancient homes.

Result: a gigantic overwhelming wrong inflicted on the Indians; a betrayal of a national trust accumulated through fifty years; and a huge increase of the already unparalleled power of the Indian Bureau. This power, not susceptible of court review, will have become a power outside the initiative of Congress itself. The chief preoccupation of the Indian Bureau, to maintain itself through using Indian property to control politics, will have been decisively fulfilled.

Congress will have transferred to the bureaucracy one more of its constitutional prerogatives and important duties.

Indian Title, National Honor, and
History of Executive Order Reservations.

The adjustment between the United States Government and the Indian tribes, chiefly through establishing Indian reservations, has progressed over one hundred years to this date. There have been three stages:

(1) Adjustments were made and reservations created by treaty. Congress ended the treaty-making power in March, 1871.

(2) Therefore, from 1871 to 1919, the typical method of accomplishing adjustments and creating reservations was that of Executive (Presidential) Order.

(3) Since 1919, the only method has been that of congressional enactment.

When new treaties were prohibited in 1871, most of the reservations had not yet been created and most of the adjustments between the Government and the Indian tribes were still in the future. The Executive proceeded to do what theretofore had been done through treaty. The Executive Order reservations in eleven states thus came into being. Previously they would have been treaty reservations; now they were Executive Order reservations.

Concerning the President's legal authority and the statutory effect of his acts, the following is incontestable, Kappler's "Indian Laws and Treaties", vol. 3, p. 692.

"The authority of the President (to create Executive Order reservations from the public domain) by long and uninterrupted usage has never been denied either legislatively or judicially, but, on the contrary, has been legislatively and judicially recognized. The courts have, from the early days of the Republic, recognized, sustained and upheld this power."

An important fact here enters. It is the chief reliance of those now seeking to prove, or by congressional act to establish, that the Indians have no vested right in Executive

Order reservations. This fact is, that the Executive has at times changed the boundaries of, or even cancelled, the Executive Indian reservations which he had created. Congress, similarly, can cancel a reservation which it creates. From these facts it is argued that no vested right exists in the Indians.

The following is from Attorney General Stone, now on the Supreme Court bench:

"Whether the President might legally abolish, in whole or in part, Indian reservations once created by him, has been seriously questioned (12 L.D. 205; 13 L.D. 628) and not without strong reason; for the Indian rights attach when the lands are thus set aside; and moreover, the lands then at once become subject to allotment under the General Allotment Act. Nevertheless, the President has in fact, and in a number of instances, changed the boundaries of executive order Indian reservations by excluding lands therefrom, and the question of his authority to do so has not apparently come before the courts."

Supplementing the above. The Government, of course, has not contested its own executive act in the courts. The Indians, as wards, could not contest it. That is why there has been no court determination of this important subject.

Of course, the Executive reservation, taking the place of the treaty reservations no longer possible, have in all cases been made for an implied consideration, just as the treaty reservations were made. Further, if property rights have accrued under the reservations, by the rule of property principle, the ultimate court ruling will be a foregone conclusion. EXCEPT THAT THIS IS NOT THE CASE SINCE INDIANS ARE INVOLVED.

The statement of the Indian Bureau made before the House Indian Affairs Committee February 20 has been reported - that if Congress pre-determines the question through pending measure, appeal from the Utah decision, adverse to the Indians, will not be carried on. But even were it carried on after the pending measure had become law, the Indian case would have been seriously, perhaps fatally, prejudiced.

Owing to lines of reasoning concerning the nature of Indian titles held under trust which have been followed by the Supreme Court in important past decisions, which there is not here space to quote (examples are the Cherokee and Lone Wolf opinions of the Supreme Court), and owing to the fact that the underlying title to all reservations, treaty, executive, and congressional, is admittedly in the Government, it must be taken for granted that the Supreme Court in its ultimate determination of this momentous question will be influenced largely by the political will of Congress as revealed through the acts of Congress.

Today the evidence concerning political intent is overwhelmingly favorable to the Indian claim.

If the pending (Bureau-endorsed) measure becomes law, the evidence of political intent will have become decisively against the Indian claim.

These facts contain the main significance of the pending measure. Even the taxation feature is relatively unimportant compared to the proposed legislative denial of Indian title.

THE MORAL AND LEGAL STATUS OF THE TITLE QUESTION.

Nothing Congress may do can change the moral status though as pointed out above Congress may, by the pending act, revolutionize the legal status.

The history todate is as follows:

(1) Many Executive Order reservations are fifty years old. Most Indians living on these reservations were born there. Many of the reservations are the immemorial homes of the tribes occupying them. The Indians accepted these reservations on exactly the same basis, from the Indian standpoint, as Indians had previously accepted treaty reservations. The structure of law made no other kind of reservation possible. The Indians have staked all that they have, not only of legal and equitable right but of human existence, in what they have believed, and have been led by the Government to believe, are the secure possession of these Executive reservations.

(2) When Congress passed General Allotment Act of 1887, no distinction was made between Executive Order and treaty lands. With the administrative act of allotment, the tribal vested right passed to the individual allottee, and when the trust period ended, the qualified vested right of the allottee became an absolute fee title.

(3) Congress, beginning before 1870, expended many millions on irrigation systems, roads, bridges, etc. on unallotted Executive reservations. In 1914 these accumulated expenditures were by act of Congress made a reimbursable debt and a lien against the Indian title in the Executive reservations. They have passed down as liens against the individualized lands. The facts here recited by themselves should determine the question of title. Attorney General Stone was not familiar with it when he ruled that the Indian title was valid.

(4) Income from forests and other resources has accrued through the years on the Executive reservations. That income has not gone into the general treasury but into the tribal funds. The Indian Bureau, which is now seeking to deny or destroy the Indian title, has not hesitated to use this tribal income for maintaining its own office-holders and building their homes and heating their homes and buying them automobiles, etc., etc.

(5) Executive reservation grass were sold; and the proceeds went (as at Yuma, California), not into the general treasury but into the tribal fund or the construction of irrigation systems, etc. for the tribe.

(6) Indian Bureau jurisdiction over the Executive reservations was as complete as in the case of treaty reservations; and the term "Indian country", defined in numerous court decisions, embraced them just as it did the treaty reservations.

(7) So adequate was the Executive order deemed to be, in vesting title in the Indians, that at Zuni Pueblo in New Mexico it was not deemed needful to present to Congress and the courts, for confirmation, the tribe's communal fee-title derived from Spain. An Executive reservation had been created embracing the Zuni land grant; this reservation was deemed to be sufficient in the validating of an acknowledged vested right 250 years old.

There are many reenforcing arguments not introduced here. The great human and moral fact should be conclusive, at least in so far as action by Congress is concerned. It is that the majority of all the Indians outside Oklahoma have been led by the Government to stake their all in the Executive reservations; have believed, as Congress and the Executive have led them to believe, and as Congress and the Executive have believed, that the Indians were secure in staking their all. This moment the Indians believe themselves to be securely protected by the act and the honor of the United States.

Should either Congress, or the Administration through Congress or through the neglect of appeal from the Utah court, or the higher courts, influenced by the proposed new measure here discussed, make void the Indian rights in these reservations, the meaning will be perfectly plain. Congress and the Executive will be placed in the position of having been engaged since 1871 in a gigantic hoax and conspiracy practiced against Indian wards. The confiscation of billions of dollars of Indian property by administrative act alone will have been legalized. The master wrong of the whole record of Indian affairs will have been inaugurated.

It was Secretary Albert B. Fall who instituted the undertaking. Now it is the Indian Bureau chief, who was the Indian Bureau chief under Secretary Fall, who states that the Bureau is forced to "compromise", and to endorse this repudiation of national undertakings with Indian wards which have accumulated across fifty years.

WITH WHOM IS THE INDIAN BUREAU FORCED TO COMPROMISE?

The Constructive Measure

Section 1 of the pending measure (S 3159, H.R. 9133) declares that unallotted Executive Order land can be leased in

accordance with the provisions of the Act of May 29, 1924 dealing with unallotted treaty reservations. This should be enacted.

This same Act of May 29, 1924 provides that oil, gas and other mineral production on unallotted treaty lands "may be taxed by the state in which lands are located in all respects the same as the production of unrestricted lands, and the Secretary of the Interior is authorized and directed to cause to be paid the tax so assessed against the royalty interests in said lands."

The above language is very obscure. Close examination makes it appear that a court construction might well hold that the language requires the Indian, out of his royalty, to pay the gross production tax, thus exempting the producer from any tax. If such be not the intent - if the wording is meant to establish a production tax ratably assessed against producer and Indian royalty receiver - then the wording of the Act of May 29, 1924 should be amended.

For obtaining revenue for the states from the Executive Order reservations, the following wording, which is unequivocal and whose fairness none can question, should be adopted as a substitute for the whole of Section 2 of the pending S 3159, H.R. 9133:

"Provided, that production of oil and gas and other minerals on such lands may be taxed by the State in which such lands are located in all respects the same as production on unrestricted lands. The Secretary of the Interior is authorized and directed to cause to be paid the ratable proportion of the production tax so assessed against the royalty interests, out of the royalty rentals received by the Indians or tribe; provided, however, that such tax shall not become a lien or a charge of any kind or character against the land or property of the Indian owner or owners but only against his or their royalty receipts."

Some Western states may raise the objection: "But we have no adequate production tax and we want revenue from the Executive reservations instantly." The fairness of such a demand, from states wholly or partially exempting the production on non-Indian lands within those states, may be questioned. But should Congress desire to meet the wishes of such states, it can be done without prejudicing the question of Indian title. Congress can legislate that a specified percentage of the total production on Executive Order reservations shall be withheld; that this proportion (3% for example) shall be ratably taken out of the producer's share and the royalty share; and that it shall be given to the states by the Government.

It is understood that such action would raise constitutional questions. But indeed what need is there for such action? Should not the states be encouraged rather than discouraged in the matter of taxing oil production? Has a state, if unwilling to tax oil production outside Indian country, any just complaint if Congress insists that the unwillingness shall

be held to extend to Indian country likewise? Why discriminate against the Indians?

The simple solution is the enactment of such a production tax clause as is named above.

Concerning Section 3 of the pending bills, a word suffices. Some twenty investors in good faith occupied parts of the Navajo reservation under permits or the hope of getting permits from Secretary Fall. They invested heavily. It should be granted them. It should be granted them through a proviso subjecting them to the identical production tax above suggested for all Executive Order reservation production; but exempting them from competition in the matter of their improved claims. They can assert no vested right; they are asking from Congress an act of *graces*. It cannot be claimed that any injustice is done them by establishing equitable taxation or by bringing them under the terms of the leasing act for unallotted Indian lands as that act exists, and is incorporated in Section 1 of the pending measures.

The four hundred permits which are asserted to be speculative in character, representing no investment, manifestly should not be validated. Extend the leasing terms of the Act of May 29, 1924 to the Executive reservations, and these permittees have an equal competitive right with anybody else. If they have made the substantial investment stated, beginning line 25, p. 4 of the Senate draft of S 3159, they will automatically come under the provision above suggested and will be insured possession without competition.

The Situation of the Navajos.

At the House hearing, and in private conversation, advocates of H. R. 9133 and S 3159 have repeatedly stated that the Navajo Indians have expressed their perfect satisfaction with Section 2 (the taxing provision) of these measures. That is, they quote the Navajos as saying that even a 50% deduction from their royalties will be all right.

If the Navajos had been led to think that they must accept this or they will get nothing at all; if spokesmen of the Indian Bureau or others, in whom the Navajos have confidence, have led them to believe that the Utah district court decision was irrevocable, and that their only hope is to take advantage of some momentary mood of generosity in Congress and get a part of their royalty as an act of *graces* from Congress; if these same spokesmen have left the Navajos unaware of the profounder implications of this scheme - the implication regarding the voiding of all title or vested right to their Executive reservations; this Congress should know all of the circumstances surrounding the alleged consent of the Navajos. With the record concerning the Navajo fund misappropriation fresh in its mind, it is urged that Congress ought to have before it all the official communications to the Navajos and the text of all the deliberations of the Navajo tribal council.

But even should it develop - which categorically it will not do - that the Navajos with full realization have asked for this scheme of confiscatory tax and of nullification, their voice cannot be deemed conclusive in any manner whatsoever. There are Executive Order reservations throughout the West. Scores of tribes have no acre of land except Executive Order land. The pending measures have a disastrous effect on the whole Executive Indian area and all these tribes.

If Congress will obtain the whole Navajo record as above indicated, much light may be shed on the relation of the Indian Bureau to the underlying purposes of the measures here dealt with. Much light may be shed on the unrolling across four years of the initial project of Albert B. Fall which supposedly had perished with many of his other enterprises.

The Desperate Plight of the Navajos.

The Navajos have been loaded with a \$771,281 reimbursable debt. Now they are to be loaded with an additional \$106,000 for bridges (\$100,000 for a tourist bridge). The mortgage is already six times bigger than their tribal fund.

The Government's per capita yearly expenditure on Navajos, 1920-1924 inclusive, was \$28.50. For the Indians as a whole the per capita expenditure is \$54.00 if tribal fund expenditures be included; \$42.00 if tax appropriations alone be considered. 240,000 restricted Indians.

Forty per cent of the Government's expenditure on Navajos in these years went to Indian Bureau salaries. For medical supplies only .19 per cent. Yet the official Board of Indian Commissioners reported, 1924,

"The survey of seven of the Navajo boarding schools disclosed that 46.64% of the children were trachomatous."

Trachoma is curable, but untreated it leads to blindness.

General Hugh Scott reports officially, 1922:

"6,800 children in the Navajo country are growing up in savage ignorance for lack of school facilities. This ~~has long been known for lack of school facilities. This~~ has long been known to the Department."

This situation is one of horror, and fraught with evils to come for the States, of New Mexico, Utah and Arizona, as well as for the Navajo Indians.

JOHN COLLIER,

Executive Secretary

Indian Welfare Legislative Program

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SUBMITTED BY

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The Indian Defense Association of Southern California
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The object of the *American Indian Defense Association, Inc.*
and its Branches, is to secure for all Indians the right to land,
to legal protection, health protection, modern educa-
tion, and civil and religious liberty.

Recd. Feb. 3, 1925.

THE PROPOSED
Indian Welfare Legislative Program
— OF —
THE AMERICAN INDIAN DEFENSE ASSOCIATION, Inc.
and Its Branches.

Practically all that the Government does with relation to the Indians, is centered in the Bureau of Indian Affairs of the Department of the Interior. In this fact, we find the underlying cause of most of the admitted defects of administration and shortcomings in the educational and health service as well as in property conservation and development.

For purposes of this statement, the Governmental activity for Indians may be classified as follows:

1. Assistance and instruction in agriculture, rural industry and rural living.
2. Education (schools.)
3. Medical service and the promotion of health.
4. The custody of person and property.

A study of the history and present functions of the Department of the Interior clearly evidences that the main purpose in its creation, and the guiding motive in its maintenance, was and is foreign to the task above indicated; the task, namely, of building up the life of the Indians and of promoting the beneficent use of their property while conserving it.

The Indian Service was originally in the War Department and was transferred to the Interior Department in 1849.

The Interior Department then, as now, had as its determining function, the supervision and regulation of the processes through which the Federal Government has disposed of the natural resources of the Public Domain. It is the transfer agent through whose hands property worth billions of dollars has passed from the Public Domain into private ownership.

Hence the Interior Department has not worked out an effective system of human service, or developed the use of public properties which it held as a more or less temporary custodian.

This statement is not made in criticism either of the Department of the Interior or of the Congressional policy which formerly held good toward the whole Public Domain and still holds good toward the public lands over which the Interior Department is trustee. Without being a criticism, the statement of fact is an explanation. It makes plain the reason why Interior Department influences have never been successfully applied to reorganize the Indian Service toward conserving the Indians, developing their powers, saving their health or beneficently exploiting their property.

The property, not the person of the Indian has inevitably been foremost in the Interior Department's consideration; and the *holding or transfer* of this property has taken precedence over any concern about the *development* of the property as an estate held in permanent trust.

The aspect here stated has been recognized by successive Administrations, from the first Roosevelt administration down to the proposals of

departmental reorganization of the Harding administration. The establishment of the National forests, of reforestation and of the effort to make our National forests self-supporting, will be remembered by most citizens. When Roosevelt decided that the Western timber lands remaining in public ownership must be conserved, and that the Appalachian reserve must be created, he sweepingly placed the control of these forests under the Department of Agriculture, transferring the jurisdiction out from the Department of the Interior.

While the human well-being of the Indian is linked with this property, it is held that Indian policy should be guided by considerations of service primarily and by property considerations secondarily.

Coming now to the subdivisions of the Government's work for the Indians as listed above:

1. ASSISTANCE AND INSTRUCTION IN AGRICULTURE, RURAL INDUSTRY AND RURAL LIVING.

The Indian problem mainly is a rural life problem. The Indian may have special additional needs, but primarily he faces what the rural community faces everywhere and requires what it requires. Foremost among these requirements can be mentioned the following:

Instruction in farming, stock-breeding, care of timber, etc.

Instruction and help in agricultural organization—organization for purchase, for production, for marketing.

A practicable system of rural credit.

Improved community living—which means junior and adult recreation, the carrying of persuasive influences into the rural home, the building up of a sentiment of pride and hopefulness within the rural community; in brief, all that is entailed in community organization.

Meeting the rural life needs of the Indian would be solving more than half of all his problems. Unless these needs can be met, a solution of his problem cannot even be approached.

We propose that the Department of the Federal Government responsible for rural life betterment shall be made responsible for this part of the Indian's need. *That Department is the Department of Agriculture.*

Had the Department of Agriculture existed, with its present activities, seventy-five years ago, the rural life phase of the Indian task would have been transferred to it and not to the Department of the Interior. (The Indian Bureau was transferred from the War Department in 1849.)

The Department of Agriculture, as we now know it, is comparatively modern. Mention has been made of its work of forest conservation, beginning in the early years of Roosevelt's presidency. But beginning about 1906, the Department of Agriculture has grown into a comprehensive institution for the improvement not only of rural economics, but of rural social life, including education and health.

Starting with the work of the Country Life Commission under President Roosevelt, the Department of Agriculture has achieved, through the Taft administration and on into the Wilson administration, and to the present, a huge co-operative rural development. The Department's work was predicated on a sharing of the tax burden between the federal, state and local units of Government; on a co-operative enterprise, wherein the federal Government joined with the State Departments of Agriculture and the State Boards of Health and of Education.

To avoid the evils of paternalism, the Department of Agriculture has adopted two principles which are wanting in the present Indian affairs system and which are essential. They are:

(a) the expenditure of federal tax money is not intended to carry the whole burden of rural-life work, but is conditioned on a readiness of the states and local communities to bear an ever-increasing part of the fiscal burden.

(b) Similarly, the output of effort by the Department of Agriculture is designed to awaken local enterprise, and the continuance of Federal activity is made dependant on an ever-increasing growth of local activity, including the voluntary group effort of co-operative societies, corn and wheat clubs, farm bureaus, women's auxiliaries, etc.

The natural outcome of the methods here stated, is also the outcome that has been aimed at with conscious philosophy and sustained experimentation. It is the outcome most needed for Indians; i. e., that the methods in each community are adapted to the peculiar situation—economic, social, racial, etc.—of the community in question. Means are adjusted to ends, and there is no stereotyped activity, and no dogma except the two propositions (a) that rural life shall prosper and (b) that an organized American individualism shall be increasingly realized among the farmers who constitute one-half of the population of our country.

The Department of Agriculture reaches into every state of the Union. It has a technical overhead adequate to deal with all rural life needs, of Indian as well as of other communities. (For example, technical agricultural specialists, animal industry, irrigation investigations, agricultural economics, community organization, forest tending, timber sale, grazing, reforestation, etc.) This universally extended overhead service has brought into being such a variety of types of rural self-help that a thick volume would be required to describe them. (As for example, the work with the Negroes in the South, the work with Appalachian Highlanders, and with the semi-rural communities of West Virginia; the very different enterprises seen in the Massachusetts towns; the corn belt type of farm service, and the wholly different service rendered in the far West.)

THE ADMINISTRATION OF THE INDIANS AS RURAL COMMUNITIES is a task for the Department of Agriculture. The Indian Bureau could not have developed within itself the abounding resources of the Agricultural Department and of the co-ordinate State Departments, even if it had tried. This great enterprise of rural life improvement, which, viewed as a Governmental enterprise, has no rival in any other country, has been built up cumulatively as a result of the economic and social necessities of 50,000,000 farmers and of a Nation whose economic balance was at stake. It is proposed to give to the Indians the advantage of that which probably would never have been created for their needs alone.

But in addition it must be said that the Department of the Interior, through its Bureau of Indian Affairs, has not systematically attempted any such achievement as is here sketched. Various Indian Service jobs duplicate the jobs held in the Agricultural Department, such as forest rangers and farm advisers. But without elaborating here on the known fact that the farm advisers, for example, are rarely acquainted with agricultural science, and still more rarely with the modern technics of rural organization, it is enough to remark that the Indian as

a rural being has been managed through a *formula*. This formula took its rise when the Indians were controlled by the War Department and the Indian problem was one of reducing Indian tribes to subjection. It has become embodied in statutes but still more in the administrative technique and mental attitude of the Indian service. The formula calls for "individualizing" the Indians and their land-holdings. The method has been to suspend the operation of tribal institutions, to dissolve the tribal relations, and to efface the Indian's racial memory, which in practice has entailed the destruction of the parent-child relationship. This negative formula, whose application has presented a gigantic chapter of tragedy, has not been accompanied by any compensating policy of organizing that which, under the formula, has been progressively disorganized and pulverized. The reference here is to a long, though continuing historical record, no item of which originated with existing officials of recent administrations. But the old policies dominate the Indian Service, and insistently operate, not as experimental ideas, but as dogmas or axioms, in the minds of the Indian Bureau and Department of the Interior personnel.

Hence it came about that when the National Bureau of Municipal Research made its analysis of the Indian Bureau for President Taft and for a Joint Committee of Congress and prepared the report which was suppressed, it was possible for the Research Bureau to describe the whole Indian field service—its methods and its consequences—by describing just one field agency. Since that date (1915) a diversification has been permitted in a few noteworthy cases (specifically, the Northern Blackfeet and the Jicarialla Apache reservations). But whatever be the disposition of the chiefs of the service, it has not proved feasible within the Indian Service as now constituted to effect the needed diversification or to bring into play the modern methods which are making rural communities self-supporting, happy and proud.

The considerations of economy are as challenging as the considerations of efficient service. The Department of Agriculture's overhead could be swiftly made available for the rural service needed by the 340,000 Indians on the approximately 128,000 square miles of Indian land. As the Department of Agriculture's work put the Indian communities on their feet, not only would tens of thousands of our Nation's wards be lifted from the poverty line into productive well-being, but the miscellaneous costs of Indian service would shrink.

2. EDUCATION.

Rural life organization includes education in the narrower sense of that term. Throughout America, the rural school gradually is becoming an institution where the child is educated for rural life, and where the entire family, the adult population, and the significant interests of the community, meet as in a market place.

We propose that the jurisdiction over Indian schooling shall be transferred to the Department of Agriculture. In the measure that this schooling can be most economically and effectively carried out under State and County Boards of Education, the Department of Agriculture, already in co-operation with these local school systems, will know when and how to recommend that Congress make the transfer.

A description of the Indian Bureau's system of schooling is not needed here. It is a system which has been worked out in accordance with that formula stated above as the formula of "individualizing" the Indian. In the school system this has meant cutting the Indian off from his traditions, building a wall between the Indian child and the Indian parent, and fitting the child to live neither in his home community nor out in the white man's world. Broadly speaking, the Indian schooling system has been a failure educationally; and from the point of view of health, it has been understood for many years that the boarding-school system was a disaster to the Indians.

The Indian school needs to be as varied in type as does the Indian agricultural education and organization. There is an abysmal difference between, for example, such tribes as the Arizona Hopis, the California bands and the Plains Indians—a difference in inheritance, in emotional attitudes and in physical environment. These differing tribes have different kinds of problems facing them, and different destinies, save that they are all rural communities. The uniform pattern of school work, which not only is scarcely avoidable in the great boarding schools but is compulsory in the day schools operated by the Indian Bureau, can never meet effectually the need of any particular Indian group.

The procedure of the Department of Agriculture is to adapt its means to its ends, and this procedure would hold good of the schools. The ideal of the Department of Agriculture is to evoke self-activity among those whom it serves and to build them up on the basis of what they are, and this would be a guiding principle in the Indian schools if it were administering them.

3. MEDICAL SERVICE AND PROMOTION OF HEALTH.

Again, it is not needful to describe the present medical service of the Indian Bureau or to quote the statistics of disease among Indians, beyond stating what is admitted practically by all parties—that the Indian Bureau's Medical Service is under-paid, inadequate in quantity, under-supplied with materials, and disheartened under the cumulative results of the neglect of diseases and of disease prevention across many years. The high disease rate of the Indians is known from the incomplete vital statistics of the Indian Bureau, as well as from intensive studies made by the State Boards of Health, the United States Public Health Service and others. More than 30,000 cases of infectious trachoma, for example, and an abnormal tuberculous and infant mortality rate.

It should be apparent on the face of the situation, that the Medical Service of the United States Government for Indians should be placed under that department financed for the doing of medical work—the United States Public Health Service. It, like the Department of Agriculture, maintains professional standards and uses methods appropriate to the results sought in a given community. Like the Department of Agriculture, it systematically co-operates with the other departments of the Federal Government and with the State Boards of Health.

Should it prove more feasible from the legislative standpoint, satisfactory results could be obtained through placing the Indian Health Service under the Department of Agriculture, with the certainty that this Department would promptly enlist the United States Public Health Service and the State Boards of Health. However, the transfer to the United States Public Health Service has been recommended by the House of Representatives Committee on Indian Affairs, by the Board of Indian Commissioners, and by numerous Indian Welfare Agencies, and we join in the recommendation.

4. CUSTODY OF THE PERSON AND PROPERTY OF INDIANS.

We propose that the jurisdiction over Indian property and person shall be transferred to the Department of Agriculture.

The upbuilding of the Indian's productive life is inseparable from the administration of the Indian lands. For example, the Department of Agriculture could not work effectively on the reservations unless the leasing of Indian farm-lands and grazing-lands and the issuance of timber permits were under its control.

Further, there exist Indian tribal and personal funds exceeding \$60,000,000, which should be used as a working capital to put the Indians as groups and individuals on their feet industrially. The initiative regarding the employment of this capital should be with the department charged with the economic improvement of the Indians. Further, the question of allotting Indian lands, and the question of granting fee-simple patents to allotted lands, is involved with a knowledge of and responsibility for the training and organization of the Indians in the use or ownership of "individualized" bodies of land. Here, again, the initiative should rest with the Department of Agriculture. Insofar as the system of reimbursable loans be continued, this once more is a subject involved with the agricultural progress of the Indians—with their need for implements or stock, their capacity as tribes to utilize irrigation systems, etc., etc. Initiative with regard to the reimbursable loan expenditure, if it be continued, should rest with the Department of Agriculture.

There is a comprehensive reason why the Indian estate should be lodged with the Department of Agriculture as trustee. That reason is implied in the above statement regarding the national forests. The Department of Agriculture expects and is expected to be the permanent trustee of national domain entrusted to it. It expects and is expected to seek the beneficent development of the properties which it has charge of, treating them as a permanent national estate. It is not expected by Congress or by the public in the different states to serve as a transfer agent or temporary depository of lands.

It is merely a statement of historical fact, drawn from the Department of the Interior's own reports, when we state that the Indian lands have passed out of National and Indian ownership into private ownership at a speed comparable to that of the public lands. The methods through which the transfers have been effected include the following:

Acts of Congress throwing Indian reservations into the public lands to be given to homesteaders.

Executive orders reducing the area of the reservations.

Allotment under trust to Indians, with subsequent sale or lease of the trust-allotted lands by or with the consent of the Interior Department.

Fee-simple allotment with the consequent rapid loss of their lands by the Indians.

Lease of the unallotted tribal lands.

In New Mexico, encroachment on Indian lands by the Whites.

The piling up of indebtedness against Indian tribes and individuals through the reimbursable loan method should be mentioned. It precludes the foreclosure which may efface the whole Indian equity in many allotted and unallotted areas.

If there be criticism in the above statement it is not personal to present officials, but refers to the policies of the Department of the Interior and of Congress, which in turn have expressed the wishes of electorates. However, the department which has thus served as an alienating agency for the Indian lands, and whose point of view and political situation has been necessarily dominated by that condition, is not a department which can reasonably be expected to apply promptly a new policy of conservation and development to the remnant of the Indian estate.

It is in view of all the above considerations that we propose the transfer to the Department of Agriculture of jurisdiction over the Indian property and person in addition to the jurisdiction over educational and industrial services.

CORRELATIVE PROPOSALS.

There are other measures which must be adopted, protecting Indians in their person and property, regardless of the department where any particular activity is lodged. Among them are the following, briefly stated:

1. Statutory guarantee to the Indians of constitutional rights, including liberty of conscience, freedom of speech, the right of parental guardianship and due process of law.

2. Abridgement of the power to outlaw any white person from the reservations without court review on grounds of fact or of reasonableness. This entails the repeal of some archaic statutes and the amendment of others, and it is a step toward bringing to an end the Indian Bureau's censorship over the facts of Indian administration.

3. Statutory protection of the Indian's rights to executive order reservations (22,000,000 acres in area).

4. No future sale or lease of Indian properties, personal or tribal, except with the consent, as appropriate, of (a) the Indians involved, or (b) Congress.

5. Requirement by statute that there shall be public advertising and competitive bidding in the sale or lease of Indian properties by the Government.

6. The Indians, individual and tribal, to be given by statute an effective voice in the disposal of individual and tribal funds.

7. The allotment laws to be amended with the effect of requiring consent of Congress before there shall be (a) new allotments or (b) further fee-simple patenting of lands already allotted.

8. The Indian, individual and tribal, to be given the protection of a court review, when asked, over the trustee's and guardian's acts.

9. Indians as tribes, or otherwise, to be permitted to incorporate and to hold lands corporately.

10. A statute authorizing Indians in their tribal capacity or as individuals to prosecute property claims against the Government.

11. Statutory requirement of publicity for all financial facts of the Indian administration and for all departmental regulations affecting the Indian person or property.

12. The Indians to be admitted to the use of credit facilities such as are now available to all other farmers, stockmen, etc.; to the end, incidentally of terminating the system of reimbursable loans to Indian tribes and individuals. Immediate requirements that Indians shall be given a notice of six months or longer of the Government's intention to demand payment of reimbursable loans. (This does not mean that the Government should "call" all of the reimbursable loans. Most of the tribal loans especially have been made not at the request of the Indians; and tribal indebtedness to the amount of millions has been established through a retroactive law of Congress (1914) which made all past gratuity expenditures on irrigation a lien on the tribal property. The result needed is, that Indians who incur indebtedness should incur it knowing what they are doing, with the expectation of paying, and not on the initiative of persons who incur a mortgage against the Indian with no responsibility for paying it.)

N. B.—The above statement deals with the general legislative program. It does not cover the special case of Oklahoma; and it does not mention the existing undertakings and projects of the Indian Defense Associations, such as those dealing with the Navajos, the Pueblos and the California Indians.

A THOROUGH VS. A PIECEMEAL PROGRAM

Nothing less than a thorough reorganization of Indian affairs can save the Indian from extermination as a race.

Piecemeal or local results will not stay the process decisively, nor will they be permanent even as peacemeal or local results.

The chief obstacle in the way of helping the Indian, is the fatalism about the subject in the public mind, due largely to the repeated inconclusive struggles for peacemeal and local results in past years.

There is now such an awakened public opinion about Indian affairs as has not existed for forty years. This favorable moment demands the putting forward of a reform plan that will be conclusive if adopted.

The effort to change the existing situation in any fundamental particular will elicit, as such effort already has elicited, all the opposition that can be thrown against a conclusive, adequate plan of reform.

But the advancing of a conclusive and efficient plan which at the same time is conservative, economical and immediately practicable, will bring to the support of the Indian Welfare movement a vast public opinion that is now inactive because it sees no hope of improving conditions.

Political strategy no less than the essential facts of the situation call for such a fundamental effort at reform as is here outlined.



A STATEMENT

Covering Accomplishments and Aims of

The American Indian Defense Association (Incorporated)



THE AMERICAN INDIAN DEFENSE SOCIETY was organized February 27, 1923. The certificate of incorporation of the AMERICAN INDIAN DEFENSE ASSOCIATION, INC., was filed May 14, 1923, in Albany, N. Y.

The Association has attacked that problem about which Abraham Lincoln said in 1862: "If I live, this accursed system shall be reformed." He referred to the American system of dealing with Indians. President Lincoln did not live, but the system lived, and still lives, and still wastes the public domain and continues its *annihilating* work against Indian racial life.

The Association has dealt with various local manifestations of this "system," always with a threefold object of giving immediate help to the Indians, of educating public opinion, and of *battering* the Indian policy and procedure of the Government.

An area of 125,000 square miles, with a value of billions of dollars, is involved in the Indian question. Reservations, two hundred and ten in number, are inhabited by tribes of enormous race difference and of varying stages of development or of dissolution. The Indian Bureau system is ponderous, caught in ancient routine, hampered by hundreds of laws, regulations and court decisions; yet much of the field of Indian law still remains unconstrued by the courts.

The huge task of trusteeship over Indian property is carried hand in hand with the many-sided task of guardianship over the Indian's person, by a trustee-guardian who is also the operating agent, providing the schools, medical service, agricultural organization, and all other social services for the ward.

In the background of the whole situation is the Congressional policy of treating each Indian problem as a local question to be referred back to the delegation from the State where the Indians under consideration are located; and in each state the attitude of white citizens is tinctured and often controlled by those interested in the property of the Indians, who are not citizens and do not possess machinery for making themselves heard.

The above statement is made in order to suggest why the Indian problem cannot be solved in a day or through any one "drive," or through any single local victory. This Association began its existence with the announcement of a program covering the whole field of Indian life and reaching beyond immediate reforms to an ultimate revolution of Indian policy, and of method of administering Indian affairs. It is proceeding in the light of this larger program, but by the method of working intensively for the immediate correction of specific wrongs and the immediate encouragement of the better life of the Indians.

PALM SPRINGS

The dangers of the allotment system was confronted at Palm Springs, one of the California Mission Indian reservations. An allotment of land had been ordered by the Indian Bureau. In the view of the Palm Springs Indians, it threatened the whole tribal system, and might easily have left the Indians landless at an early date. An investigation was carried out, with the invaluable help of the Santa Barbara Indian Defense Association, and on the basis of a complete showing of facts the Secretary of the Interior reversed an earlier ruling and postponed any allotment into the indefinite future.

HEALTH WORK

Indian health has been dealt with first through a clinical demonstration and second through an effort to secure a comprehensive investigation.

It was found that the Pueblo Indians suffered greatly from trachoma, venereal diseases, and from other preventable or curable maladies which were neither being prevented nor cured.

At first, clinical studies were made at one of the Pueblos; then a demonstration of the practicability of modern social hygiene effort was made at one of the Pueblos; then the authorities were persuaded to make an independent investigation which corroborated and greatly strengthened the findings made by the unofficial investigators; and at present, trachoma and venereal work is being systematically pushed by the Indian Bureau itself, in the system of Pueblos north of Albuquerque.

In the meantime, the Association was laying the subject of Indian health before the State Boards of Health throughout the country and before the various national health agencies which are joined in the National Health Council. In August, 1923, the National Health Council agreed to become responsible for a comprehensive study of Indian health, the Indian medical service and the conditions influencing Indian health, together with a study of the possible facilities that can be brought into action for Indian health, of which the State Boards of Health are one. The Secretary of the Interior was invited to request the execution of this study, and did so. A total fund of \$17,000 was required for the cost of directing the study in the thirty-five States, among 340,000 Indians. Of this sum, only \$5,000 has been raised to date, and the investigation is still pending. The Association is seeking to raise this money through appeals to the Foundations. The results of the study will be delivered to the Association, and to the Government, and upon the Association will rest the responsibility of making effective the results thus obtained.

THE PROBLEM OF THE PUEBLOS

The whole question of the right of Indian cultural groups to survive, and of the vested rights of Indians to land—indeed, nearly all of the problems of the Indian—are involved in the struggle over Pueblo land titles in New Mexico. Through two sessions of Congress a campaign has been pushed, and research work of great volume has been carried out, dealing with the economic and vital conditions of the Pueblos, their social organization, their land claims and the complicated legal factors entering into their situation.

At this writing we appear to be on the verge of a success, so far as legislation is concerned. If the remedial legislation is passed by this Congress, it will be our task to work with the Indians and stand back of them through the period during which the proposed Pueblo Land Board will conduct its investigations and formulate its reports and during which the Pueblos will litigate for the recovery of such land as they require in order to make their living.

Meantime, the work of building up the inter-Pueblo organization of the Indians themselves for mutual defense and aid has been pushed vigorously, with results which possibly mark an epoch in the development of the racial consciousness of the Indians.

This battle for the Pueblos has been highly, and perhaps unnecessarily, controversial, and has encountered persistent opposition, beginning with attacks launched by Secretary Fall against this Association and the Federated Women's Clubs last year. The *oil factor* is now entering into the Pueblo situation; particularly in view of drilling on lands adjoining one of the Pueblo grants.

THE CRIME IN OKLAHOMA

The culminating shame and wrong of American Indian affairs is found in Oklahoma, where there exists today a condition more shocking than any of the conditions which caused the outcry of President Lincoln. By an act designed to set the Oklahoma Indians free from tutelage, Congress has in fact delivered them over to the ravishment of local political guardians appointed by judges locally elected and responsible to these judges. Since 1908 *millions of dollars* of Indian property have been looted with the incidental demoralization and outrage inflicted upon the persons of more than 20,000 helpless wards and their families.

Through all these years, neither Congress nor the Administration has interfered with the continuous process of fraud and exploitation. To cover the situation there has been an unceasing propaganda about the "Rich Indians of Oklahoma."

This gigantic conspiracy has been attacked by the AMERICAN INDIAN DEFENSE ASSOCIATION in cooperation with the Indian Rights Association and the General Federation of Women's Clubs, and with the further cooperation of the Bureau of Indian Affairs and the Department of the Interior. The report of the Joint Committee of Investigators sent by the three organizations is an indictment, not of past wrongs but of *continuing and growing* present wrongs, completely documented, mainly from court records, and unquestioned. The legislation abolishing the "professional guardianship" of Oklahoma and reinstating a guardianship by the United States Government is now being pushed in Congress, but the work has only begun.

OBJECTIVES

Brief mention must be given to some of the larger phases of the work which are now being pushed, but which may not be completed for a term of years.

They include the following:

1. The establishment of conservation policies and methods for the enormous Indian estate held in trust by the United States for its wards. This includes the vesting of title to the Executive Order Reservations in the Indians who occupy them, together with the establishment of modern business methods, including a statutory requirement of public bidding with regard to the sale or leasing of Indian properties; the establishment of the right of the Indian to have a voice in the disposal of his property, and of the right of the tribe to incorporate for effective action with regard to its own properties.

2. The establishment of civil liberties for Indians. This program includes the right of Indians to go into court and secure a review of the acts of the guardian; the rights of the Indians to assemble and organize and engage in consultations with one another; the right of the Indians to chose their own religion and to determine what religion their children shall be taught, and to practice their religious ceremonies under the same conditions of freedom that are granted to all other peoples in the United States. All of these rights can be given the Indian without diminishing the trusteeship and guardianship of the United States Government over their property and persons.

3. A change in administrative methods, designed to give the Indians access to the facilities for education, agricultural organization, health, etc., which are provided by the Federal and State Governments for all other human beings, but which are withheld from the Indians through the policy of leaving to the Indian Bureau an exclusive control over their life. For example, the enormous resources of the Department of Agriculture must be brought to the help of the Indians so that they can learn modern agriculture, including agricultural and economic organization, and thus be enabled to hold their own in the modern economic struggle.

4. Supporting all the foregoing, a campaign of education is being waged through all possible mediums—the newspapers, the magazines, the schools, etc. The American people must be informed of the present facts about the Indians. Misinformation must be supplanted with accurate information and a sympathetic, interested and fraternal attitude must be built up in the public mind. Similarly, a helpful and informed public opinion must be created among the Indians themselves about their own situation and their relation to the White Race.

The method of work of the Association is to cooperate with all existing agencies, and to do by itself only those things which other organizations cannot or will not do. The major relationship of the Association is that which holds between it and the Indian Welfare Committee of the General Federation of Women's Clubs, but it cooperates with all other Indian welfare bodies such as are named above, notably, the Indian Rights Association. It cooperates with the authorities at every possible point without surrendering its duty of independent investigation and of critical statement.

RECEIPTS AND EXPENDITURES

The total income of the Association from contributions and other memberships from February 27, 1923, to March 18, 1924, was \$19,849.33. Its expenditures were \$19,458.87. Its indebtedness on March 18, 1923, was \$343.15 for small items, \$725 to its counsel and \$2,324.92 to its executive secretary—a total of \$3,393.07. These unpaid obligations have resulted from the cost of the visit of the Pueblo Indian Delegation to the East in January and February to plead against the cancellation of Pueblo land titles and on behalf of cultural and religious liberty for all Indians.

The total payments included in the above thirteen months' budget, aside from office expenses, were \$4,075, paid to the Executive Secretary and the Counsel of the Organization.

The Public Accountant's report and details of the budget are at the disposal of all who are interested.

The budget requirement for the forthcoming twelve months is \$40,000.

We now ask this direct question of the reader: Has any American citizen the right to turn his face away from this Indian problem? The Indians have suffered an age-long distress, and are now suffering a myriad agony, as a result of our appropriation of the Continent and of our irresponsible and often wicked policy and behavior toward them. The Indians have been reduced to the position of wards of the Government, wholly dependent on it for any life, liberty or happiness which the trustee and guardian may permit them. In the fullest legal sense they are wards of our Government, and in a solemn moral sense they are wards of the people—our own wards.

Continuation of our present policy dooms the Indian race to extinction. It is *our* policy, and not anything inherent in the Indians or in the surrounding society which dooms them.

We urge each reader of this report to join with us, not for a moment only, but with the determination to see the work through to its end.

THE AMERICAN INDIAN DEFENSE ASSOCIATION, INC.
33 West 42d Street
New York

Room 1525

NON-PARTISAN

NON-SECTARIAN

OBJECTS: To secure to the American Indian just treatment from the Government and People of the United States and to promote his welfare

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THE AMERICAN INDIAN DEFENSE ASSOCIATION, INC.
33 West Forty-second Street
New York City

The Indian: A Responsibility of Our Own

THE AMERICAN INDIAN DEFENSE ASSOCIATION., INC., *has issued its statement of principles and program. There will follow a series of pamphlets dealing with various phases of the Indian problem.*

Among the informed, there is complete accord that the policies heretofore pursued toward the Indian have resulted in a cumulative failure, causing untold and untellable suffering to the Indians and bringing discredit upon the nation. The present statement, dealing with the Indian race and Indian problem in its historical setting, shows this failure and tragedy to be a responsibility of the nation as a whole—a continuing responsibility of the whole people.

It is believed that the point of view here given, with the changed policy which it implies, is one on which all Americans can agree, whatever may be their differences regarding the details of a subject fraught with nearly all the complexity of human society as a whole.

SOME CONTEMPORARY STATISTICS

THERE are 340,000 Indians in the United States, and in Alaska 25,000 more. Numerically, the Indian race is slightly more than holding its own in gross totals, and with adequate medical help its physical future would be secure. There are 210,000 Indians, outside of Alaska, under the personal guardianship of the United States. The Indian wealth, over which the United States is trustee, greatly exceeds one billion dollars. There are 210 reservations or bodies of community land. The Indian reservations and landholdings—allotted and un-

allotted—total about 130,000 square miles—more than the area of France and England. There are Indians (a few) with per capita incomes of more than \$8,000 a year; there are Indians (many) with per capita incomes of less than \$50 a year.

The Government spends annually on the Indians about \$10,000,000 of tax-raised money and about \$3,000,000 of the Indians' own money. The employed force of the Indian Bureau is above 5,000 and the average yearly pay of this force is below \$900, and most of the employees are married and responsible for families. The head of the Indian Bureau, whose responsibilities are more many-sided than those of any Federal executive save the President, receives \$5,000 a year.

THE INDIANS: WHAT WERE THEY AND WHAT ARE THEY?

A Mongoloid race; remotely Asiatic, and probably kindred with the ancestors of the Chinese; but inhabitants of North and South America for ten thousand years or longer; and constituting one main branch of the human family, biologically and culturally. Such were the Indians when the White Man came.

Their civilization was different from the White Man's; it had much to give as well as much to receive. It was, in truth, many civilizations, not one; it was varied and multitudinous, to a degree unsuspected by the pioneers and colonists whose contact with the Red Race was in most cases practical and exploitative.

There were features which distinguished these Indian civilizations. All of them were vividly religious. All were democratic in spirit and many were democratic in social form. All were civilizations of forest and mountain, of prairie, lake and desert—civilizations of the out-of-doors.

They had evolved diversely, while reciprocally influencing one another, through a vast time. They had achieved and invented much; for example, their agricultural contributions have modified the whole present world economy.

South of the Rio Grande they had achieved written record, were on the verge of accomplishing the use of iron, and had arrived at political integration. Everywhere they had gone far and deeply in the ways of the spirit. They had expressed much: in decorative art, in home making, in the education of the emotions, and in pageantry, in song, in dance and in ritual drama of infinitely varied form, which survives today and has no parallel among the other living cultures of the globe.

They possessed—it is true of all the hundreds of tribes—virtues which by the consensus of mankind have been held to be primary; truth-telling, loyalty, chastity, respect for property, hospitality, the rule of bearing one another's burdens, and the sentiment and practice of love toward all children. They lived by religions which were united with everyday interests, and by solemnities which were united with joy, in a measure perhaps not to be found among the peoples of the White race.

Such were the Red Indians when the White Man came. *And such are thousands of them at the present time.* The characterization here given is broadly true of the Navajo Indian, of the Pueblo, the Papago, the Pima. It is true, in far larger measure than is commonly recognized, of the many tribes of the Central Northwest, the Northwest and the West, and of the Oklahoma tribes and even the Iroquois of New York State and the Seminoles who remain in Florida. Four hundred years of being dominated, driven from land to land, subjugated and proscribed, have not yet destroyed the Indian race or the Indian civilization. We have yet the basis for a new and creative Indian policy founded on what the living Indian is in his Red Man's heritage.

SOME EMBARRASSING QUESTIONS

How has it come about—

That Indians, thus richly endowed, were and are treated as inferiors and spiritual paupers, with everything to learn and accept from the White race and nothing to teach and give;

That Indians, whom we pledged to treat as sovereign peoples, whose institutions we pledged to respect, have been thrust so low that they are practically without civil rights: without discretion as to the use of their property, without the right of free speech, or the right to join for mutual aid through their own chosen leaders; without religious liberty; and even without the right of personal guardianship by the parent over the child;

That Indians, from whom we have withheld the ballot, are at the same time denied that protection, human comfort and discipline in democracy which was provided by the old democratic tribal self-government—that aboriginal self-government upon which England and even the old Russia have relied for the effective administration and development of primitive peoples;

That Indians, whom we seek to civilize, are the only persons outside of prisons who are denied access to the varied civilizing agencies of National, State and Local government;

That Indians, who are without racial immunity to the White Man's diseases with which they are now infected, are denied the help of the State Health Boards and even of the United States Public Health Service;

That Indians, who are the poorest of the poor, yet who possess natural resources through which they could prosper, are deprived of that help in agricultural and economic organization which modern social effort and various governmental agencies have brought within the reach of all other Americans;

And that Indians, with whom our first treaties were made—for without them, as George Washington testified, we could not have won the Revolutionary War—have been and are subjected to violations of treaty almost without number?

THE ANSWER FROM HISTORY

Neither the present Administration, nor the present Congress, nor the present Generation created these conditions. They are the outcomes of historical events.

A few words will give the story.

The onrush of White Men drove the Indian tribes back and back onto new lands—lands already occupied by other Indian tribes. Warfare between Indians was thus increased and warfare between Indians and the White Race was precipitated. Possibly at the beginning this was inevitable.

The White race—the United States Government—made treaties with the Indians. In those treaties the Government promised generously. But General Francis A. Walker, Commissioner of Indian Affairs, told the truth for practical purposes when, in 1871, he characterized our undertakings with the Indians as “ruses.”

The Indians believed us. They made tremendous readjustments to conform to the treaties, as when whole Indian nations migrated to Oklahoma under the pledge, afterwards violated, that here at last they could keep their tribal lands and maintain their own developing civilization. Our statutory and administrative violation of the treaties, astounding and outraging the Indians and sometimes driving them to starvation, resulted in new and needless Indian wars—Indian sorties long delayed, hopeless and pitiful though often heroic and epic. So the Indian, long after the necessary invasion of his country had been completed, was kept in the position of an enemy, or potential enemy, or prisoner.

The American attitude toward the Indian and the official policy toward him and mode of administering his affairs, grew out of the conditions stated above. The Indian was a menace and he was handled by the army which brooked no interference from the civil authorities and, as was inevitable, dealt dictatorially with the Indian.

The Indian Bureau was transferred from the War Department to the Interior Department 74 years ago. But the status of the Indian as an enemy or a prisoner was continued till 30 years ago and the tradition of so dealing with him, and the body of law devised in the old days of turmoil, reaches as a dead hand into the present. It is now a civil machinery which deals

with the Indian, but it keeps the army's exclusiveness, and the army's absolutism, and it operates under Congressional mandates whose intent can be thus summed up: Manage and civilize the Indian by breaking up his tribe and his community, sundering his life from his past, individualizing his landholdings even at the cost of leaving him landless, and destroying his Indian civilization. Then turn him adrift.

The consequences of this tradition, this administrative method and this body of legislation designed to pulverize the Indian life, are saddening to those who observe the condition of the Indians and exasperating to those who desire governmental efficiency; and those who recognize the beautiful things of Indian civilization consider this policy of extermination to be outrageous. And it is outrageous. But the causes are historical and they operated and continue to operate for one sufficient reason.

That reason resides in ourselves. It does not reside primarily in the Indian Bureau or in Congress. It is due to the uninformed, unimaginative indifference of ourselves, the American People. Unless we arouse ourselves, the Indian Bureau, whatever its desires, is helpless to effect fundamental change. Unless we arouse ourselves, Congress will not move toward constructive changes of policy or permit the Administration to take the steps demanded by a new philosophy.

THE MORAL APPEAL

Here in our midst, and wholly in our hands to use or to waste, to help or to ruin, is a race which occupied our country and which loved it—for this is a universal trait among Indians—with intimate acquaintance and with silent or lyrical passion during thousands of years. Strange, childlike, in many aspects noble and lovely—that race has not passed away; neither biologically nor culturally is it a lost hope, a finished chapter.

We have been dishonorable; and cruel; and dogmatic; and ineffectual. This fact none denies. And it is from us, the whole American

People, that our Indian administrators of today have inherited the Indian policy, the system of administration, the chaotic body of indiscriminating law, and the blindness toward the capacity for suffering and toward the virtues of a weaker and alien race.

Against that tradition and condition Abraham Lincoln cried out; after him, President Grant; and after another generation, President Roosevelt. Successive Indian Commissioners have cried out and struggled against it. It has survived and prevailed because it was the expression of a popular and national attitude.

Yet it is not too late. There still is time for a reconsideration, still time to do the fair and intelligent thing.

It is true that the Indian is voiceless—that he is hardly more than a "still, small voice." But it is precisely the "still, small voice" which gives the most imperious challenge to the soul of each man and woman worthy of the human estate. If the Indian could launch thunderbolts at the American people, he would constitute no moral challenge. Because he cannot, but embodies no practical peril and will go to his end in silence, he offers an unique challenge to us, the American People.



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AMERICAN INDIAN DEFENSE ASSOCIATION, INC.

33 WEST 42ND STREET

NEW YORK

Room 1525

NON-PARTISAN

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S. F. CHY. JOURNAL
APRIL 29, 1924

INDIAN DEFENSE MEETING

Collier to Speak Tomorrow at
Commonwealth Club

An organization meeting of the American Indian Defense Association will be held tomorrow night at the Commonwealth Club. John Collier, executive secretary of the national association, will speak on the social and cultural significance of the movement to obtain economic justice and racial freedom for the Indians.

OAKLAND, CAL.
POST ENQUIRER
November 12, 1924

Women Hear Talk On Indian Affairs

"The Present Crisis of Indian Affairs" was the subject of an address by John Collier, well-known social worker, before the Berkeley League of Women Voters at Unity hall, 2409 Bancroft way, today. Collier displayed a number of western Indian relics.

SANTA BARBARA, CAL.
PRESS—2
NOVEMBER 8, 1927

★ ★ ★
The Indian Defense association has moved the artifacts from the Indian and Mexican "Trading Post" to room 115 El Paseo, where the articles will be sold for wholesale prices from 10 o'clock this morning until 5 o'clock this afternoon only. Tomorrow the remaining stock will be shipped back to the pueblo country.

Mrs. McQuill Speaks to Open Forum
The Open Forum held Monday, Feb. 16, was addressed by Mrs. McQuill of San Francisco, who presented in an able manner the subject of Indian affairs in California. She represents the California Indian Defense Association.

Mrs. McQuill made a plea for interest in two bills that are to come before the California legislature during its present session. She said the Indians of California need land and education.

There are remnants of 100 original tribes in California. Scholars have been able to tabulate 100 root languages among these Indians. The Indian population of 150,000 which the State originally had has dwindled to 17,000. The Indian is found to be idealistic and capable when he is understood and given a fair chance. Prof. C. Hart Merriam says there never was such a tribe as Digger Indians. The name is a myth.

Canada has been more successful in her negotiations with the Indians than has the United States. The Canadian Indian has been able to get a foothold in modern life and to become more a part of the commonwealth.

The Indians have become the subject of study in the women's clubs of the United States. In California the League of Women's Voters and the D. A. R. are giving time systematically to Indian affairs. The Commonwealth Club of San Francisco has also a committee on Indian affairs.

Members of the club were urged to write to the Marin Assemblyman, Chas. F. Reindollar, and Senator Will R. Sharkey, explaining their interest in legislative bills 336 and 337 on behalf of Indians in California.

The first carries an appropriation of \$25,000 to be devoted to a survey and report on the economic, health and educational conditions and needs of the Indians. The second carries an appropriation of \$100,000 to establish an emergency relief fund.

BRONSON ELECTED BY INDIAN SOCIETY

Dr. Oliver Hart Bronson was re-elected president of the Santa Barbara Indian Defense association and the other officers renamed, according to the report of the secretary, Miss Mabel Washburn, made at a luncheon meeting of the association today at Margaret Baylor Inn. The other officers include Miss Pearl Chase, John Curran, Fernand Lungren, and Dr. Henry J. Ullmann, vice presidents; George S. Edwards, treasurer; Miss Washburn, recording secretary and Mrs. Charles Girvan, corresponding secretary.

The association endorsed the Swing-Johnson bill and the bill that provides for the production and sale of Indian products that bear a government label. It was also voted to send telegrams to Senator Frasier to urge the senate to restore the allocations for food and clothing for children in the Indian government schools.

The association's budget for the coming year will include \$3,000, a special gift, for legal aid for the Pueblo Indians; \$1,500 for the national Indian Defense treasury; \$1,000 for the state survey and \$500 for local work.

Mrs. Cynthia Big-Tree, member of a tribe of the Iroquois nation, in costume, gave a talk on her tribe. A young Papago Indian of Arizona sang.

GIRARD, CAL. NEWS—165

NOVEMBER 7, 1924

INDIAN PROTECTION LAUNCHED IN L. A.

364
Organization work for the beginning of a Southern California branch of the Indian Defense movement, was started in Los Angeles this week by John Collier, founder of the association which has as its objective the enactment of legislation to protect the Indians and reserve their land rights.

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FEBRUARY 28, 1930

INDIANS TO BE SUBJECT OF LECTURE

367
On Sunday afternoon, March 9, at 2:30 o'clock, in the Outdoor Theater of the Thacher School (or in case of rain, in the school parlor) there will be a lecture about the Indians of the Southwest given by Howard O. Welty, principal of the Oakland Technical High School. And there will be another Indian lecture in the parlor of the Foothills hotel at 8 o'clock the same evening, also by Mr. Welty.

The public is cordially invited to attend either or both of these lectures. There will be no charge for admission. There will be an opportunity but no obligation for any who may be interested to make subscriptions to the funds of the Indian Defense Association, an organization devoted to securing justice for the Indians and to promoting their welfare and development.

Mr. Welty was himself born in the Indian Pueblo of Taos, New Mexico. He has much to tell of his experiences among the Indians and much to tell of the sufferings and injustice which they have endured. He is said to be one of the most interesting of speakers. It is hoped that large audiences may come to hear him.

Mr. Welty comes to speak at the request of one of the directors of the local section of the Indian Defense Association, and he comes at considerable personal inconvenience to spread the understanding of the needs and the rights of these people for whose sufferings all are in so large a measure responsible.

It is said that at last the story is full of hope, thanks to the wise and energetic policy of President Hoover, Secretary of the Interior Wilbur, and the newly appointed Indian Commissioners, Mr. Rhoads and Mr. Scattergood.

INDIAN DEFENSE ASSOCIATION HEARS EXECUTIVE SECRETARY

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John Collier, executive secretary of the Indian Defense association at the annual meeting of the local branch Thursday evening at Margaret Baylor Inn reviewed the state of Indian affairs since the Hoover regime. He finds in Secretary Wilbur and Commissioner Rhoades, strong friends of the Indians.

California will serve as a demonstration state for the care of Indians if the bill is passed allowing the state to have charge of all the care of the Indians. Secretary Wilbur will have supervision. The Rockefeller Institute studying the problem, will spend \$5,000 alone to prepare a plan. The state will receive \$500,000 a year for health, public welfare and educational work among the Indians.

President Hoover, following a report made by a special committee on Indian affairs, authorized Congress to increase the food budget for the reservation schools 300 per cent to give the children adequate food rations. There have been other recommendations for complete reversals of government policies for the Indians. The bitter fight ahead, according to Mr. Collier, was against unscrupulous employees and politicians, who strive to get the land from the Indians. According to present laws, allotted land owned by the Indians goes back to the government at their death.

Miss Pearl Chase, in the absence of Dr. Oliver Hart Bronson, presided at the meeting. The association

votes to send a letter of appreciation to Secretary Wilbur and Commissioner Rhoades for the legislation program that went into effect December 18. Reports were read by the officers.

The same group of officers were re-elected, and the board of directors remained with two exceptions. Miss Beryl Bard, of Hueneme took the place of her mother, Mrs. Thomas Bard. Dr. Allen Williams succeeded his wife Dr. Marian Williams. The officers include Dr. Bronson, president; Miss Pearl Chase, John Curran, Fernand Lungren, Dr. Henry J. Ullmann, vice-presidents; other directors are George A. Batchelder, Mrs. Wadsworth Baylor, Mrs. George Coleman, Mrs. T. M. Dillingham, Mrs. E. M. Fillmore, E. Palmer Gavit, W. H. Hall, Mrs. A. B. Higginson, Mrs. E. Palmer Gavit, Mrs. Katherine Hooker, Dr. Herbert Hoyt, John P. Jefferson, Robert L. Lewis, Mrs. Walter Nordhoff, Mrs. E. L. Patterson, Mrs. Otis Southworth, Sherman Thacher, Miss Mary Turner, Rev. George B. Weld.

INDIAN DEFENSE LEAGUE TO MEET

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San Francisco Branch
Secretary Is to Be
at Luncheon

Progress of the effort to ameliorate the condition of Indians of New Mexico and elsewhere, will be told by Miss E. Bowler, secretary of San Francisco branch of the Indian Defense League, at the meeting of officers and members of the advisory board of the Pasadena branch of the league tomorrow. This will be a luncheon meeting at 12 noon at the Valley Hunt Club, and besides listening to Miss Bowler, matters vital to the local branch will be discussed.

The San Francisco branch is especially interested in the Pueblo Indians of the Southwest, and Miss Bowler will tell of impressions gained by members on trips to the reservations. Legislative efforts to better the conditions of the Indians of the Southwest will also be discussed, it is expected.

AUGUST 18, 1927

John Rain Bow, Indian Defense Worker, Calls on the Desert Indians

John Rain Bow, an Indian representative of the American Indian Defense Association, has been in Palm Springs and Banning the past week, and last Sunday he addressed a mass meeting of Palm Springs Indians regarding their affairs.

Indians from the Martinez and Coachella reservations were also present.

Mr. Rain Bow is not entirely satisfied with the distribution of Indian funds. He says that although the Indian Bureau of the Department of Interior has the best intentions for the welfare of the Indians in the expenditure of Indian funds, most of the money is used for salaries and perpetuation of a system that is wrong. He advises that the greater portion of the money should be used for the development of Indian lands, conservation of water, etc., so that the Indians on the reservations may become self-supporting.

Mr. Rain Bow said that the disposition to give the Indians higher education is commendable, but that after these Indians receive such an education and are put back on the reservations, they aren't much better off than they were before. He suggests that it would be far better for the Indians if some of this money were expended in developing an adequate water supply on the reservations and encouraging the Indians in agriculture, horticulture and animal husbandry.

While in Palm Springs he discussed the matter of conserving the water which runs to waste out of the canyons on the Indian reservation. He said if this were done Palm Springs Indians would have more water than they need and would have some to sell.

Although the Swing Bill, S-3020, which comes up before Congress at the next session, is favored by the American Indian Defense Association, Mr. Rain Bow is of the opinion that this bill will improve the present situation only slightly. It will simply take the administration of the funds from the Indian Bureau and place it in the hands of the various state departments. He and his co-workers are drafting a new bill which will be presented to Congress, in which it is proposed to give the Indians the rights of citizenship and a voice in the matter of the disposition of Indian funds.

John Rain Bow is well educated and an interesting character. He is deeply interested in the uplifting of his own people and he says he is fully aware of the fact that his "pale face" brothers in Indian work are also anxious to improve the status of the Indian, "but they are on the wrong road."

PASADENA, CAL., POST

JANUARY 6, 1927

LEGISLATION FOR INDIANS URGENT NEED

Local Defense Association Hears State Secretary in Stirring Plea

Urgent need of legislation in California and the United States favorable to the American Indian was stressed by Miss Bowler, executive secretary of the California Indian Defense association, at a luncheon meeting of the officers and directors of the Pasadena branch of the association yesterday at the Valley Hunt club. The speaker stated that California's Indian population had decreased from 200,000 to 18,000 in the past 75 years.

Medical and social service are needed to halt this rapid extinction of the race, especially in the northern part of the state, Miss Bowler declared.

Officers of the Pasadena branch present were Dean Charles Hendrick, president; Miss Ethel Leupp, vice-president; Pardee Erdman, treasurer, and Miss Rumsey, secretary. Directors present included Mrs. John Carruthers, Mrs. Sturgis, Mrs. Frank Carpenter, Mrs. Katherine Watson, Mrs. Datus C. Smith, Miss Teresa Cloud, Mrs. Harry L. Dunn, Mrs. R. L. I. Smith, Miss Averic Allen, Mrs. Frank Sellars, Euclid McBride, Churchill Clarke and Dr. J. H. McBride. Dr. Bradford Leavitt and Dr. Robert Freeman were guests.

SANTA BARBARA, CAL., NEWS

JANUARY 21, 1928

INDIAN DEFENSE ASSOCIATION HOLDS ELECTION OF OFFICERS AND ENJOYS ANNUAL SESSION

Mrs. George E. Coleman, Mrs. Charles Girvan, Mrs. Thomas Dillingham, Mrs. Thomas Bard, of Hueneme and Mrs. G. Hillyer Garvin were elected to the board of directors of the Santa Barbara Indian Defense association at the annual dinner last evening at Margaret Baylor Inn. The members re-elected to the board were Miss Pearl Chase, Fernand Lungren, Mrs. Henry S. Upson, Dr. Henry J. Ullmann, George S. Edwards, Miss Mary Turner, Mrs. Otis Southworth, Mrs. Eylar M. Fillmore and Dr. Marian Williams.

The directors held over were George A. Batchelder, Dr. A. Grant Evans, Miss Mabel Washburn, Miss Sophie Baylor, John M. Curran, E.

Palmer Gavit, Mrs. Katherine Hooker, Mrs. Walter Nordhoff, John Percival Jefferson, Mrs. Eugene Patterson, Sherman Thacher, and Dr. George F. Weld.

Miss Pearl Chase presided at the dinner and meeting that followed.

Mrs. Stella Atwood, of Riverside, chairman of the Indian Welfare committee for the General Federation of Women's clubs was unable to be at the dinner.

Telegrams were read from Dr. Haven Emerson, president of the National Indian Defense association, who will come to California in June. John Collier, secretary of the organization wired from Washington that the situation in the capitol was excellent.

Dr. Oliver Hart Bronson read an outline of the work accomplished by the Indian Defense bureau the last year.

Miss Washburn, secretary of the local group gave her annual report. Miss Ethel Leupp, president of the Pasadena group gave a short talk. Dr. Evans told of the early history of the Cherokee Indians and his work among them.

American Indian Defense Association, Inc.

1926

THE WHEELER INDIAN BILL

IMPORTANT TO MONTANA'S INDIANS AND TO MONTANA ALIKE

February 6, 1926

Half the problems of Montana Indians will be started toward solution if the Wheeler Bill, S.5498, is endorsed by the Legislature and passed by Congress.

The Wheeler bill is modeled on the Johnson-Swing Indian bill for California Indians and on the La Follette-Cooper bill for Wisconsin Indians. The California and Wisconsin bills, introduced a year ago, were endorsed by the Secretary of the Interior, and the financing methods proposed in these bills were declared by the United States Comptroller to be operable. The General Federation of Women's Clubs and the American Indian Defense Associations have endorsed these bills.

But their far-reaching character means that they will not be passed easily, and though they are endorsed by the Secretary of the Interior, it has been stated that they will be resisted by the Indian Bureau, whose power in Congress is devious and great.

Hence prompt action is called for in support of all three bills. What follows relates to the Wheeler bill for Montana.

1. Just What The Wheeler Bill Contemplates

Indian administration logically divides into one part which deals with the guardianship over Indian property, and another part which deals with the carrying out of all types of service to Indians.

Regarding this second part, service to Indians, which includes education, health, agricultural organizations, relief, and social welfare generally, Secretary Hubert Work stated, p. 20,

Annual Report for 1925, that the state and local agencies "are in a position to assume these responsibilities for the Indians and perform them more promptly and sympathetically than the Federal Government". Secretary Work has repeatedly stated this view and policy, especially in his endorsement of the California and Wisconsin bills which are identical with the Montana bill.

But the Indian property held under Federal trust is non-taxable. Therefore, if the states are to assume responsibility, it is necessary to transfer to the states the Federal appropriations for these services to Indians. These appropriations may or may not prove to be sufficient when administered by the state agencies. If insufficient, the State of Montana could request additional appropriations or supplement the Federal appropriations with state appropriations.

The following data about Montana Indians and Federal expenditures on Montana Indian service, will enable citizens to reach their own conclusions:

Indians and Indian Service in Montana

(All the facts here given are from the Indian Bureau report of 1926, from the House Appropriation Hearings of November and December 1926, and the Federal Census.)

The Montana Indian death rate per 1,000 of Indians is rapidly increasing. It was 22.7 in 1921, 26.6 in 1922, 24.5 in 1923 and 34.5 in 1924 (Mortality tables, United States Census).

There are 13,273 Montana Indians; there are 3,800 Indian children of school age of whom 3,504 are stated to be eligible for school, and 3,339 are in school.

Of the Indian children, 833 are in reservation and non-

reservation Indian boarding schools, 496 in mission boarding schools, 216 in government day schools, 106 in mission day schools, and 1,688 in public schools.

Tuition is paid by the Indian Bureau to the local public school system for 1,160 Indian pupils--\$35.90 a year per pupil totaling \$41,737.00.

The per capita cost of the Blackfeet Indian boarding school is \$214.00 per year; of the Fort Peck Indian boarding school, \$262.00 per year; of the Tongue River Indian boarding school, \$240.00 per year (capacity of the Tongue River school, 76; attendance in 1926, 109).

The Indian Bureau expenditure on Montana Indians totals \$918,025. annually (year ending June 30, 1926). Of this sum, \$292,636 is taken from tribal funds belonging to the Indians; \$140,091 is reimbursable, to be collected from the Indians; \$52,624 is paid in fulfillment of treaty obligations, which means that it is property of the Indians.

In other words, the Federal expenditure on Montana Indians consists of \$485,351 representing Indian property expended for Indians, and \$432,673 representing gratuity appropriations from the United States tax budget.

This per capita total of \$69.00 a year pays for the administration of property guardianship and the maintenance of schools and all social service.

Item. The Crow Indian expenditure, year ending June 30, 1926, was \$157,320, of which only \$7,583 was gratuity. \$127,782 was taken from the Crow tribal fund, \$6,177 was in payment of treaty obligations and \$15,777 was reimbursable loans. This expenditure did not go to the schooling of the Crows. That is provided by the State. It purchased the service of not one public health nurse; it did not finance

any Crow boy or girl through higher education. The Crow fund is now nearly exhausted and these heavy expenditures, if continued, must hereafter come as gratuities from the Federal tax budget.

Some Meanings of The Above Facts

As the Indians themselves pay for about 53 per cent of the service given them, obviously they should have a voice concerning the Wheeler bill, which proposes that state agencies shall be used in the health, educational and other human services as distinct from property guardianship.

The tabulations here quoted show that the principal of the Montana Indian tribal wealth is being used to maintain the Indian Bureau. The principal, not the income.

The rising Montana Indian death rate, now nearly three times the death rate of the general population, threatens the extermination of the Montana Indians and calls for emergency action.

The high per capita expenditure on the Indian boarding schools, if re-distributed for adequate public schooling and medical and nursing attention, would go far toward meeting the disease and death peril of the Montana tribes.

Operation of the Wheeler Bill

The bill would become operative, if passed by Congress, only after the Montana authorities (the Legislature) had accepted the responsibility.

The Federal moneys for Indian social service would be transferred to the state under contract and under the supervision of the Secretary of the Interior, to be used for the sundry educational, health, and human needs, in accordance with a previously agreed-on budgeting made by the state departments and discussed with the Secre-

tary of the Interior.

The state would expend the Federal moneys under what would be in effect a system of contracts, for which the precedent and the technical methods have been laid down through the operation of the Smith-Hughes law and other laws establishing a cooperation between Federal and state agencies and the handling of Federal money through state agencies.

The Secretary of the Interior would report to Congress on the results of the changed methods.

The Montana authorities would employ whatever state or local agencies could most effectively render the services called for.

Summary -- The Wheeler Bill Is Urgently Important

In 1924 the Indians were given citizenship but, as Secretary Work has pointed out, the very cumbersome and remote Federal administration of their life-needs was continued. The Wheeler bill is a large step toward realizing the citizenship of Indians, through placing them in a real relation with the state of Montana and its local instrumentalities. At the same time, Federal trusteeship over their lands is completely maintained.

It is an economical measure because large overhead costs will be eliminated if this bill is passed, the overhead machinery of the state being substituted for that of a distant Federal bureau--a state overhead whose maintenance is insured because it serves all the people.

It is the universal experience that when the Indian property vanishes, the Federal Government washes its hands of the impoverished Indian and throws him upon the state and county governments. With the swiftly mounting disease and death rate, and the falling capital-value of the Indian estate, Montana, like other western states, must

face the early prospect of having many thousands of Indians, largely uneducated, weakened with disease, and more or less denuded of their wealth, thrown upon its hands.

Action promptly taken will avert the physical destruction of the Indians through disease, will insure that they emerge into their state citizenship educated for their responsibilities, will insure that they obtain the needed help in agricultural organization, and is the only means of changing their present outlook from gloom to hope.

The capital value of the Indian estate in the whole country (the Indian estate held in trust by the Government and administered by the Indian Bureau) is diminishing at the average rate of four per cent per annum, according to the Indian Bureau reports. This will mean pauperization for the Indian race in twenty-five years, but the rising Indian death rate, which is going forward in the country as a whole, as well as in Montana, will, if continued, exterminate the Indians before their property has been completely dissipated.

It is in view of these facts that California and Wisconsin have acted (the California Legislature has endorsed the Johnson-Swing Indian bill by unanimous vote). These considerations will not fail to stir Montana to prompt action. Support for the Wheeler bill, and the prompt enactment by the Montana legislature of the resolution of endorsement and the enabling act, are the important steps.

The American Indian Defense Association
214 Munsey Building, Washington, D. C.
Haven Emerson, M.D., President
John Collier, Executive Secretary

The Indian Protective Association of Montana
Caville Dupuis, President
Robert Hamilton, Secretary
Albert A. Grorud, Attorney

S. E.--Senator King of Utah has introduced a resolution (S. Res. 341) for an investigation of the whole Indian affairs situation by the Senate. This resolution should be vigorously supported. It has been referred to the Senate Indian Affairs Committee.

THE AMERICAN INDIAN DEFENSE
ASSOCIATION, INC.
37 Bliss Building,
Washington, D. C.

February 13, 1928.

RIO GRANDE CONSERVANCY BILL SENT BACK TO COMMITTEE

To the Pueblo Officials:

The Conservancy Bill has been reconsidered and has been sent back to the Senate Indian Affairs Committee. This took place today.

I will state the facts briefly so you can know what you have been saved from.

The Bill as it passed the Senate, in the form which you had endorsed, left your improved acreage free from all charges whatsoever and held down the charges against your newly reclaimed acreage to \$67.50 an acre, which could not be collected more rapidly than 1/40 part each year.

Then the Senate Bill was taken to the House and substituted for the House Bill, and then Congressman Cramton offered a series of amendments and Representative Morrow accepted them and the House adopted them without explanation or discussion. The Bill, thus amended, was taken to the Senate and was offered by Senator Bratton without explanation and the Senate passed it without any discussion. All this was done with extreme swiftness.

The Bill had therefore, on Tuesday, February 7th, passed both Houses, and these were its bad provisions:

It put against your newly reclaimed acreage a total debt of \$1,643,311 (\$50,000 appropriated last year and the balance authorized in this Bill); that made an acreage debt of \$109.50, as compared to the acreage debt of about \$77.00 against the same kind of land belonging to the Whites.

And the Bill struck out your protection against having the collection made too rapidly--namely the guarantee that collections should not exceed 1/40 part of the debt in any one year.

These changes, put in the Bill by Mr. Cramton, and accepted by the New Mexico delegation and by the Conservancy District, were of course a violation of the understanding with you Indians through which you had been led to endorse the Conservancy Bill. Aside from this fact, the Bill, with the Cramton amendments, was a very unjust and threatening Bill.

We had to act at once, and we laid the facts before Senator Frazier, Chairman of the Indian Affairs Committee of the Senate, and Senator Frazier moved to recall the Bill, and the Senate passed the motion. Then he moved to reconsider the Bill and refer it back to committee.

To Pueblo Officials

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Feb. 13, 1928.

For several days, until right now, a bitter struggle has gone on. We were compelled to announce that unless the New Mexico delegation would agree to have the Bill go back to committee, there would be a bitter fight on the Floor of the Senate and if the Senate passed the Bill in its objectionable form, then we would ask the President for a veto.

I need not go into the details of the struggle which has been going on. It has kept us hurrying night and day and I suppose it has cost us a hundred dollars spent on telegrams. You have received the earlier bulletins which were prepared for the Senators.

It soon became clear that a great many Senators would rise up and defend you if the matter came to a show-down. The Indian Bureau stood by its position on behalf of the Bill which you endorsed.

Finally, a message reached the New Mexico Senators, sent by telegram by the Middle Rio Grande Conservancy District, advising them to consent to have the Bill go back to committee. And it has gone back to committee. The big fight on the floor of the Senate was thus avoided.

Very great thanks should be given by all you Pueblo Indians to Judge Hanna and to Mr. Fahy, who have used important influence to save both the conservancy plan and your welfare in this crisis. I have never known a finer case of standing by undertakings and the right thing and the principles of honor than they have given in this difficult time.

We, of course, will continue to work for a Conservancy Bill which will give you the protections which you have been guaranteed--a Conservancy Bill which will conform entirely to your endorsement given at the All Pueblo meeting January 20.

This struggle has come at a difficult time because we are engaged in a hard fight on behalf of the Flathead Indians and the Arizona Apache Indians, and a good many other matters are pressing on us. But your friends all went to work, and especially fine help was given by Mr. Judson King and Mr. A. A. Grorud, the attorney for the Flathead Indian Tribe, and Captain Bonnin, and Mrs. Bonnin, the president of the National Council of American Indians.

But most of all you are indebted to Senator Frazier, Senator King and other strong and faithful friends of the Indians in Congress. You have been saved from a great injury and danger.

Sincerely your friend

JOHN COLLIER

To Senator Curtis, himself part Indian, you likewise are deeply indebted.

FIELD TRIP REPORT.

BY - Alida C. Bowler, Executive Secretary.

Places visited - Lytton and Rogers Schools and two Indian reservations in Sonoma County.

Date - February 18, 1926.

The writer made this trip at the invitation of Miss Louise Clark, Superintendent of Schools for Sonoma County. Miss Clark took the party in her machine from Santa Rosa. Other members of the visiting group were Mrs. Walter Leroux and Miss McRae, School Nurse. Mrs. Leroux is the wife of a rancher in Alexander Valley. She has for some years been taking an active interest in the Indians in the second reservation visited. She is at present County Chairman of Indian Welfare for the Federated Women's Clubs and President of the Healdsburg-Geyserville Federation of Parent-Teachers' Associations.

The paragraphs below give an account of the places visited with brief descriptions of conditions found at each.

LYTTON SCHOOL.

This is a two-room public school not very far from Healdsburg. We found the school routine much upset because they were getting ready for a Washington's Birthday program that night. The School-house was not in very good condition. Quite shabby and none too clean. The two teachers would certainly not grade very high on first appearance impressions.

Children from two Indian families, not residing on any reservation attend this school. All three children of one family were at home, "sick". The teacher reported that the father said he did not think the oldest boy would be able to come back for a long time as he was getting very thin and did not seem to pick up. The nurse promised to look the family up at the first opportunity and see what the condition is.

One of the children in the other Indian family is a very large, overgrown boy of 13 who could easily pass for sixteen. He was excluded from school last fall because of gonorrhoeal infection of the eyes. He was treated by a Healdsburg doctor, the school nurse making the arrangement. At the doctor's direction he has recently re-entered school. The sight of one eye is entirely gone. The other one does not look very good, but is reported as having fair vision.

It would seem that the situation here needs careful watching. Miss Clark talked to the janitor (A boy about 17 years old) about the care of the toilets. The nurse will keep as close guard as she can.

ROGERS SCHOOL.

This is a tiny, one-room school up a narrow valley along the Russian River. There are, I understood, only three white families in the School District, all of them Swiss. This school was a pleasing

contrast to the one previously visited. The building had a well-cared-for air. The children were at work, keen, alert, unusually fine type of child. Three small Indian children among them. The teacher was an attractive, rather refined young woman. It is her first year of teaching.

Once a week the County Manual Training Teacher comes to this little school. One of the near-by white ranchers has given space in his garage for a work-shop and there the boys do very fine practical jobs. A 13-year-old Indian boy, who was absent, was reported as being very clever with tools, and to do first-class manual work.

The teacher had never visited the "Reservation", she had been advised not to by white people round about. She seemed timid about it, and yet interested. Four of her Indian children were at home "cick". but no one knew what was the matter with them.

WAPPO RESERVATION.

We drove one mile further up the narrow little road, opening more gates as we went. (There are 12 gates to open between the main highway and this reservation.) We arrived at a fenced place where there were two shacks, with a group of Indians sitting on the ground and on broken boxes out of doors. The sun was not shining and it seemed cold and damp.

There were two "shacks" here, one large one, (later found) to have three "rooms" in it, and a very tiny one. In the latter which was very neat was a sick young Indian woman. The nurse looked at her and at the three sick children that were up and around and diagnosed the trouble as chicken-pox. The sick young woman's little girl had placed a can full of gay, yellow mustard flowers beside her bed.

No doctor had been here. None ever comes here. The County Doctor will "doctor" them if they get to town to see him.

The Reservation consists, according to the statements of the two men here, of about 50 acres of hillside land, of which about $\frac{1}{2}$ acres of gentle slope near the shacks could be cultivated. But they have no tools nor implements of any kind. There is no well or water supply of any kind on the place, except in the rainy season when there is water in a little brook near the shack. All the rest of the year the only water these people have must be dipped out of the Russian River, a half mile away, and carried to their "home". They say they have been here 16 years, yet the government has made no provision for a safe water supply for them. Ranches near by seem to have no difficulty. A well could probably have been sunk at a comparatively small cost.

In these two shacks (the tiny one holds just one bed and no no floor space even for additional people) live twenty Indians, ten

adults and ten children, the youngest being two weeks old. In the large shack is one bedstead. The Indians without beds, of course, roll up in ragged blankets and quilts on the floor. There are great cracks in the walls. No need to worry about lack of fresh air. They apparently spend all of their time out of doors. The mother of the two-weeks-old baby is a white-skinned half-breed, mother of one other child, wife of one of the young men who was away working. Three of the five men are able-bodied and go off to work on ranches by the day, going in a rattle-trap Ford.

The other two men, one of whom is quite well along in years, are very obviously not well. The older one, Joe McCloud, says he has had a "Bad heart" for nine years, and has been unable to work. The County Doctor has sometimes given him some "pills" to take. The younger one says that he has some stomach trouble and that he has been told he ought to go to a hospital. The nurse and Mrs. Leroux will go into his case and try to secure treatment for him from the County, making arrangements to take care of his little family while he is being treated.

There were two old women, both of them working on baskets. It was amazing how they managed to look as personally clean as they all did, living in the condition that they do. There was almost no furniture, no household equipment of any kind. Some pictures taken here are attached to the report. The County is allowing "relief" to two individuals, I understood. This "relief" consists of five dollars worth of food-stuff a month. Whatever else the group gets must be earned for them by the irregular work obtained on the near-by ranches by the three able-bodied men.

They say that Col. Dorrington has promised to come to see them but has never appeared. They say that they want most of all water, and implements, and if possible seed for their acre and a half. They could raise corn and potatoes on it they think. Had some corn there last year. Had to hire a plow from a white ranch.

RESERVATION NEAR GEYSERVILLE.

This reservation lies up in the steep hills beyond Alexander Valley. Mrs. Leroux has lived in Alexander Valley for years and has taken an active interest in these Indians for a long time. But even she did not seem to know of any definite name for their "reservation". She is sure that it is government land, and that about 70 Indians live scattered up the mountain-sides of this deep narrow little canon.

The sides of the canon rise quite steeply. There is a good deal of shrub growth and some trees. Right now there is some water in the little stream, but usually their only water supply comes from a few scattered springs on the hill-sides, from which they carry water to their cabins. The hills are so steep that very few can have even a tiny garden patch.

The first cabin you come to as you begin the climb from the main road does have quite a little garden patch, and a thriving garden with a good start of onions, lettuce, etc. The cabin here is a very good one, floored one, with a porch across the front and side. The place is well cared for. A widow with five children lives here. One of her little girls has bad glands, probably tuberculosis. The School nurse has the case in hand. The mother is getting state aid for the children. There is some danger lest this be cut off because of a "moral" question. She has taken in and is caring for a sick Indian man, whom she says she had expected to marry. But so far there has been no marriage, formal at least. The nurse knows the case and says he is a very sick man now. There is a history of his having had chronic diarrhoea.

Further up we came to the very well-kept little cabin of Manuel Cordova who seems to rank as the leader of this little Indian band. Manuel is said to be very bright, fine young man. He was in a government school in Arizona and graduated there with honor. They were going to make a teacher of him. But just then his brother died and left a widow with five children (the woman down the canyon). Manuel promptly decided that it was his duty to come back to his people and help. That was some time ago. Manuel has since married. His wife is a very pretty young Indian woman who had been doing a large washing. Her children were very neat and clean, as was her house. A print curtain was hung to partition off a part of the cabin so as to make a "room".

Manuel works very regularly for ranchers in the valley. We regretted very much not being able to talk with him. Mrs. Leroux reports that Manuel has a great deal of feeling for the traditions of his people and has tried to revive some of their ancient songs and dances.

In a tiny cabin near Manuel's lives "Juanita Billy", aged 97. Manuel's wife takes care of her. Juanita has been blind for years. She is now recovering from Pneumonia. The school nurse and Mrs. Leroux had helped get aid for her. She was quite bright and happy and her cabin scrupulously clean.

We climbed on up, a steep climb, to a dilapidated shack, in front of which an Indian woman sat on the ground sewing, making a waist for herself. The cabin was windowless. But there were plenty of large cracks through which some light seeped and the cold wind crept. In each of the four corners was a bed. On one of these under a great pile of ragged blankets and quilts, lay Geyserville Joe. Joe is said to be well over 100 years old, probably about 111. He, too, has been blind for years. The County allows him \$5 a month in food stuffs. Joe was amazingly cheerful and complained of nothing but the cold.

The woman in front of the cabin was his daughter, Her husband Jim Trippo, aged 77, their only support, was up on the mountain cutting wood. She is said to have fits, probably epileptic. Jim has an interesting history. When a young and lively chap he had a young wife of whom he was very fond. He came home one night and found another

man in bed with her. He shot and killed this man. He was tried, convicted and sentenced to 30 years in the penitentiary. He has spent 30 years behind the walls at Folsom. Since then he has been patiently caring for his wife and her aged father. He is said to be very kind to them and they to adore him. In this household also lives a ten-year-old boy, the orphan son of Jim's niece. When she died she left 2 boys. The Indian Bureau took them away from Jim and sent them to a government boarding school. This little fellow pined so for his Uncle Jim that they finally let him come home. And in this wretched hovel, with its warmth of human family affection, he is happily living, going two and a half miles down the mountain and the valley to the Public School at Guilford every day.

All the children from here walk down to the Public School at Guilford daily. We met some of them coming home. They were fine, clean, neat Indian children.

There is absolutely no land here that can be farmed. Their only revenue from their own land apparently is from selling a little bit of cord wood now and then. All the young men go down daily in dilapidated Fords to work as laborers on the ranches.

RECOMMENDATIONS.

1. To take up the question as to conditions on both reservations with Col. Dorrington, and get his statement of their case from the government point of view. To find out whether any aid at all can be expected from the Federal government, either in matters of sanitation and health, or in economic problems.

2. If possible the place should be re-visited, particularly the second one, on Sunday, when Manuel and some of the young men are at home.

3. To keep in touch with Miss Clark, the nurse and Mrs. Le-roux to find out what steps are taken in the various individual cases needing attention.

February 19, 1928.

THE ACKNOWLEDGED FACTS
which condemn
THE PENDING RIO GRANDE PUEBLO
CONSERVANCY BILL

To the Members of Congress:

We, and the Indian Tribes involved, whom we represent, oppose the Middle Rio Grande Conservancy Bill (S.700), in the form as reported by the Senate Indian Affairs Committee, February 17th, for the reasons which follow.

(1) A CRUSHING, DISPROPORTIONATE DEBT ON THE INDIAN LANDS.

The Bill places an excessive debt on the 15,000 Indian acres to be newly reclaimed. The total debt which it lays on these lands and their yield from leases is a maximum of \$1,593,311, plus the \$50,000, appropriated last year, or a total of \$1,643,311. This means a reimbursable debt of \$109.50 on each of the 15,000 Indian acres.

These acres are contiguous to identical White acreage whose debt will be about \$77.28.

(2) THE BILL DESTROYS THE SAFEGUARDS AGAINST AN EXTORTIONATE RATE OF COLLECTION.

The White acreage will amortize its smaller indebtedness in not less than forty-five years. The Bill as endorsed by the Interior Department and Budget Director and by the Tribes, and as originally passed by the Senate, provided that amortization on the Indian acres could not be made in less than forty years. That protection against extortionate rate of collection has been struck out. The statement of the fact contains all the argument needed growing out of the fact.

(3) THE BILL PREPARES FOR THE EXPROPRIATION OF THE PUEBLOS FROM THEIR LANDS.

We hold that, under the terms of the Bill as reported by the Senate Committee, February 17th, (essentially identical with the amendments previously adopted in the House), a situation will be created making it possible and likely that the Indians will be expropriated from this whole 15,000 acres. By this we mean:

In the first place, the acreage debt will be so heavy that its collection out of the moneys received from leases will leave little and perhaps nothing for the Indian owners of the land.

In the second place, it is in the power of the Interior Department to treat the Indians on such tribal lands as lessees. While it might be the present intention of the Interior Department to be lenient in its terms, there is no such promise in

Recd. Feb. 21, 1928

Feb. 19, 1928.

the Bill, and no assurance that future administrations will be leniently disposed. The pressure for the collection of reimbursable debts will increase as the years go by, and this will be one of the reimbursable debts which can actually be collected. The Indians are totally defenseless in the situation; for obviously they cannot move out onto any part of the newly reclaimed acreage and, in the capacity of lessees, paying rent to the Tribe, from which the Government will make extortionate deductions, successfully farm the land.

We do not assume that such an effect has been deliberately intended or sought; we merely point out that it is contained in the Bill now pending.

(4) THE BILL RESTS ON PROVED ERRORS OF FACT AS TO THE 8346 ACRES OF PUEBLO LAND ALREADY IMPROVED.

We point out that the whole record sustains the statement, namely, that the 8,346 acres of Indian land already improved and benefitted, can not be newly benefitted in the amount of more than \$600,000 and does not need any such expenditure for its further benefitting and improvement.

The record shows that this 8,346 acres is completely maintaining, out of its farm yield, the Indian population of about 3,500. This means that each $2\frac{1}{2}$ acres, approximately, is completely sustaining one human being. That is an intensive yield in this region of comparatively long winters.

The statement variously made in the hearings, that this acreage is to be benefitted four-fold or five-fold, is manifestly unsupportable.

Such a benefit would mean, when reduced to a practical statement, that the productivity of 8,346 acres will be increased four-fold or five-fold. In other words, the statement means that said 8,346 already improved acres will be put in such condition that they can sustain a population of four or five times 3,500, or between 14,000 and 17,500 Indians; which means that each human being will be able to subsist on less than one-half of an acre. The statement of the facts does away with the need of argument.

Plainly speaking, the total appropriation represents a proposed expenditure for the direct benefit of the Indians, amounting to about \$1,000,000, and a proposed expenditure for the benefit of the people in general of the Rio Grande Valley amounting to about \$600,000. This proposed expenditure for general benefit can, under the law, be made only in the name of the Indians. In just the same way, the Government grant for such a structure as the Pima Bridge could most easily be made in the name of the Indians, though everybody understood it was not an expenditure for Indian benefit. We do not oppose the gratuity to New Mexico; we favor it. But we urge that the gratuity shall not be made into a crushing debt on the Pueblo

February 19, 1928

Indians. It is enough to place a debt of \$1,062,500 on these six struggling Tribes. If the balance is to be treated as a Government loan, let that loan be made to the Middle Rio Grande Conservancy District, and be paid by it.

(5) THE CONSERVANCY DISTRICT HAS ADMITTED THAT THE APPROPRIATION IS EXCESSIVE.

We finally point out, with reluctance, because matters have reached an extreme point: The total appropriation proposed to be authorized is very greatly in excess of the amount which the Conservancy District itself, on June 4, 1926, stated that it really required. Extended engineering surveys had been made before June 4, 1926, and the statement in question was signed by Pierce C. Rodey, then and now attorney for the Conservancy District, and Mr. Rodey quoted Mr. Joseph L. Burkholder, then and now the chief engineer of the District. In this statement Mr. Rodey used the following words:

"Of course if it is found that only 15,000 or 20,000 acres of Indian land can be properly reclaimed, then an appropriation of \$600,000 or \$800,000 would be sufficient. The chief engineer says that if it will help the bill at this time it might be wise to consent to cut the appropriation authorized to say \$700,000, and if it is found out later that more land can be developed and reclaimed, then we will seek additional money later."

The above statement, when translated into acreage costs, is a statement by the attorney for the Conservancy District that the work on the Indian lands can be done for \$40.00 an acre; by the Engineer of the District, quoted by the attorney, that the work can be done for \$35.00 an acre.

It took just eighteen months for the District to jump this minimum estimate, above quoted, nearly 100 per cent. The District now asks for an authorization which will make the average acreage expenditure \$67.50 an acre, plus the \$50,000 already appropriated. (This means \$69.83 per Indian acre including the Indian acreage already, anciently, benefitted).

We do not challenge the earlier or the later estimates by the District. But we do point out that they indicate even more clearly the injustice of placing the whole enormously increased Government appropriation on the Indians as a debt against their lands and their farm-land rentals.

As the record proves, this Association has earnestly, with great labor, worked for the Conservancy project; and the Association and all the Indian Tribes concerned, joined in endorsing the Bill which the Interior Department drew up and which the Senate and House Committees originally reported for action and the Senate originally passed.

February 19, 1928

The agreed-on Bill was fundamentally changed through the Cramton amendments. The new Bill is not the Bill endorsed by the Interior Department and the Budget Director; it is not the Bill accepted by the Indian Tribes on the basis of definite undertakings made (and now broken) by the Conservancy District. It is not the Bill considered by and originally reported by the Indian Committees of Congress.

The long record of support for a just Conservancy Bill, by the Indian Tribes and by this Association, should give more weight to their opposition to this hurtfully--even ruinously--transformed Conservancy Bill.

But we submit the uncontradicted facts. They are more eloquent to condemn the present Bill than any statement that we can frame.

Respectfully submitted,

AMERICAN INDIAN DEFENSE ASSOCIATION, INC.

By Haven Emerson, President

John Collier, Executive Secretary

Atlantic 2656

The six tribes threatened by this Bill are as follows:
Cochiti, Santo Domingo, Santana, Sandia, Isleta, San Felipe

These tribes are the living representatives of the highest Indian civilization achieved within the United States.

When the Spaniards entered the Southwest 350 years ago, they found these tribes cultivating the Rio Grande Valley, with a highly developed irrigation system which had been in use a thousand years by these Indians.

These tribes have always been self-supporting. Their living comes from their farm-lands; they are not commercial farmers but produce for their domestic needs.

Anthropologically and archeologically, these tribes are beyond computation important and valuable. They have suffered much at the hands of the United States, having been forced in their capacity as wards of the Government to witness large bodies of their farm-land being taken from them by Whites, while the guardian stood quiescent.

They are peaceful Indians and have been called "the American Quakers." But their wealth of art life, chiefly in the form of ritual, song, dance and drama, makes them different from the Quakers and indeed from any branches of the Caucasian race.

These Indians embraced Christianity nearly 300 years ago.

P 4

The American Indian Defense Association, Inc.
Legislative Office, 337 Munsey Building, Washington D.D.
Telephone Franklin 8124

April 1, 1926

Very earnest effort is needed with reference to the Indian civil and criminal jurisdiction bills.

H.R. 9311, the Frear bill, is before the House Judiciary Committee. After one hearing that committee has done nothing. Letters urging favorable action should go to Hon. C.A. Christoperson, sub-committee chairman, and to Hon. George S. Graham, Chairman of this Committee.

Meantime, hearings on H.R. 7826 have been resumed by the House Indian Affairs Committee. Amendments have been drawn up by the Indian Bureau and the following pages deal with them. There is actual and immediate danger of a favorable reporting of H.R. 7826. Those who address the Committee concerning this bill should in addition urge that the hearings be printed in full and in sufficient quantity to meet the widespread interest.

H.R. 7826, as re-drafted by the Indian Bureau, provides as follows:

Sec. 1. Civil and criminal laws of U.S. shall apply to Indians and Federal courts are given jurisdiction over violations of federal statutes.

Sec. 2. Quoted in full on page following this. The reservation courts are given jurisdiction over all offenses defined by state law.

Sec. 3. Defines "Indian reservations."

Sec. 4. "That hereafter Indians shall comply with the marriage and divorce laws of the state in which they reside."

Sec. 5. Superintendents and other Indian Bureau reservation and school officials may issue marriage licenses; when authorized by state law.

Sec. 6. Jurisdiction of U.S. courts and reservation courts over Indians on reservations made exclusive; New York, Osage and Five Civilized Tribes Indians excepted.

The following pages are an analysis of the amendments as proposed by the Indian Bureau.

April 1, 1926.

THE SO-CALLED INDIAN LAW AND ORDER BILL (H.R. 7826)

The following analysis deals with the bill as proposed by the Indian Bureau to be amended.

The bill in its fundamentals is hardly less objectionable than the original draft. What follows is taken from a letter to the Chairman of the House Committee on Indian Affairs March 31, 1926:

In the event there is not time for making a verbal record tomorrow, may I ask that the following be placed in the Record on H. R. 7826?

I have received from Assistant Commissioner Meritt a copy of proposed amendments to the bill as originally introduced. The salient amendments are those by which Section 2 would read as follows:

"The reservation courts of Indian offenses shall have jurisdiction, under rules and regulations prescribed by the Secretary of the Interior over offenses defined by state law committed by Indians on Indian reservations, for which no punishment is provided by Federal law: Provided, That any one sentence of said courts shall not exceed sixty days imprisonment or labor or a fine of \$100 or both; Provided further, That reservation courts of Indian offenses shall be selected by the restricted Indians of the reservations over which the judges shall preside: Provided further, That bail shall be fixed and accepted in all bailable offenses, and the defendant shall have the right of appeal from any conviction to the United States District Court for the district wherein the offense was committed."

These amendments represent an improvement. I believe, however, that the Committee will find further or different amendments necessary.

1. (A detail). Section 1, conferring jurisdiction upon the Federal Courts only over violation of Federal statutes, conflicts in its wording with Section 2, also with Section 4, in both of which sections the reference is to state laws.

2. (A detail). It is not clear how the scattered bands of Indians living on trust allotted lands, and the small tribes many of which would have to be brought within one jurisdiction, could effectually select or choose the reservation courts as provided in the amendment.

3. (A detail). The definition of "Indian reservations" in Section 3 probably fails to include the New Mexico Pueblos, inasmuch as the Pueblo land grants are not created either by treaty, agreement, act of Congress, or executive order.

The fundamental objections which remain in spite of the improvements represented by the proposed amendments are as follows:

One. Destroying Tribal Life

The bill as amended, just like the bill in its original form, destroys tribal authority altogether, in all matters affecting conduct. Exclusive jurisdiction is placed under the Federal court or the reservation courts, and the Federal and State laws are made comprehensively applicable with no exceptions.

It will be said that the judges elected by the tribes will follow tribal custom. But in the amendment their jurisdiction is limited to the application of state laws.

The demoralizing effect of thus destroying tribal authority and wiping out tribal custom codes, has been stated in earlier hearings. I would only repeat that the effect will be a net loss from every point of view: from the point of view of law and order, economical administration, happiness, and the bringing of Indians into the full American heritage.

The tribal codes of conduct and the tribal authorities are completely respected and completely obeyed by the tribes where they prevail. Until this hour it has been the uniform policy of Congress to allow them to prevail. It is not to be hoped that Congress by a mere fiat can transfer to a new set of functionaries the respect and loyalty, or to a new set of laws the knowledge and respect, which the ancient tribal systems command.

No proof, and not even any allegations, has been adduced to show that the tribal systems are not producing good results wherever they continue to exist. Surely the burden of proof ought to be on those who advocate so radical a change destructive of ancient yet living institutions moral, economic, social and religious. I repeat, that an examination of the hearings reveals no allegation as a basis for any such tremendous change as is here proposed. The change looks like anything, when viewed from Washington. But to many Indian tribes it would entail a revolution as complete within their sphere of life as a similar upheaval would entail for Americans at large if forced upon them by, let us say, Russia or China.

This objection to the bill could be met by a simple device, namely: To insert a proviso, or section, that where Indian tribal authority exists and Indian custom continues operative, such tribal authority and custom shall prevail in all civil and criminal matters other than felonies, and the question of fact as to the existence of tribal authority and the continued operation of tribal custom shall in all cases be subject to determination by the United States District Court, and where tribal authority and custom continue to prevail Indian custom marriage and divorce shall be held lawful.

No matter what bill be finally passed, demoralization and needless suffering and destruction of the good life will take place in many tribes unless the proviso here suggested be made a part of whatever bill be passed.

Two. No court procedure provided.

Section 2 as amended would give the reservation courts jurisdiction over offenses defined by state law but under rules and regulations prescribed by the Secretary of the Interior. Appeals would lie to the Federal court.

Now heretofore, the rules and regulations of the Secretary of the Interior, governing reservation courts, have prohibited, explicitly or in effect, the representation of the defendant by counsel; they have excluded jury trial; they have provided in fact none of the defenses which the accused individual can demand in ordinary courts.

It is suggested that if a code of procedure is to be left undefined, the definition shall be placed in the hands of the Federal district court, and not in the hands of the Indian Bureau or Secretary of the Interior who, as stated above, have failed during a long term of years to provide any code of procedure of a civilized kind although they have had the power.

Three. Fishing and hunting privilege.

Any bill dealing with this subject-matter should contain a clause insuring that the Indians' right to hunt and fish on restricted property within their own reservations irrespective of state laws shall not be disturbed. (This has been adjudicated in 109 Fed. Rep. 139.)

Four. Bureau's power not curbed.

The bill nowhere contains the necessary wording to prohibit the Indian Bureau through superintendents and their subordinates from arresting, detaining, and jailing Indians and putting them in irons and working them. It might be argued that the passage of this bill would, by implication, accomplish that result. That is not at all sure; the Indian Bureau in the absence of any defined legal authority has gone ahead doing these things, not through reservation courts but in all sorts of perfectly arbitrary ways, presumptively illegal but none the less effective. The essence of the matter seems to have been that the Bureau construed its powers as guardian to be plenary. Any bill passed which is designed to accomplish results for the Indians or a regularizing of penal and civil law with respect to them, should certainly contain a mandate unequivocal in its wording, prohibiting the Indian Bureau from capturing, jailing, and working the Indians.

Five. Making thousands of Indians criminals.

The objections to Section 4 as amended are contained within the statement above regarding tribal customs. No fiat by Congress is going successfully to compel the Navajo Indians, for example, rapidly to comply with the marriage and divorce laws of the states where they happen to find themselves. The marriage and divorce laws of tribes like the Navajos are bound up with the schemes for inheriting property and in an even more

important way bound up with the responsibility of maternal uncles, etc. for the care of orphan children, and with the responsibility of children for the care of the aged.

The whole complex of human relations in tribes like the Navajo and Pueblo is bound up with the marriage institution. It would be simply impossible for these tribes to make a rapid adjustment and they won't do it. Instead, they will be turned by this enactment into criminals, and a situation demoralizing to them, annoying if not worse to the courts, and absurd and cruel on its face will be created.

Six. The constitutional question.

Even if Sections 1 and 2 of the bill as amended be harmonized with each other, it is doubtful whether the constitutional objection will have been entirely met. The courts here created are not extensions of and are not subordinate to the Federal district court; and the procedure provided for is to be devised by an administrative agency. It is doubtful whether Congress has power to create or whether the Indian can be required to submit himself to, such a type of court.

The method which has been heretofore suggested, of placing the whole jurisdiction under the Federal court and providing for the appointment by the of Indian law enforcement magistrates, and the use by the court of the court commissioners when necessary, would probably obviate the constitutional difficulty just as it would certainly insure a more lawful proceeding in the subordinate Indian courts and would bring them under the wise and conservative influence of the Federal judges.

Seven. The question of expense.

It may, as has been argued, cost somewhat more to give the Indians due process of law. Suppose it were proposed to deprive the non-citizen Armenians in the United States of due process of law in order to save the Government money? Who would support that economy proposal? Yet the Indians are citizens, and against the proposal to give them due process of law we have but one argument advanced, namely, that it might cost money, or more money than some other method which is not due process of law. The argument which I refer to is the one advanced by the Assistant Commissioner of Indian Affairs at a previous hearing.

Eight. (written April 1, 1926)
Do the Pueblos endorse H. R. 7326?

The Secretary of the Eastern Association on Indian Affairs testified before your Committee March 31. She stated that she represented also the Massachusetts Association on Indian Affairs and the New Mexico Association on Indian Affairs. In response to a question by Representative Morrow, she stated that the New Mexico Association on Indian Affairs in this matter represented the Pueblo Indians. She gave the endorsement of these several organizations and in the manner above quoted the endorsement of the Pueblo Indians to the reservation court proposal on condition

that penalties should not exceed sixty days in jail or \$100 fine, that the jurisdiction should be limited to misdemeanor, and that the Indians should have some voice in the choice of judges. She made no protest against that feature of the bill as introduced and as amended, which destroys tribal self-government and authority.

Thereupon the following telegram was sent to Sotero Ortiz, Chairman of the Council of All the Pueblos, held at San Juan Pueblo, Chamita, New Mexico: "Wire immediately stating whether New Mexico Association on Indian Affairs represents the Pueblos in this H. R. 7826 or any other matter."

The following day letter has been received from Sotero Ortiz April 1, 1926: "It is false. The New Mexico Association of Indian Affairs who they say they are representing the Pueblos they have no authority to represent us Indians in this nor in any other thing. American Indian Defense Association Incorporated is our legal representative. March 19 General Council held in San Juan and so we decided. This wire in behalf of all Pueblos."

Copies have reached this office of numerous letters and some telegrams by the various Pueblos, especially protesting against that feature of H. R. 7826, which is equally contained in the amended draft, which destroys tribal authority and custom life. These letters are marked as having been sent to the Chairman of Indian Affairs of both houses and to other members of Congress. The following from the Pueblo of Picuris is typical: "Especially do we wish to express our hope that H. R. 7826 may never become law we are bitterly opposed to any measure that struck at the roots of our tribals authority we would remind you that the same form of tribal authority, the same cooperation community organization, and the same form of religious worship, existed in our Pueblo before the white man dared to sail across the ocean. We implore you to defeat H. R. 7826 and petition you to adopt H. R. 9315. This is not the protest of one individual Indian it is the protest of the Picuris Pueblo representing the sincere desires of some 104 Pueblo Indians."

With similar general effect the Pueblo of Acoma has written, the Pueblo of Santo Domingo has written, the Pueblo of San Felipe has written, and the Pueblo of Taos has written. The government officials of the Pueblo of Cochiti have telegraphed: "Do all you can to amend House rule 7826, Senate 2705, so as to permit our Indian custom and preserve our ancient tribal authority. We do not favor any power to jail without hearing." The All Pueblo Council meeting held at San Juan Pueblo March 19 collectively registered the opposition of the Pueblos in line with the above statements.

Respectfully,

John Collier, Executive Secretary,
AMERICAN INDIAN DEFENSE ASSOCIATION, INC.

Help needed - To insure votes

INDIAN OIL BILL BULLETIN NO. 2.
Keep this for reference.

Washington, D.C.,
April 6, 1926.

TO SENATORS AND MEMBERS OF THE HOUSE:

On April 2 we wrote you concerning the Albert B. Fall oil leasing scheme destroying the Indian title to executive reservations.

We pointed out the immediate danger of this scheme becoming law through act of Congress after being declared illegal by Attorney General Stone.

↙ The Hayden bill, H.R. 9133, is now on the Consent calendar No. 331 and the House Wednesday calendar No. 256. It therefore may come for a vote at any time.

Two very important, even sensational new facts are here given:

1. The Hayden-Bratton bills as introduced did not validate the 425 illegal Fall applications. No argument for validating them was made by any witness. No such suggestion was made in any public hearing. Therefore no protest against such a scheme was deemed needful.

Then the House Indian Affairs Committee without a hearing changed the bill to validate all the 425 illegal Fall applications, authorizing the Secretary of the Interior to validate every one of them if he desired.

The majority report accompanying this bill passes lightly over this tremendous change in the text of the bill. It means giving 425 square miles of the best Indian oil land to speculators and oil companies at half or less than half the usual competitive rates and wholly at the expense of the Indians (5% royalty for twenty years or longer). It means mulcting the Indians to the extent of unknown millions solely for the benefit of oil companies.

2. In line with the above astonishing fact is the following. This is the most important measure affecting Indians that has been before Congress in twenty years. It affects not merely their income but their vested right and title to 22,000,000 acres -- two-thirds of the whole undivided reservation area. Yet not one Indian tribe was heard by the House Indian Affairs Committee. No expression in writing was asked for or obtained from any Indian tribe.

A witness for the Indian Bureau telegraphed and later verbally stated that the Navajo tribe was willing to surrender half its oil revenue from the executive area. But under questioning he admitted the tribal council had taken no action whatever.

Now that the facts have become known, the New Mexico Pueblos, three-fifths of whose entire landed area is menaced by this bill, have wired their protest asking that we make it effectively known to Congress.

But neither the Pueblos, the Navajos, the Pimas, the Papagos, the ~~A~~ches nor any of the other numerous Indian tribes absolutely concerned in this measure were heard by the Committee or were asked for an opinion.

The Indian Bureau endorsed this bill and that endorsement was deemed conclusive by the Indian Affairs Committee. The Indian Bureau endorsed the infamous Fall-Bursum bill in 1922, which sought to rob the Pueblo Indians, and the Senate deemed that endorsement sufficient and passed the bill, later recalling it when Senator Borah made known the real state of affairs.

We earnestly repeat what was stated in our communication of April 2. The House bill, gravely and indefensibly bad in the matter of the re-establishment of 425 Fall applications, will come back from the Senate made infinitely worse through the addition of the 37½% tax against Indians. That tax, or more accurately that project of confiscation, was in the Hayden bill as introduced and as endorsed by the Indian Bureau. The Senate proponents of this measure stand fast for the 37½% tax on Indians.

The bill intrinsically deserves defeat in its House form. But still more it deserves defeat because when passed in its original form by the Senate and returned for conference it will be a death blow against the Indian tribes and against the honor of the United States.

We beseech you to learn the facts and act.

JOHN COLLIER, Executive Secretary,
AMERICAN INDIAN DEFENSE ASSOCIATION, INC.

GERTRUDE BONNIN, President,
NATIONAL COUNCIL OF AMERICAN INDIANS

FOR RELEASE SUNDAY MORNING, APRIL 11, 1926,
FROM 637 MUNSEY BLDG., Washington. Fr. 8124.

The American Indian Defense Association, Incorporated, through its Executive Secretary, John Collier, has requested to be heard by the Committee on Indian Affairs of the House of Representatives, in answer to an attack made against it by Commissioner Charles H. Burke of the Bureau of Indian Affairs today. Commissioner Burke made the attack before the Committee on Indian Affairs.

John Collier, Executive Secretary of the Association, has made the following statement:

This organization has no interest in attacking Commissioner Burke individually. We are concerned with reorganizing the system of Indian affairs. We have made public the facts about actions by Indian Bureau officials, but we are not concerned with persons. The statements and charges against the Indian Bureau system made by the Indian Defense Association and by me personally, have all been public in character, explicit, documented, and never in the nature of inuendo.

Of all the hundreds of charges thus made public, which are in the hands of Commissioner Burke for reply, the Commissioner attempted to reply only to one. This was the statement that since 1921 the Pima Indians of Arizona have died at the rate of 59 per annum in comparison to the white death rate of 12 per annum, and that they have died not from epidemic disease but slow starvation and heart-break, the cause being the complete loss of their water for irrigation, which loss took place through the negligence of the Indian Bureau, and a further cause being the wanton delays by the Indian Bureau and the Secretary of the Interior in putting water on their land as authorized by Congress two years ago.

Commissioner Burke denounced this allegation without seeking to disprove it. It is true in every part, and sensational and scandalous. If it is untrue, why does he not disprove it in detail instead of denouncing it in general terms?

The charge that Commissioner Burke has endorsed a bill depriving the executive order Indians of 37½% of their oil revenue, exempting oil companies from production taxes, the clouding or destroying the Indian claim of vested interest in two-thirds of their whole undivided land in the whole country, was denied but in no fashion disproved by the Commissioner. The charge is here repeated. The Senate Indian Committee record proves it.

The charge of tyrannical Indian Bureau methods on the reservations, and the numerous specifications made by this organization, of the abuse of power by Superintendents and their subordinates, stand unchallenged by the Commissioner except through general denunciation. Why did not the Commissioner in his testimony deal with the long record of oppression at Zuni Pueblo published by this organization and incorporated in the Congressional Record? Why did he not deal with the long record of Taos Pueblo, the salient part of which likewise has been placed in the Congressional Record? The charges affecting Wisconsin and Fort Peck reservations were not made by this organization and we have no direct knowledge of them, but it is here pointed out that in his testimony today Commissioner Burke did nothing except oppose the allegations of subordinates of his own to allegations by Indians and State officials. The Commissioner with great rhetorical emphasis scouted the charge that manacles and chains are used and then proceeded to read from his

Dr. Herriman - Hearing

in Wednesday morning - Dr. Herriman - Bill - I have been reported against Ketchum

Superintendent's report in Wisconsin the statement that he had just been using manacles and chains,

The Commissioner omitted all reference to the detailed charges that his office has been and is engaged in religious persecution against Indians. The charges are here repeated.

The broad charge was not dealt with and is here repeated, and will be proved before any tribunal, official or unofficial; namely, that the American Indians are held by the Indian Bureau in a condition of subjection, under a complicated espionage, without appeal to the courts whether in matters of property or person, and that their life is governed under administrative decrees including an administrative code of crime, which are not printed and made available to the Indians who have to live under such antediluvian arrangements.

The charge that Indian property values running far above a billion dollars are in direct or indirect manners controlled and manipulated by the Indian Bureau and used in innumerable manners and instances for political purposes, is repeated, although it was not denied save through rhetorical generality by the Commissioner.

The charge that the Indian Bureau is afraid of the light and has suppressed the report of the American Red Cross on Indian Health conditions and other reports even more important made at large cost, refusing to grant access to them even when members of Congress ask it, is repeated. The charge was not denied by the Commissioner but it is well for the American public to realize that a government Bureau, itself operating a system of espionage, hides behind a veil of suppression and censorship affecting the lives of hundreds of thousands of so-called wards and the property of these wards a hundred thousand square miles in area.

If the Committee on Indian Affairs will give opportunity, all the above charges will be substantiated to the satisfaction of that Committee and of any citizen. It would be more desirable that they could be substantiated under oath with witnesses duly summoned before a Congressional investigating body, but it is understood that the Indian Bureau will not allow such a body to be created.

The Commissioner made elaborate insinuations about the motives and financial methods of the American Indian Defense Association. Commissioner Burke knows that the Indian Defense Association is supported by voluntary contributions publicly solicited and held and expended with full publicity at all times. As he has access to every record, would it not be more dignified for the Commissioner to discover some specific thing to allege, rather than to depend on insinuations purely rhetorical?

In addressing the Committee on Indian Affairs, Commissioner Burke may appeal to a jury whose momentary sympathy can be aroused. But the jury is Congress and the American people, and that jury will finally judge not by rhetorical insinuations and blanket denials but by facts.

These facts will continue to be provided by the American Indian Defense Association.

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[False]

SPREADING INFORMATION ABOUT THE INDIANS

The following appeared all over the United States April 16, 1926:

"INDIANS ON SPREE; WHITES IN TERROR.

"Local and State Officers Powerless to Arrest Wild, Carousing Redmen."

" Etc

By the Associated Press."

The following is from the Helena, Montana, Independent April 23, 1926:

"INDIAN WAR FIZZLES.

"That Indian uprising, approaching almost the proportions of a war on the whites of Klamath County, Oregon, finally wound up in a suit for libel lodged against the county prosecutor by an indignant Indian who became exceedingly tired of hearing himself and his tribesmen accused of being "souses".

"According to the dispatches, which must have caused the easterner to tremble in his boots and contemplate a trip to Oregon to see some real Indian warfare, the Indians had retired to their reservation and gone on a terrific drunk as the result of a decision by a circuit judge that Indians on the reserve were immune from arrest except by U. S. officers.

"There being no fed officials hanging around the county, except, perhaps the agent and the Indian police on the reservation, the county prosecutor began bombarding congressmen and Indian bureau officials and others in Washington with telegrams telling what a horrible situation has arisen.

"The Indians were carousing and filling up to the eyelashes on moonshire whisky and doing war dances and staging an orgy that menaced the peace and safety of the white people who were living adjacent to and on the reservation.

"The situation was critical, said the prosecutor, whose scare communicated itself to the Klamath Falls newspaper men, one of whom we suspect was "Si" Perkins, formerly of Helena. Anyway, the wires were burdened with bulletins and stories "from the front" for several days, and it was announced that the climax of the uprising was to come on Saturday night.

"Saturday night came and the climax came alright, when one of the leading men of the Klamath and Modoc tribes on the reserve appeared in Klamath Falls and lodged a libel suit for \$60,000 against the prosecutor for spreading false and damaging reports about the Indians. . Politicks it is alleged, was the motive back of the big scare.

"Thus "peters out" the only Indian uprising Oregon has had, or imagined it might have, since the days of the covered wagon."

April 29, 1926.

Honorable Scott Leavitt, Chairman,
Indian Affairs Committee,
House of Representatives,
Washington, D.C.

Dear Mr. Leavitt:

In the event that a hearing is held on the Johnson-Raker bill (the jurisdictional bill for California Indians), we hope that the Kahn bill may be before the Committee at the same time, and that the hearing may be on both bills, as they are in a measure alternatives to one another. We shall desire to participate in the hearing if held.

We have not urged a hearing on the Kahn bill because we understand that all the members of the Committee are very busy and that no action on either of these California bills is likely to be had at this session. Nevertheless, we should welcome an opportunity to assist in making a committee record.

Sincerely yours,

(signed) John Collier

JC:HN

John C. Schafer,
4th District,
Wisconsin.

C O P Y
CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

April 27, 1926.

Hon. Charles H. Burke,
Commissioner of Indian Affairs,
Washington, D.C.

My dear Mr. Burke:

I have your letter of the 14th, your file inspection 14126-1926, and thank you for the information therein contained. I have made some further inquiries and learn that as a matter of fact the policy which you set forth is not actually practiced. If the liberal policy which you describe were put into practice, I am confident there would be no further complaints from the Indians or their friends. Since no doubt your office files contain the facts in the case, I would request that you advise me what steps are being taken by the Office of Indian Affairs to promulgate the liberal policy described by you in your letter of April fourteenth.

Very cordially yours,

(signed) John C. Schafer

C O P Y

The Secretary of the Interior
Washington

April 9, 1926

Hon. Scott Leavitt,
Chairman, Committee on Indian Affairs,
House of Representatives.

My dear Mr. Leavitt:

Further reference is made to your letter of February 26, 1926, inclosing for a report a copy of H. R. 9497, being "A Bill To provide funds for the reimbursement of the Indians of California for lands taken from them under the eighteen treaties of 1851 and 1852, and without treaty, and under subsequent court decisions for which no compensation has heretofore been made; and to provide for the administration of the appropriation herein made, including the creation of a commission to have charge of said administration".

The bill makes an appropriation of \$49,583,640 for the benefit of the Indians of California, and cites eighteen unratified treaties of 1851 and 1852 as the basis for making the appropriation. The treaties referred to were negotiated with the different tribes of Indians in California who ceded all their lands except certain diminished tracts which in most cases were reserved by the tribes as reservations. In some instances the Indians either declined or were not permitted by the pioneers of California to occupy the reserved areas. The treaties were presented to the Senate of the United States for ratification but were unanimously rejected by that body. No direct appropriation was ever made by Congress to carry out the terms of the unratified treaties, but there have been appropriated by Congress approximately \$10,000,000 for the benefit of the Indians of California as gratuities since the dates of such treaties.

Heretofore the claims of the California Indians have been asserted for payment for approximately 7,500,000 acres of land from which they claimed to have been erroneously excluded. It is the intent of this bill to make an appropriation to pay for 99,167,280 acres at 50 cents per acre. This is the entire area of the State of California (Rand McNally's Atlas), less the 450,000 acres, which is stated in the bill as being the area reserved for and allotted to the Indians. Royce's Land Cessions shows that the land claimed by the Indians, parties to the 18 unratified treaties, at no place touched the eastern State line of California, but that there is a strip of country lying east of the Indian lands which was not claimed by them. There are no accurate figures showing the area of this strip, but it is believed a near approximation of such area would be 20,000,000 acres.

Nothing can be found in the records of this Department which would tend to substantiate their claim.

It is recommended that H. R. 9497 do not receive your favorable consideration. The Director of the Bureau of the Budget has advised that this adverse report is not in conflict with the financial program of the President.

Very truly yours,
(sgd.) HUBERT WORK

April 28, 1935.

Mr. Frederick C. Collette,
c/o Col. Jennings C. Wise,
Transportation Bldg., Washington, D.C.

Dear Mr. Collette:

Senator Harreld asks me to let you know what transpired at this morning's meeting of the Indian Affairs Committee.

Three members were present and the Johnson California jurisdictional bill came up with, as I understand, an adverse report. Senator Harreld asked if there were any interested persons present. I stated that the Indian defense bodies would welcome a hearing at which there could be joint consideration of the Johnson-Raker bill and of the Kahn bill; that we understood action was not probable at this session but would be glad to make a record.

The Committee sentiment appeared to be that as the session's end is near and they would not expect legislation on either project at this session, they would rather put both bills over to next session; but Senator Harreld asked me to inform you so that you could let him know whether you wanted a hearing now. If you think it will be useful to have a hearing at this date, we will, of course, be glad to join with you in requesting the appointment of a sub-committee to hold hearings on the two plans now before Congress.

Sincerely yours,



Executive Secretary

P.S. I of course explained to the Committee that I was not authorized to speak for the California Board of Indian Cooperation and was not speaking for it or objecting to the Johnson-Raker bill, but simply making known the desire of the Indian Defense Association to participate in any hearing held and to have the alternative measures considered jointly.

JC

JC:HN

Recd. Apr 29, 1935

The American Indian Defense Association, Inc.

[Objects: To secure to the American Indian just treatment from the Government and People of the United States and to promote his welfare]

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Subject:
AMERICAN INDIAN EDUCATION

April 29, 1926.

Miss Charl O. Williams, Field Secretary,
National Education Association,
Washington, D.C.

Dear Miss Williams:

Following our talk and your request today, I try to give briefly the facts and some human insight into the Indian educational system and situation.

1. Statistical.

Number of Indians, about 350,000; number of so-called restricted Indians, about 248,000.

Number of states containing significant Indian population, 26.

Area of reservation land, about 110,000 square miles.

Estimated Indian wealth, about \$1,650,000,000, including \$90,000,000 in cash or securities.

Indian children of school age (Indian Bureau estimate) 83,765; eligible for attendance 77,597.

Number of children in boarding schools, 24,173. Capacity of boarding schools, 14,525 (no typographical error).

Number in Indian Bureau day schools, 4604; in mission day schools, 1307; in local public schools, 34,452 (19,966 of these in Oklahoma.)

Tuition is paid for Indian pupils in state public schools in Arizona, California, Idaho, Minnesota, Nebraska, New Mexico, Montana, Nevada, Oklahoma, Oregon, South Dakota, North Dakota, Washington and Wisconsin. Number of pupils, 8,752; tuition paid in 1925, \$260,541.

Estimated number of Indians suffering from infectious trachoma, 70,000 (on basis of southwest trachoma survey by Indian Bureau).

Recd. May 3, 1926 - cum

Sources of statistics:

Annual reports, Commissioner of Indian Affairs; annual reports, Board of Indian Commissioners; yearly printed hearings on Interior Department appropriation bill, House Appropriation Committee.

These reports are arbitrary and conflicting. The total population of the Five Civilized Tribes, Oklahoma, has been held absolutely constant in Indian Bureau statistics for twenty years. On opposite pages of the latest available report, the enrollment in Indian Bureau boarding schools for 1925 is stated in one place at 18,200 and in another place at 19,120.

But the detailed report on boarding school enrollment and boarding school capacity for the year ended 1923, shows the enrollment for Indian Bureau and mission boarding schools together to exceed capacity by at least 50%. A deduction can be made as to the probable state of living in these boarding establishments.

A sample of statistical conflict:

In 1919 the Indian Bureau stated that 7000 Navajo children were without school facilities. In 1926 it states that the total of Navajo children eligible for school is 7,212, of whom only 2,324 are without schooling. Yet in 1918, 5,269 Navajo children were in school, according to the Indian Bureau report of that year, making the total of Navajo children eligible for school not 7,212 as quoted above but 12,269.

The committees of Congress never seek to go back of these statistical impossibilities, yet they are supposed to base appropriations on them.

2. The Indian educational situation.

Indian education is a thing apart. Ordinary school men and women and Parent-Teachers Associations can imagine nothing like it. All federal departments have left the Indian Bureau alone; the states have had no power to intervene; and there has developed a schooling system which not only disinherits the Indian but by deliberate calculation destroys much which is best in him.

The best service you, Miss Williams, could render would be to urge the Parent-Teachers Associations to make their own observations in the states where they come from. Or they could persuade their State Boards of Education to make surveys of the kind which have been admirably made by the California State Board of Education. Or they could join in asking for an investigation of the whole Indian situation by Congress, which is being petitioned for by the General Federation of Women's Clubs, by this organization, and many other organizations, and bitterly resisted by the Indian Bureau.

The following observations may be of some use.

History of the Indian Bureau's educational policy.

The idea was to get the Indian child away from his home and efface his memories, his home ties, and his racial ties, and his whole racial memory. General Pratt and Secretary of the Interior Carl Schurz first formulated this policy. Indian Commissioner Valentine in 1910 stated:

"The essential feature of the Government's present educational policy for Indians is to abolish the tribal life."

Commissioner Sells in 1919 stated:

"We encourage the breaking down of tribal relations everywhere and all the time."

Secretary Hubert Work in 1924:

"As long as the Indians have leaders of their own race who believe in holding to the things of their past we cannot make progress along the Government program of education."

This highly Prussian or at best Spartan view has been worked out in the discipline and curriculum of the Indian Bureau Schools. It is still dominant in spite of the great awakening about arts and crafts beauty, poetic beauty, nobility of religion and traditional virtues of home life and of industry among the Indians, which has come of late years through the work of anthropologists and socialologists.

The curriculums are uniform for all the Indian tribes, although their backgrounds and destinies are infinitely varied. The first condition of the program is a negative one - that it shall not take into account the child's background or connect him or her with home life.

The Indian child, herded into an over-crowded boarding school with children from scores of other tribes, is subjected to a hammering process of academic education half the time and half the time he does the school's industrial work - the washing, floor-cleaning, the cooking, etc.

These boarding schools have a very inadequate medical and nursing supervision, and cross-infections prevail; high as is the trachoma rate in the general Indian population it is much higher in the government boarding schools. These boarding schools are the source of much of the tuberculosis which afflicts the Indians. This fact has been of official record and acknowledged, since the study made by the United States Public Health Service for President Taft, 1912-13.

The conditions were fully revealed by the report of the American Red Cross, 1923, which report has been suppressed by the Commissioner of Indian Affairs; members of Congress as well as educators and social service agencies being refused access to it.

Attendance for Indian children is compulsory. If local day schools are not provided, attendance at a boarding school is com-

pulsory. Thus many Indian children are taken at the age of six years to boarding schools; and those who go to the non-reservation boarding schools are sent home at government expense only once in four years. Likewise, severe effort is made to place these children out at labor through the brief summer vacation, their earnings going not to their homes but to the school, nominally toward their school expenses. For example, the children in New Mexico boarding schools are sent to the Kansas beet fields for labor during the summers.

The teacher who does not secure promotions is required to give up her vacation without pay and "hustle" the children through to make their grades. Commissioner Burke, report for 1924, page 5:

"The actual cost of conducting the summer session was very light because the regular teachers did the teaching without additional pay. If they (the retarded children) had not attended the summer session . . . it would have cost the government approximately \$100,000."

Where Indian Bureau subsidies are paid to local public schools for teaching Indian children, supervision is not provided; there is no mode of insuring that the money paid is used for the education of the Indian children.

Concerning the Indian day schools as distinct from Indian Bureau boarding schools. These are, of course, far less destructive to Indian life than the boarding schools. The Commonwealth Club of California, basing its findings on those made by the California State Board of Education, reports "regretfully, that in general these Indian Bureau day schools are pitiful excuses. Very often the teachers found there, could not possibly qualify under the State requirements. Even in sanitary matters the Indian Bureau schools fail to live up to the minimum of State regulations." (This last California verdict applies equally to the Indian Bureau boarding schools and day schools.)

Only one boarding school carries the Indian child above the second grade high school - that is the Lawrence, Kansas, non-reservation boarding school. Most of the boarding schools are limited to the grammar grades. Most of the day schools are for the very lowest grades and when the child gets beyond these grades he must submit to deportation to one of the more or less distant boarding schools. Sometimes these boarding schools are thousands of miles from the child's home.

Of adult education there is substantially nothing. Farm Bureau methods have been used by a few enterprising superintendents as in the Northern Blackfeet and at one time among the Jicarilla Apaches.

A few noteworthy experiments have been carried out. Perhaps the outstanding one is at Ethete, Wyoming, under the Episcopal Church. Another is at Stuart's Point, California, where the Indians proceeded on their own initiative, built their school, and were able to bring in a public school teacher.

There is no reason to hope for any structural improvements in

Indian education so long as the Bureau of Indian Affairs remains in control, The Indian cries aloud for the establishment of the United States Department of Education, a Cabinet office, but it is understood he is at present left out of that most desirable plan and doomed to remain under the Indian Bureau.

The general policy of Secretary Hubert Work as announced over successive years, is to transfer all Indian education to the States, and to transfer to the States the funds for Indian education, to be expended under federal supervision. This plan is undoubtedly the right one, and California and Wisconsin have attempted to put it into action through bills introduced in this present Congress, but they have been blocked through tactics of delay by the Indian Bureau, in spite of the declared policy of the Secretary of the Interior within whose department the Indian Bureau abides.

The hope of the Indians is for experimental education to be developed among them under State auspices, with State money spent along with Federal money, and with a general supervision exerted by the hoped-for United States Department of Education.

Indian health, incidentally.

The condition of Indian health is inextricably involved with the subject of Indian education. A slowly starving tribe, dying at five times the white death rate through under-nourishment and hopelessness, such as the Pima tribe of Arizona at this writing, is hardly educable. The marvel is that this tribe and so many others situated like it, have retained their ancient virtues and their hunger for education. Contrary to the usual assumption, which is incessantly fanned by Indian Bureau propaganda, the Indians are eager for education and will make great sacrifices to get it. In the same way they are eager for modern health service and they make pitiful sacrifices to get it. Instances could be given which would move any heart and convince any intelligence, but this letter has become over-long already.

I might say that the appropriation for all medical and nursing service, including clinical and hospitalization, and food and clothing for the indigent sick, amounts to about 42¢ per annum per Indian; and this year the Indian Bureau has asked that this pitiful amount be reduced.

It is wonderfully good news that the Parent-Teachers Associations are becoming interested in Indian education. To this hour, no educational foundation has concerned itself with this fascinating and heartbreaking problem in our midst. Owing to the nature of the Federal laws, the States are helpless to intervene. No great organization save the General Federation of Women's Clubs has yet touched the Indian problem in its educational or any other aspect. The American Indian Defense Association, with branches in New York, Milwaukee, Santa Barbara and Los Angeles, and affiliated organizations in many parts of the Indian country, offers any equipment and knowledge it has been able to gather in the last four years to the Parent-Teachers Associations in this cause.

Sincerely yours,

JOHN COLLIER, Executive Secretary.

THE AMERICAN INDIAN DEFENSE ASSOCIATION, INC.

T H E I N D I A N A F F A I R S O U T L O O K

May 8, 1926

(Addressed to those who have
been working and who already
care)

White men dealing with white men, through instruments of government, do engage in a struggle for advantage; they do take advantage of the weak and they commit wrongs. But within the governments of white races and particularly of English-speaking races, there are privileges or rights which government, systematically at least, recognize as belonging to all men.

Exceptions occur. Special classes of the population are kept, as it were, out of the pale. Such are the condemned criminals. Such, in the century past, have been the professional prostitutes. Such once were the insane.

But within the white race, underlying rights have been recognized generally; certain indestructible comities have been acknowledged in written codes and likewise in practice.

The moment one looks across the boundaries of the white race he finds a difference - immense, decisive. It is enough to mention China and Africa. But we are concerned with the Indians, and we find a record, practically unbroken from the first contacts with white men, and maintained and even perfected in its consistency in the United States today - a record of excluding Indians from the privileges, rights or comities of the white race.

The historical record does not need to be illustrated. Whether the Spanish record be taken or the Puritan record, or the record of Georgia toward the Cherokees, or of California toward her Indians; whether we dwell on special dramatic instances or on the making and breaking of treaties, or pass beyond the acts of Congress and study the opinions of the Supreme Court; wherever we touch the subject we find that the Indian is held in a class apart to which the ordinary moral obligations do not apply and from which the fruits of civilization are not expected to grow.

It is no other fact than the one here stated which explains the present Indian Bureau system and the public attitude toward its inefficiencies and evils. The Indians are a class apart. They suffer wrongs, they endure absurdities, they occasion needless nuisance. Everyone knows that Indian administration is fraught with waste, oppression, graft and cruelty, but -

The Indians are the Indians; they are a class apart. They are extra-racial. They can not assert their rights or look after their interests - they are incompetent, incapable, dependent. We lament the abuses; but when great wealth is at stake, and its owners are incompetent, incapable, dependent, are not the abuses inescapable? Indeed the matter is a shame and a nuisance, but what is its ultimate cause? Is it not the deficiency of the Indian?

No one has ever systematically inquired whether the deficiency of the Indian is real or fictitious, or if it is real whether it is native or is the day by day product of his being held in a class apart and subjected to extraordinary treatment.

Even nearer the surface is this fact: Nearly everyone will speak of the Indian's incapacity to defend his own rights. But there are few who ask: Is the Indian legally permitted to defend his own rights? It is said that he cannot run the white man's race. But when some observing person calls attention to the fact that he is chained and staked to the ground, so that it is physically impossible for him to run, this is an alien proposition. It is vaguely resisted, for it raises unanswerable problems. The Indian is extra-racial, he is not white, and the extra-racial and not-white humans, are they not always chained and staked, and is not that destiny?

So while the brood of evil is known to exist and nearly any American will declaim about it, very few do more than lament, as it were, a certain unpleasant aspect of cosmic fate.

And of course the fact is, that the Indian is not natively incapable; that even his incapacities engendered by present experience have not unfitted him to defend his rights and to produce, as white men do, joyfully, creatively, and normally in the regular life of America. The Indian is not even functionally deranged in a temporary way. He is legally, and under an administrative system, founded in law, prohibited, not in general but in particular, and specifically and conclusively, from asserting his rights, and from using his energies, and from making his adaptations whether to the intimate community or the great world. His prohibition is just as explicit and comprehensive as any prohibition which keeps a condemned prisoner incommunicado, without the right to exercise his limbs, without the right to be a man. The Indian is a condemned prisoner.

He is condemned for an historical crime which had two aspects. The first historical crime was that he, racially alien to the white man, occupied vast lands which the white man penetrated and confiscated.

The other aspect of the historical crime, is that the white man, from the beginning, consistently and cumulatively assaulted the Indians, mutilated him, imprisoned him, and excluded him from privilege; and finally segregated him along with great wealth, which he was not allowed to use, placing him and his wealth under a special kind of guardianship administration above the law, outside the reach of the courts, wholly outside the discretion of the Indian; and this part of the crime continues until now, as a legalized, systematized and generally discreet despoliation of Indian wealth, and massacre of Indian spiritual life.

Not unconnected with this physical exploitation, the missionary impulse, with its will-to-power, and its "certain blindness in human beings", operates on the Indians today as rankly as on the South Sea Islanders fifty years ago, or the dissenters of old Russia, or the Catholics of Ireland three hundred years ago.

The situation of today is a precipitate out of all this historical background and implicit popular attitude, and its tenacity is rooted not in the routine of a bureaucracy chiefly, but in the one fact that Indians, in the public mind, are still extra-racial, and being extra-racial are considered not to be the proper inheritors of European-American civil liberty, of European-American economic institutions, of European-American citizenship. A sentimental gesture by Congress has made all Indians citizens, in reward for their large and uncompelled services in the World War. But with that gesture Congress stopped short; and from 1924 until now, the Indian Affairs system has steadily pressed Congress to revoke the citizenship, not by undoing the gesture but through supplementary statutes definitely casting the Indian back again into his extra-racial special-class and dependent status.

Is there any way that the vicious circle can be broken? The vicious circle is made up as follows:

There is a deeply founded, almost subconscious popular idea, which makes the Indian a figure of romance blended with almshouse elements, super-human nobility and pauperism and "red fire" - the class-apart or race-apart idea so deeply rooted in the public mind.

The vicious circle continues into a status in law, and a highly complicated and viciously persevering administrative practice based on law, designed to keep the Indian just what the popular mind thinks he is minus the romance element.

The vicious circle continues again into occasional acts of Congress, and administrative acts, which have cast individual Indians out, unequipped, torn loose from their group, uneducated and burdened with a sense of inferiority, into a predatory white community which swiftly devoured the little wealth tied to the unprepared Indian when he was thus casually hurtled out into the white world.

From this experience the vicious circle leads back into a confirmation of the popular notions, and the bureaucracy through an organized propaganda keeps the popular notions alive, exploiting for publicity purposes every failure by Indians.

An element in the vicious circle is Congress - the log-rolling Congress which needs must play the bureaucracy's game because, be it sinister designs on Indian wealth or sincere plans for Indian betterment, the bureaucracy through its enormous political power gained through the control of Indian wealth - through its power within Congress - can nearly always give or withhold.

How can the vicious circle be broken?

There is no one answer. Several types of enterprise have to be varried forward together.

The great foe of the Indian is not the immediate practical

situation, but the public mind, which holds him extra-racial, - a being apart, and therefore properly shut out from American institutional privileges and obligations.

The attack must be first of all on the body of laws and on the administrative system which concretely, in day by day practice, hold the Indian in bondage and shut him as a pariah outside the civilized world.

But the attack cannot merely be on the "System" as an embodiment of an abstract wrong. Actual human absurdities, the day by day speculations, the diseases forced on the Indians, the wilful destruction of family life, corruption of politics with Indian funds, the blackmailing of Congress by the administrative agents, the starvation and suffocation of interesting tribes - it is these facts which must be used in showing the public what the "System" means and arousing an indignation strong enough to carry the public's own mind across from its essentially fictitious attitude to a realistic attitude.

This attack against that part of the vicious circle called "System" must have its constructive side along with its destructive side. The constructive side is the legislative program now largely defined, which brings the Indian and his group-life into full American opportunity and obligation by methods familiar to business men and lawyers - methods which are prompt yet safe. The great weakness in all agitations for Indian justice in decades gone by, has been the failure to offer a constructive program. That constructive program is now fully formulated, and is simple enough that a child can understand it.

But to exhibit the system in all its human horror, and to advertise the constructive program, is still not enough. The Indian as a fascinating human being, still alive and still fascinating; romantic, strange and fascinating, and yet practicable; the Indian as a member of our own life, different and yet akin, who grows crops and plays games and maintains an exemplary family life and moral life; who practices a great and pure religion, who paints beautiful pictures and sings and dances with a great art; this attractive propaganda, based on every bit of material that can be gathered, made pictorial, put over into dramatic form, into articles, movies, and novels, must go along with the destructive attack against the system and the promotion of constructive solutions.

Unquestionably it is possible, in the span of three to five years, completely to settle what is called the Indian problem. And the after-effects in American culture, and especially in our relation to cultural problems in Mexico and southward, would be very large.

But it is equally certain that the many-sided task cannot be carried out without organization, and this means money. Some progress has been made - enough progress to bring about a sort of negative control over Congress, and to awaken new hope among Indians all over the country. But it is doubtful whether the small group who have carried the effort until now, can by themselves maintain it with the intensity and the financial sacrifice

of the four years behind. New forces must be brought in, if even the effort of late years, effective though insufficient, is to be maintained. And if the effort is to triumph - if the governmental and economic structures needed for Indian life are to be created - the effort must be made on a larger scale, in a more many-sided way, than has yet been possible.

If the enterprise were stopped now, it is probably true that little for the Indians would have been accomplished. This is because no victory in the popular mind is permanent unless followed up, and no victory in legislation is more than a sand-house unless followed up to the point of destroying the cancerous Indian Bureau system. What Congress does it can undo, and Congress, under Indian Bureau manipulation, would undo any good it has done, and the time required would not be two sessions of Congress. Such would be the result if effort ceased. Some tribes would have a better chance for physical survival; such tribes, for example, as the Pueblos of New Mexico and the Pimas of Arizona, and probably all the executive order Indian tribes. Nothing else save a literary record would be left by all the work done, if effort should cease now.

JOHN COLLIER

The American Indian Defense Association, Inc.

[Objects: To secure to the American Indian just treatment from the Government and People of the United States and to promote his welfare]

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May 12, 1926.

Dr. C. Hart Merriam,
1919 Sixteenth St.,
Washington, D.C.

Dear Doctor Merriam:

I am enclosing a few more copies of that mimeographed statement. I had not thought anybody would find it interesting; it was mostly written to clear up my own ideas to myself.

I enclose a bulletin dealing with the Johnson-Swing bill, which gives ground for real optimism about that matter.

Please let us furnish you as many of the Frear speeches as you care to use; any number up to 100 or more.

I go to Chicago tonight and shall be away for about four days; the office will be in contact with me. I believe things are getting along all right here.

Many good wishes,

John Collier
n

JC:HN

Record

Wednesday
May 12, 1936

Had a conference today with the representative of the Comptroller of the U.S. The report will shortly be made by the Comptroller on the Johnson-Swing and LaFollette-Cooper bills, and I believe the report will be favorable.

It was pointed out that the text of the bill was construed by the Administration here as meaning that the state would advance money on the basis of what would be in effect contracts, and would be reimbursed for this money from the treasury on the basis of C.E.'s by the Department of the Interior. That is the construction the Administration puts on the bill as drawn.

I was particularly asked whether I understood this to be the construction intended by the drafters of the bill. I could not answer with certainty, but urged the following consideration: that such a report be made as to indicate very strongly the adoption of the bill early in the next session, in order that appropriations could be made for obtaining from the California legislature a generous appropriation to supplement the federal appropriation.

It was explained at the Comptroller's office that they had really been compelled to put a good deal of time onto the measure and had not delayed their report intentionally; that they had been buried under a host of measures referred by sundry committees. I understand their report will be filed in a few days and it may yet be possible to secure a record hearing before at least a sub-committee of the Indian Affairs Committee. Action at this session must be considered out of the question. As a matter of fact, the way things are now going all sorts of matters which are considered of first moment will fail to reach a vote. If we can get our oil bill to a vote we should consider this an achievement almost greater than to have obtained the substitution of our bill for the Bratton-Hayden bill.

The American Indian Defense Association, Inc.

[Objects: To secure to the American Indian just treatment from the Government and People of the United States and to promote his welfare]

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June 1, 1926.

Dr. C. Hart Merriam,
1919 Sixteenth St.,
Washington, D.C.

Subject: Mr. Collett's extension of
remarks.

Dear Doctor Merriam:

I telephoned Mr. Hart of the Indian Affairs Committee and learned that he had not examined the material put into the Record subsequently by Mr. Collett. I explained that as I had not known of its existence, I would wish to deal with his attack through an extension of remarks of my own. Mr. Hart stated that he would hold the proof until I returned Thursday, at which time either any illegitimate extension of remarks of Mr. Collett could be stricken out, or I could put in an extension of remarks. I think it ~~will~~ be a very good thing if Collett's remarks be left in and if I deal with them and with their author once and for all.

Sincerely,

John Collier

JC:HN

Recd June 2, 1926

AMERICAN INDIAN DEFENSE ASSOCIATION

636 Munsey Bldg., Washington, D.C.
(Fr. 8124) March 19, 1926.

Commentary on the decision (opinion) promulgated by Secretary Work Tuesday, March 9, dealing with executive reservations.

The trend of the opinion is identical with that of Attorney General Stone in so far as it assimilates the executive order to the treaty reservations. However, it creates an impression somewhat different through the following items:

(A) It quotes Supreme Court decisions indicating that Congress has plenary power. These are decisions antedating the allotment act and antedating about 98% of all the legislation ever passed by Congress dealing with reservations. The question is, to what extent have these subsequent acts of Congress established vested rights? The vested rights did not exist save as Congress established them. Can Congress disestablish a vested right which it has established?

In numerous classes of instances affecting treaty and executive order reservations alike, Congress has established vested rights. Congress has never by any one broad act recognized that the Indian right extended beyond occupancy, or that compensation to the Indians should be in excess of the occupancy value of lands they are deprived of. This is a comprehensive condition affecting all types of reservations.

On the other hand, Congress in scores of instances affecting all types of reservations, including executive order reservations, has legislated into existence a vested right to minerals, timber, and all other values in the land. The reasoning would be that in so far as Congress has thus acted, it presumptively has created a right inalienable to the extent indicated by the special act in question; that where Congress has not thus acted, there exists merely a right of occupancy. This for all types of reservations in the absence of statutory specification.

(B) The decision or opinion then proceeds to quote a number of instances where Congress has dealt with executive order reservations in a manner to imply not only that the Indians possessed only a right of occupancy, but that this right of occupancy was exclusively a privilege, which could be taken away without compensation. It omits to mention that these actions have not been contested and hence the point of law has never been adjudicated in the courts.

At this point the opinion becomes curiously biased because it omits mention of the cases, much more numerous, where Congress has recognized, or, if one will, instituted, an Indian vested right in the executive reservations. The impression left is that the Secretary is trying to make out a case justifying political action by Congress which would definitely make the Indian occupancy of the executive order lands a privilege merely and not even a right of occupancy. This, of course, is exactly what Secretary Fall tried to bring about and what the Department

8 P.M.

March 18, 1928

Since this bulletin was completed I have spoken with Sen. Cameron and I just learn from him that he has taken steps to secure the recall of the bill by the Senate Committee. He believes he can succeed and at least insure the granting of public hearing before the bill is again reported. The possibility of this action is due to a secretarial delay which caused the bill to slumber three days in the files after the Committee's favorable action.

The Committee (in the absence or inadvertence of most of its members) voted to report the bill without amendment. It goes without saying that Senators Wheeler and LaFollete may be expected to assist Sen. Cameron in his effort to secure a recall.

Tom Collins

AMERICAN INDIAN DEFENSE ASSOCIATION

March 18, 1926.

Another Indian Bureau measure for coercing Indians

Senate Bill 2708, drafted by the Indian Bureau, has been favorably reported by the Senate Committee on Indian Affairs.

This bill is a companion measure or supplementary measure to the Indian Bureau Bill H. R. 7826, which has been so extensively denounced. The contents and implications of S 2708 are given below (its House introduction number is 8050).

The bill enacts: "That any Indian or other person who shall forcibly assault, resist, oppose, prevent, impede or interfere with any officer or employee of the Bureau of Indian Affairs of the Department of the Interior in the execution of his duties, shall be fined not more than \$1000 or imprisonment for not more than one year, or both."

Reference to the testimony of the Menominee Indian delegation, incorporated in Congressman Frear's speech on March 4, 1926 in the House, will show what this proposal means. The Menominee delegation specify case after case, and their conclusion is: "In a number of cases cited above, the power to administer justice lay wholly with the subordinate employees of the agency not vested with police power in regular form, illustrating the evil of a system so elastic in its operation that the question of justice is practically inoperative". One of the arresting agents specified was an agency farmer who, according to the Menominee delegation, proceeded to shoot and permanently cripple the Indian who sought to escape arrest; in other cases the Agency policemen.

This bill would create an extraordinary situation. It is established that the agency superintendent delegates tasks to any employee down to the \$10 a month Indian judges, to the agency policemen, the school teachers and so-called agency farmers and stock men. Some of these persons are no more than casual intermittent employees and for most of the time are just Indians among the other Indians, although obligated to the Superintendent for stipends of \$10 or \$20 or \$40 a month paid to them as judges, interpreters, etc.

This whole employed force is constantly or at intervals engaged in arresting Indians, jailing them without due process of law, fining them, working them on the roads or around the agency buildings; or again, it is engaged in compelling an Indian to get off his land so that a white man may take it over under a lease. Much of the work of arresting and imprisonment is presumptively in the nature of false imprisonment and in fact kidnapping; sometimes it even rises to the level of alleged forcible enslavement.

Now this bill, drafted by the Bureau and pushed by it, establishes a \$1000 fine or a year's imprisonment, or both, for

any Indian who "forcibly assaults, resists, opposes, prevents, impedes or interferes with" any of the employees of the Bureau in the execution of any duties.

The Bureau has drafted and is pushing H. R. 7826, which would give it statutory power to jail any Indian without due process of law for six months. Unless the Indians become absolutely servile, the provision of the bill here quoted would frequently enable the Bureau to extend the imprisonment to an eighteen months period and the fine to a total of \$1100.

Other provisions of this bill are similarly fantastic. If a deadly or dangerous weapon is used against an Indian Bureau employee, the fine is up to \$2000 and imprisonment up to five years, or both. If any victim of its ministrations has friends who try to rescue him or to cause him to be rescued from the custody of any person employed or commissioned by the Commissioner of Indian Affairs, etc., the interfering party gets up to \$1000 fine or up to six months in jail, or both. If any person rescues or destroys any property "lawfully seized" by any Indian Bureau employee, the fine is up to \$2000 and imprisonment up to one year, or both.

The whole bill has exactly the appearance of an ukase of the sort that used to be issued by the Russian Czar for regulating the affairs of serfs and ex-serfs about seventy years ago.

This bill calls for protests with the Senators. It is still pending in Committee in the House. The Chairman of the House Indian Affairs Committee is the Honorable Scott Leavitt.

The American Indian Defense Association,
Haven Emerson, President.
John Collier, Executive Secretary
Legislative Office, 636 Munsey Bldg.,
Washington, D.C.

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THE AMERICAN INDIAN DEFENSE ASSOCIATION, INC.

T H E I N D I A N A F F A I R S O U T L O O K

May 8, 1926

(Addressed to those who have
been working and who already
care)

White men dealing with white men, through instruments of government, do engage in a struggle for advantage; they do take advantage of the weak and they commit wrongs. But within the governments of white races and particularly of English-speaking races, there are privileges or rights which government, systematically at least, recognize as belonging to all men.

Exceptions occur. Special classes of the population are kept, as it were, out of the pale. Such are the condemned criminals. Such, in the century past, have been the professional prostitutes. Such once were the insane.

But within the white race, underlying rights have been recognized generally; certain indestructible comities have been acknowledged in written codes and likewise in practice.

The moment one looks across the boundaries of the white race he finds a difference - immense, decisive. It is enough to mention China and Africa. But we are concerned with the Indians, and we find a record, practically unbroken from the first contacts with white men, and maintained and even perfected in its consistency in the United States today - a record of excluding Indians from the privileges, rights or comities of the white race.

The historical record does not need to be illustrated. Whether the Spanish record be taken or the Puritan record, or the record of Georgia toward the Cherokees, or of California toward her Indians; whether we dwell on special dramatic instances or on the making and breaking of treaties, or pass beyond the acts of Congress and study the opinions of the Supreme Court; wherever we touch the subject we find that the Indian is held in a class apart to which the ordinary moral obligations do not apply and from which the fruits of civilization are not expected to grow.

It is no other fact ~~than~~ the one here stated which explains the present Indian Bureau system and the public attitude toward its inefficiencies and evils. The Indians are a class apart. They suffer wrongs, they endure absurdities, they occasion needless nuisance. Everyone knows that Indian administration is fraught with waste, oppression, graft and cruelty, but -

The Indians are the Indians; they are a class apart. They are extra-racial. They can not assert their rights or look after their interests - they are incompetent, incapable, dependent. We lament the abuses; but when great wealth is at stake, and its owners are incompetent, incapable, dependent, are not the abuses inescapable? Indeed the matter is a shame and a nuisance, but what is its ultimate cause? Is it not the deficiency of the Indian?

No one has ever systematically inquired whether the deficiency of the Indian is real or fictitious, or if it is real whether it is native or is the day by day product of his being held in a class apart and subjected to extraordinary treatment.

Even nearer the surface is this fact: Nearly everyone will speak of the Indian's incapacity to defend his own rights. But there are few who ask: Is the Indian legally permitted to defend his own rights? It is said that he cannot run the white man's race. But when some observing person calls attention to the fact that he is chained and staked to the ground, so that it is physically impossible for him to run, this is an alien proposition. It is vaguely resisted, for it raises unanswerable problems. The Indian is extra-racial, he is not white, and the extra-racial and not-white humans, are they not always chained and staked, and is not that destiny?

So while the brood of evil is known to exist and nearly any American will declaim about it, very few do more than lament, as it were, a certain unpleasant aspect of cosmic fate.

And of course the fact is, that the Indian is not natively incapable; that even his incapacities engendered by present experience have not unfitted him to defend his rights and to produce, as white men do, joyfully, creatively, and normally in the regular life of America. The Indian is not even functionally deranged in a temporary way. He is legally, and under an administrative system, founded in law, prohibited, not in general but in particular, and specifically and conclusively, from asserting his rights, and from using his energies, and from making his adaptations whether to the intimate community or the great world. His prohibition is just as explicit and comprehensive as any prohibition which keeps a condemned prisoner incommunicado, without the right to exercise his limbs, without the right to be a man. The Indian is a condemned prisoner.

He is condemned for an historical crime which had two aspects. The first historical crime was that he, racially alien to the white man, occupied vast lands which the white man penetrated and confiscated.

The other aspect of the historical crime, is that the white man, from the beginning, consistently and cumulatively assaulted the Indians, mutilated him, imprisoned him, and excluded him from privilege; and finally segregated him along with great wealth, which he was not allowed to use, placing him and his wealth under a special kind of guardianship administration above the law, outside the reach of the courts, wholly outside the discretion of the Indian; and this part of the crime continues until now, as a legalized, systematized and generally discreet despoliation of Indian wealth, and massacre of Indian spiritual life.

Not unconnected with this physical exploitation, the missionary impulse, with its will-to-power, and its "certain blindness in human beings", operates on the Indians today as rankly as on the South Sea Islanders fifty years ago, or the dissenters of old Russia, or the Catholics of Ireland three hundred years ago.

The situation of today is a precipitate out of all this historical background and implicit popular attitude, and its tenacity is rooted not in the routine of a bureaucracy chiefly, but in the one fact that Indians, in the public mind, are still extra-racial, and being extra-racial are considered not to be the proper inheritors of European-American civil liberty, of European-American economic institutions, of European-American citizenship. A sentimental gesture by Congress has made all Indians citizens, in reward for their large and uncompelled services in the World War. But with that gesture Congress stopped short; and from 1924 until now, the Indian Affairs system has steadily pressed Congress to revoke the citizenship, not by undoing the gesture but through supplementary statutes definitely casting the Indian back again into his extra-racial special-class and dependent status.

Is there any way that the vicious circle can be broken? The vicious circle is made up as follows:

There is a deeply founded, almost subconscious popular idea, which makes the Indian a figure of romance blended with almshouse elements, super-human nobility and pauperism and "red fire" - the class-apart or race-apart idea so deeply rooted in the public mind.

The vicious circle continues into a status in law, and a highly complicated and viciously persevering administrative practice based on law, designed to keep the Indian just what the popular mind thinks he is minus the romance element.

The vicious circle continues again into occasional acts of Congress, and administrative acts, which have cast individual Indians out, unequipped, torn loose from their group, uneducated and burdened with a sense of inferiority, into a predatory white community which swiftly devoured the little wealth tied to the unprepared Indian when he was thus easually hurtled out into the white world.

From this experience the vicious circle leads back into a confirmation of the popular notions, and the bureaucracy through an organized propaganda keeps the popular notions alive, exploiting for publicity purposes every failure by Indians.

An element in the vicious circle is Congress - the log-rolling Congress which needs must play the bureaucracy's game because, be it sinister designs on Indian wealth or sincere plans for Indian betterment, the bureaucracy through its enormous political power gained through the control of Indian wealth - through its power within Congress - can nearly always give or withhold.

How can the vicious circle be broken?

There is no one answer. Several types of enterprise have to be varried forward together.

The great foe of the Indian is not the immediate practical

situation, but the public mind, which holds him extra-racial, - a being apart, and therefore properly shut out from American institutional privileges and obligations.

The attack must be first of all on the body of laws and on the administrative system which concretely, in day by day practice, hold the Indian in bondage and shut him as a pariah outside the civilized world.

But the attack cannot merely be on the "System" as an embodiment of an abstract wrong. Actual human absurdities, the day by day speculations, the diseases forced on the Indians, the wilful destruction of family life, corruption of politics with Indian funds, the blackmailing of Congress by the administrative agents, the starvation and suffocation of interesting tribes - it is these facts which must be used in showing the public what the "System" means and arousing an indignation strong enough to carry the public's own mind across from its essentially fictitious attitude to a realistic attitude.

This attack against that part of the vicious circle called "System" must have its constructive side along with its destructive side. The constructive side is the legislative program now largely defined, which brings the Indian and his group-life into full American opportunity and obligation by methods familiar to business men and lawyers - methods which are prompt yet safe. The great weakness in all agitations for Indian justice in decades gone by, has been the failure to offer a constructive program. That constructive program is now fully formulated, and is simple enough that a child can understand it.

But to exhibit the system in all its human horror, and to advertise the constructive program, is still not enough. The Indian as a fascinating human being, still alive and still fascinating; romantic, strange and fascinating, and yet practicable; the Indian as a member of our own life, different and yet akin, who grows crops and plays games and maintains an exemplary family life and moral life; who practices a great and pure religion, who paints beautiful pictures and sings and dances with a great art; this attractive propaganda, based on every bit of material that can be gathered, made pictorial, put over into dramatic form, into articles, movies, and novels, must go along with the destructive attack against the system and the promotion of constructive solutions.

Unquestionably it is possible, in the span of three to five years, completely to settle what is called the Indian problem. And the after-effects in American culture, and especially in our relation to cultural problems in Mexico and southward, would be very large.

But it is equally certain that the many-sided task cannot be carried out without organization, and this means money. Some progress has been made - enough progress to bring about a sort of negative control over Congress, and to awaken new hope among Indians all over the country. But it is doubtful whether the small group who have carried the effort until now, can by themselves maintain it with the intensity and the financial sacrifice

of the four years behind. New forces must be brought in, if even the effort of late years, effective though insufficient, is to be maintained. And if the effort is to triumph - if the governmental and economic structures needed for Indian life are to be created - the effort must be made on a larger scale, in a more many-sided way, than has yet been possible.

If the enterprise were stopped now, it is probably true that little for the Indians would have been accomplished. This is because no victory in the popular mind is permanent unless followed up, and no victory in legislation is more than a sand-house unless followed up to the point of destroying the cancerous Indian Bureau system. What Congress does it can undo, and Congress, under Indian Bureau manipulation, would undo any good it has done, and the time required would not be two sessions of Congress. Such would be the result if effort ceased. Some tribes would have a better chance for physical survival; such tribes, for example, as the Pueblos of New Mexico and the Pimas of Arizona, and probably all the executive order Indian tribes. Nothing else save a literary record would be left by all the work done, if effort should cease now.

JOHN COLLIER

June 1, 1923.

I


SIR HENRY MAINE AND THE PRIMITIVE COMMUNITIES OF
BRITISH INDIA AND THE SUGGESTION FOR AMERICAN INDIAN
POLICY

Sir Henry Maine, one of the founders of comparative and sociological jurisprudence, was an English conservative and, for practical purposes, an English imperialist. He believed that all civilization was European civilization. Among his statements is the following, delivered in 1875, which has become familiar in many languages:

"Whatever be the nature and value of that bundle of influences which we call Progress, nothing can be more certain than that, when a society is once touched by it, it spreads like a contagion To one small people, covering in its original seat no more than a hand's breadth of territory, it was given to create the principle of Progress, of movement onwards and not backwards or downwards, of destruction tending to construction. That people was the Greek. Except the blind forces of Nature, nothing moves in this world which is not Greek in its origin. A ferment spreading from that source has vitalized all the great progressive races of mankind, penetrating from one to another, and producing results accordant to its (the given race's) hidden and latent genius, and results of course often far greater than any exhibited in Greece itself. It is this principle of progress which we Englishmen are communicating to India. We did not create it. We deserve no special credit for it. It came to us filtered through many different media. But we have received it; and as we have received it, so we pass it on. There is no reason why, if it has time to work, it should not develop in India effects as wonderful as in any other of the societies of mankind."

The force of what is to be quoted below, and its bearing on the question of American Indians, requires a preliminary quotation to show that Sir Henry Maine, in his practical philosophy, was rigidly European and English and modern. Speaking in India to the Senate of the University of Calcutta, 1863, Maine said:

"Although there is much in common between the Present and the Past, there is never so much in common as to make life tolerable to the men of the Present if they could step back into the Past. There is no one in this room to whom the life of 100 years since would not be acute suffering, if it could be lived over again. It is impossible even to imagine the condition of an educated Native, with some of the knowledge and many of the susceptibilities of the 19th century if he could recross the immense gulf which separates him from the Indian of Hindu legend, if indeed it ever existed. The only India, in fact, to which he could hope

Recd. June 8, 1926. 

to return - and that retrogression is not beyond the range of conceivable possibilities - is the India of Mahratta robbery and Mohammedan rule."

Sir Henry Maine's great work was the founding of an historical view of the law and idea of property.

First, as to the belief, prevalent when he wrote and still prevalent, that modern Europe, a century more or less ago, suddenly achieved a complete self-reconstruction: "It is true that the old order changes, yielding place to new, but the new does not wholly consist of positive additions to the old; much of it is merely the old very slightly modified, very slightly displaced, and very superficially recombined." Building partly on analogies with the Aryan communities of India, and partly on German researches into European property institutions, Maine proved that in Europe the idea and law of fee-simple ownership required thousands of years to complete itself, and indeed had not completed itself in 1875 in the actual systems of land-holding and land-use of most European countries. Furthermore, he showed that individual ownership was derived not from feudalism, but by an evolutionary process from the village community which even in England existed and functioned into the 19th century.

Maine's studies were confined to Europe and Asia; to the Aryan life of Europe and Asia (at least his references in "Village Communities in the East and West" are exclusively Aryan). His precepts regarding English policy in India are incidental.

"Property in land, as we understand it, that is, several ownership, ownership by individuals or by groups not larger than families, is a more modern institution than joint property or co-ownership; that is, ownership in common by large groups of men originally kinsmen, and still, wherever they are found (and they are still found over a great part of the world), belonging, or assuming themselves to be in some sense of kin, to one another. Gradually, and probably under the influence of a great variety of causes, the institution familiar to us, individual property in land, has arisen from the dissolution of the ancient co-partnership."

"The universal belligerency (of the "barbaric" peoples) is the belligerency of one total group, tribe, or village, with another; but in the interior of the groups the regimen is not one of conflict and confusion but rather of ultra-legality..... When these primitive bodies first make their appearance as land owners, as claiming an exclusive enjoyment in a definite area of land, not only do the shares of the soil appear to have been originally equal, but a number of conventions survive for preserving the equality, of which the most frequent is the periodical redistribution of the tribal domain."

"Just as the conceptions of human brotherhood and (in a less degree) of human equality, appear to have passed beyond the limits of the primitive communities and to have

spread themselves in a highly diluted form over the mass of mankind, so on the other hand, competition in exchange seems to be the universal (inter-group) belligerency of the ancient world which has penetrated into the interior of the ancient groups of (real or assumed) blood relatives. It is the regulated private war of ancient society broken up into indistinguishable atoms."

Here it should be explained that Maine is not a socialist. "Nobody", he says, "is at liberty to attack several property and to say that at the same time he values civilization. Civilization is nothing more than a name for the old order of the Aryan world, dissolved but perpetually reconstituting itself under a vast variety of solvent influences, of which infinitely the most powerful have been those which have, slowly and in some parts of the world less perfectly than others, substituted several property for collective ownership."

A word as to the village community. As described by Maine, both in Europe and Asia, it is primarily an economic institution and it consists of a group large or small, collectively owning part of a specified land area and collectively regulating the use of all of it; this ownership and regulation not extending, as a rule, to moveable property, and not extending to the human affairs inside a man's household nor generally to the region of aesthetic enjoyment or of conscience. Permanent tenure is held by families in portions of the area; other portions are for common use; cultivated areas are moved annually, to insure that portions of the land shall lie fallow, hence each family has the permanent use of more than one parcel of land. Redistribution of holdings is carried out by some form of community council.

All the village communities which Maine studied whether in Europe or India, had been politically subordinated for ages to national dominations, feudal over-lords, princes, etc., yet their internal character had scarcely been modified in its economic aspects. Maine apparently did not suspect what a wider view would have revealed to him, that all the village communities which he observed had been vastly changed and impoverished in ways other than economic. Indeed, all these village communities, whose importance in India he found to be overwhelming, appear, when placed beside the village communities along the boundaries of India and beyond them, and especially in America, to be hardly more than vestiges of the complete human institutions which they were in very far off days, perhaps 10,000 years ago.

"The Indian village community is a living, and not a dead, institution". And then Maine states, what the history of American policy toward Indians so completely disproves: "Certain institutions of primitive peoples, their corporations and village communities, will always be preserved by a suzerain state governing them, on account of the facilities which they afford to civil and fiscal administration." So it was in the Roman Empire, so it was in British India; and so in Java, in Mediterranean Africa, in Fiji; and save in parts of Polynesia and in America, so it has always been when Maine wrote.

And so in theory, though never with a sustained honesty of practice, it was in the United States' policy toward Indians before 1880. Since 1880, the Belgian and French Congo and the United States have completely disproved Maine's prediction, based as it was on an assumption of long-range concern and of common-sense in the suzerain state. At the same time these examples have proved by their terrible results that any suzerain state with a long-range concern and with common sense would act as Maine predicted.

The immense horizon contained in Maine's thought will now be apparent. He conceived that a "principle of Progress" had arisen in Greece, which essentially is just the principle of deliberate and experimental social improvement toward larger ends rationally conceived by men, so that the genetic processes or "blind forces of nature" are not solely depended on; the pursuit of the end being carried out through the utilization of that which is good, or when it is dissolved or broken down, through a constructive use of the fragments.

This "principle of Progress", as Maine insists, operates according to the diverse genius of many races, although, he might have added, each race is likely to think its own manifestation to be the sole authentic one and a perfect prescription for all other races.

The principle of Progress which has been introduced into India will be, Maine believes, ultimately irresistible. Of course no conservative Englishman in 1875, within the shadow of European-British prestige, under the influence of 19th century political economy, of the uni-linear evolutionism of Spencer, etc., etc., possibly could develop such a viewpoint consistently, and Maine does not develop it consistently, (i.e. Maine really does not believe in artificially directed social improvement.) Economic history was wider than Europe to him but spiritual history was still Europe - only Europe - to him as to Renan in France and to Lester F. Ward in the United States. (Hence Maine could not visualize an ultimate India that would not be European.)

Hence it is the more interesting that Maine, an English conservative, of the laissez-faire school, under the control of western cultural prestige, should have been driven by his facts to admit that India, if only the principle of Progress could be brought into effective contact with her folk-institutions, would produce "effects as wonderful as in any other of the societies of mankind", with results "accordant with its hidden and latent genius."

Now View the American Indian

Now let us see what bearing Sir Henry Maine's writings have on our American Indian situation.

The first impression which one gets, if familiar with American tribes, is suggested above: The European and Asiatic village communities are but vestiges of what they may once have been. For simplicity, let us consider the Pueblo tribes only:

1. Maine's village communities were "primary social groups" - essentially groups whose members had constant contact and shared a large group-forming interest. But they were primary social groups which for ages had been subordinated to larger political and economic aggregations. They no longer even sought to be responsible for the whole of life; and their simple organization contrasts with the extreme complexity of organization of the American Indian communities. The Pueblo, of course, is a federation preserving its federal character; it has in addition the secret cults which strike somewhat horizontally across the clan distinctions. Not only to an outsider is the Pueblo organization complex, mysterious, and even impossible to explore save in part; it is such even to a member of the tribe.

2. In India, according to Maine, a practice is justified by the sheer fact of antiquity. It can be said that the village community has been secularized. The religious life is outside it - that is, the religious references are not to it. This means that the village community in India is static to a degree impossible in America, where every expression of genius, imaginative and religious, is bound within the primary social group, and the group hangs from a mystic religious organization which itself depends on a constantly renewed, direct, ecstatic religious experience (the religious experience being any and every kind of hallucination, sudden and overwhelming conviction, or manifestation of extraordinary endowment, referred to the Spirit World.) There are creative and explosive factors within the American Indian community which long since passed out of and beyond the village communities of Maine.

3. Maine states that the village communities keep alive their tradition through discussion. So do the Pueblo tribes; but the volume of Pueblo memory is enormous, and the teaching is in the hands of men specialized as rememberers, and there are circles within circles of groups responsible for a complete remembering. And the Pueblos have a ritualism designed both to stereotype the memory through symbolic performance and to fix it and bring it alive by means of emotional associations; hence the beautiful wilderness of community art in each Pueblo; of which only the vestiges seem to be found in Maine's British Indian communities, and which even the vestiges have disappeared from the West-European village communities.

4. All of the above is involved with the fact that each tribe, until historical times, was sovereign, and was on the offensive and defensive against the whole world. The European village community is concerned only with an internal economy of the material sort. The American village community had that concern but in addition the larger concern of race competition, of military effectiveness, and of traffic with the cosmos through magic and ecstasy, necessary, according to the Pueblo view, for the survival in the struggle of races.

In view of these distinctions, all in the direction of a tremendously greater significance and power native in the American Indian village community than in the European or even Asiatic, the following from Maine is very interesting:

"Nor, in the sense of the analytical jurists, is there right or duty in an Indian village community; a person aggrieved complains not of an individual wrong but of the disturbance of the order of the entire little society. More than all, customary law is not enforced by a sanction (penalty.) In the almost inconceivable case of disobedience to the award of the village council, the sole punishment, or the sole certain punishment, would appear to be universal disapprobation!"

"If, for example, I am asked whether it is possible that, when the Roman Empire had been overrun by the Northern races, the Roman law could have been preserved by mere oral transmission in countries in which no breviaries of that law were published by the invading chiefs to keep it alive, I can only say that observation of India shows such preservation to be abstractedly possible; and shows it moreover to be possible in the face of written records of a legal or legislative character which contain no references to the unwritten and orally transmitted rules. But I should have at the same time to point out that nothing in India tends to prove that law may be orally handed down from one generation of men to another of men who form an indeterminate class, or that it can be preserved by any agency (other) than that of organized, self-acting, social groups."

To the comparison here made only this much needs to be added:

1. The Pueblo organization is not the same as other Indian tribal organizations, but all tribal organization was, and some of it remains, complicated and definite, containing, like the Pueblo, all the elements of the complete and profoundly endowed primary social group.

2. The fascinating speculation as to the sources of a great Indian civilization like the Mayan, must go to the living Indian tribes for most of its clues. The formative elements of the Mayan civilization on the human, aesthetic and spiritual sides, not only are all found in the living tribes which are, so to say, contemporary with the ancestors of the Mayans, but perhaps are found in these living tribes with a balance, harmony, youthful, ness, and glory, which could not have been discovered in the great aggregations of the Toltecs and Mayans. It may be that the Pueblos do truly represent the golden age of the old Mexican civilization.

AMERICAN INDIAN DEFENSE ASSOCIATION
INCORPORATED

* * * *

This is a report.
Please preserve for
reference.

Washington, D.C.,
June 9, 1926.

This bulletin sketches the recent events in and out of Congress and tells of the immediate future. It is a mere skeleton of a report; those who want details should send for bulletins dealing with special topics.

Numerous mimeographed bulletins and Congressional Record reprints give the record quite exhaustively.

I. THIS SESSION OF CONGRESS

It has been the most fruitful session for a long time.

The A. I. D. A., Inc. has worked intensively at Washington since January. We had hoped that public opinion and the congressional mind were somewhat ready for serious Indian welfare effort. Four years of research, publicity, organization and legislative enterprise had accomplished much - we could not be sure how much. The opportunity proved to be more ripe than we had anticipated; in taking advantage of it, the Indians and their friends have been helped as much by actions of the Indian Bureau as by the merits of their own cause. This report deals, as it were, with "high lights" only.

STOPPING REIMBURSIBLE CONFISCATION

Congress, nearly always under Indian Bureau leadership, has loaded the Indians with reimbursible debts exceeding tens of millions. Some of these indebtednesses represent investment helpful to the Indians; some represent well-intentioned but wasteful investments of long past times. (In 1914, Congress through a retro-active law made all the expenditures on reclamation, irrigation and drainage, of the decades gone by, which had been gratuitously provided by Congress, into reimbursible debts against the Indians, a mortgage against the tribal and allotted lands.) Many of the expenditures had been really useless to the Indians, being designed for white benefit.

The unjustified \$100,000 reimbursible charge against the Navajo tribal fund for the Grand Canyon bridge was selected by the A. I. D. A., Inc., as a test case - as an example of the most vicious type of misappropriation. It came before Congress as one item in the urgent deficiency appropriation bill of more than \$425,000,000, hence the defeat of this particular item was almost impossible; but a nation-wide protest was aroused and the Senate and House debate is recognized as having been a turning point in this phase of Indian matters. In the face of universal and uncontroverted denunciation by leading senators, the Indian Bureau

Recd. June 15, 1926. - *cm*

clung to its endorsement of this "highway robbery", as Senator Cameron had termed it; and Commissioner Burke as late as April 10th made an elaborate defense of it.

The principles involved were two. Should Indian funds be used or mortgaged for the exclusive benefit of whites; and should Indian funds be used or mortgaged without the consent of and against the protest of the Indians in question? It can be stated confidently that no outrage like that of the Colorado bridge (Grand Canyon) misappropriation will recur in succeeding congresses. Congressional opinion has crystalized definitely on the subject.

The importance is very great, inasmuch as the reimbursible system was gradually developing to that point where the equity of tribes and individuals in the Indian lands was being clouded and would have been ultimately extinguished.

At this point the future of the reimbursible struggle should be stated.

Repeal the 1914 Act

Indian welfare bodies and Indians will unite in asking Congress to repeal the retroactive statute of 1914 mentioned above, which is financially disastrous to the Indians, and morally unjustifiable, and which would probably be unconstitutional if any lands save Indian lands were in question.

Remit as we have done for white farmers

Miscalculations, engineering and economic, have necessitated action by Congress remitting the reclamation indebtedness of white farmers to the extent of nearly \$20,000,000. Such action is exactly as much justified and is just as imperative to avert bankruptcy, as applied to the Indian reclamation projects since 1914. Not only equity demands that the Indians receive the benefit which the whites have already received; elementary business requires it. The only consideration against the policy would be one which held that the scheme of reimbursible loans thrust upon the Indians is in truth a scheme for expropriating them.

Agricultural credit for Indians

There is a type of reimbursible loan known as an industrial reimbursible loan, which is a grotesque device for providing rural credit to Indians. Congress votes money and this is used for the purchase of seed, implements, etc., which are then sold to the Indians on credit, without interest, the Indians repaying the government. The amount voted annually is from \$150,000 to \$200,000.

This is all the credit accessible to the restricted Indians of the whole country (250,000 in number) for their agricultural and stock operations. With this infinitesimal rural credit, itself not a fiscal credit but a negligible provision of seed, implements, etc. stockmen and farmers owning 100,000 square miles of land are expected to carry their crops and stock over the seasons and through periods of depression - to do this in competition with the white stockmen

and farmers, whose credit requirements are hundreds of millions. The whole reimbursible credit for all Indians would not carry one section of the Imperial Valley alone (given example) across a single season.

This reimbursible credit scheme could only have been imagined by such a bureau of government as the Indian Bureau, totally uninfluenced by the rural life and economic experience of the last 100 years. It should be done away with entirely; and Indians should be permitted to obtain rural loans through mortgaging their holdings, through forming associations, farm loan banks, etc., and otherwise as white farmers are now permitted. This indispensable reform is part of the general need of Indian affairs reorganization.

(See various mimeographed bulletins and the February 4th speech of Congressman Frear, reprinted, sent on request.)

CIVIL RIGHTS FOR INDIANS

The 1924 grant of citizenship to Indians has not yet improved their status except in the one item that they can now vote. (In New Mexico and, practically speaking, Arizona, they cannot vote.)

As frequently pointed out, Indians are still forbidden due process of law in matters affecting their property. Even the subject of their mental competence is in the hands of their bureaucratic master with no court review. Their wills are valid only when validated by the Indian Bureau and may be destroyed by it before or after the testator's death. The determination of heirs in the absence of written wills is exclusively a Bureau prerogative with no court review. (Some exceptions exist in the case of Oklahoma Indians, New York state Indians, and Indians of undeterminate status who are neither definitely restricted nor definitely unrestricted, like portions of the California and Nevada tribes or bands.)

Indian Bill of Rights. Indian Bureau says "No".

In order to test the attitude and power of the Indian Bureau in the above matters, bills drafted in consultation with the A. I. D. A., Inc. were introduced by Senator Wheeler and Representative Frear. These bills gave to the Indian the right of court review before he could be pronounced "incapable" by the Indian Bureau and displaced from his land in favor of white men; again, before the Indian Bureau could destroy the Indian's written will; again before the Indian Bureau could finally determine heirs; and in addition the bills required that when Indian property was sold by the Bureau, there should be an appraisal, and publication of the intent of sale, and competitive bidding with sale to the highest bidder.

The bills were drawn with careful conservatism, with a view to utilizing all the existing machinery of the Indian Bureau but subjecting it to court review as above indicated and requiring business procedure in the sale of Indian lands. The wider question of the "competency" of the Indians, including their right to demand

fee patent to their lands through proving in court that they were mentally competent, was intentionally not dealt with in these bills.

The Indian Bureau instantly and sweepingly vetoed all the bills in all their parts, although without arguing the merits of the questions. This action, as was understood in advance, sufficed to control the decisions of the House Committee on Indian Affairs. Other Indian legislative conflicts held the center of the stage and no large campaign was waged for these measures. A hearing was held (House Indian Affairs) on Congressman Frear's bill giving court review, requiring appraisal, competitive bidding, etc. in the sale of Indian lands, etc. At this hearing, the Indian Commissioner denounced the A. I. D. A. Inc. and others at great length but not one word was permitted to be said in connection with that bill which was the official justification of the hearing, just as not one word was permitted to be said in reply to Commissioner Burke's aspersions (further details below).

Personal civil rights crowded out this phase of Indian property rights for the present session. The Indian Bureau drafted and promoted the famous, now infamous, H. R. 7826, and the following is briefly narrated.

The lawless jailing of Indians

Down all the years, to and including the present, the Indian Bureau has denied process of law to Indians in civil and criminal matters. Indeed, the statutes spur the Bureau on. More accurately, the absence of statutory direction permits the Bureau to go ahead in the manner of oriental punjab. The Commissioner of Indian Affairs makes the regulations which, save in the matter of eight crimes named by federal statute, constitute the penal code for Indian life. These are not required to be published and are not published. In addition, subordinates of the Commissioner have exerted undue and practically unrestrained discretion in modifying or expanding this anomalous unpublished and, in effect, secret penal code.

The enforcement of this code is in the hands of the Commissioner or any of his subordinates; among these subordinates being the notorious \$10 a month "judges" - Indians hired and fired by the local Indian Bureau superintendent. Assistant Commissioner Meritt naively stated to the House Appropriations Committee in January that this scheme of judges made the Indians feel like they were enjoying home rule.

No code of procedure binds these incomparable judicial agencies. None of the elements of due process of law are required or provided. The Indian tribal custom law is not a factor in the situation; it is the Indian Bureau regulation laws which provide the foundation for adjudications which in the main are essentially just personal.

The condemned Indian may appeal to the administrative officer higher up, but there is no stay of execution and no bail. Hence, were an appeal practicable it would be futile. Testimony extending through two months of hearings before the House Indian Affairs Com-

mittee was unanimous that appeals were not taken, as of course they would not be under the circumstances here outlined.

Such was and is the situation. The citizenship act of 1924 created a trouble in the mind of the Indian Bureau. Possibly these citizen Indians were entitled to constitutional rights. In that case, perhaps an Indian might institute suit for false arrest or imprisonment or even kidnapping?

As a matter of fact, such suit was threatened in New Mexico last summer, and a number of incidents caused the Bureau to draft a bill, H.R. 7826, which, if constitutionally upheld, would have clothed the Bureau with congressional authority for continuing all the practices above told.

H. R. 7826 is not analyzed, having been often reported on. Broadly, it legalized, on the assumption that Congress constitutionally could legalize, the whole body of atrocities herein described. The contest over this measure aroused nation-wide interest and brought nation-wide denunciation against the Indian Bureau. The disposition of the House Indian Affairs Committee to report the measure though with euphemistic amendments, was pretty clearly manifested throughout (the bill had been introduced by Chairman Scott Leavitt and not as a "by request" measure.)

At the end of prolonged hearings, H.R. 7826 was amended but not in such fashion as to make it acceptable otherwise than in a literary manner. At the measure stands now, the Indian Bureau still would determine judicial procedure, nor does the measure prohibit the Indian Bureau from using the tyrannical powers which always have been used and are being used, which are not authorized by any particular statute and are not outlawed by this proposed statute. The bill in its present form shows an intense wish to avert public indignation while maintaining the kind of situation that would be satisfactory to pirates, exploiters of the Belgian Congo, or a legally empowered bureaucracy of hooded gentlemen.

A day in court for Indians; the Bureau says "No".

Meantime Congressman Frear introduced a bill which had been drawn by the A. I. D. A. Inc. in cooperation with the Indian Rights Association and which was endorsed by the organized Indians, the federated women, etc. This bill went to the Judiciary Committee and one hearing was held. The Indian Bureau opposed it on the sole publicly stated ground that to give the Indians due process of law would cost money. The bill applies the federal and state laws to Indians, placing jurisdiction under the federal courts and under Indian law-enforcement magistrates named by and responsible to these courts. In the court's discretion, the bill provides that tribal custom may prevail and tribal authority be exercised to maintain law and order. (The Leavitt bill outlaws Indian custom marriage and divorce and deprives the tribes of all authority and power in matters of conduct, thus reversing the Indian policy of Congress as that policy has existed for a century and has been repeatedly defined by the courts, although the Indian Bureau has driven roughshod over the congressional policy.)

The Indian Bureau opposition sufficed to prevent action on the Frear bill in the House; hence action in the Senate was useless.

At this point the nature of Indian Bureau control over legislation should be mentioned. It is a control primarily through the House Indian Affairs Committee and through the sub-committee on Appropriations of the Appropriations Committee having to do with Interior Department appropriations. The control is based on log-rolling methods; on the playing of the local interests of a number of congressmen against the independent efforts of any one congressman, with the consequence that a congressman to obtain what he legitimately seeks for his Indians or white constituents must obey the Bureau in matters affecting the Indians in all other constituencies.

The Bureau has always used this method ^{of political control of legislation} successfully, but its perfect development has come since 1914 during the regency of Assistant Commissioner Edgar F. Meritt, the genial, intelligent and serviceable master-manipulator of Congress and the permanent chief of the Indian Bureau bureaucracy. |||

The Indian Bureau further persuades congressmen through an interesting propaganda system, and through the pressure of financial, denominational and other special interests whose activity is part of the "system". There is no space here for extending the description.

Preliminary success

What success is indicated by the above record of apparent failures in the matter of Indian civil rights?

1. The complete blocking of the Bureau's bill, H. R. 7826.
2. The fact which has been understood from the beginning, that the Senate Indian Affairs Committee never would report such a bill and that the Senate would instantly tear it to shreds were it reported.
3. The fact which has been understood from the beginning, that the House, if H. R. 7826 were reported, would similarly tear the measure to tatters.
4. The tremendous expression of public opinion indicating that the American people expect the Indians to be given civil rights and are going to demand it.
5. The splendid unity of the Indians themselves, although under great pressure from the Bureau, their owner, in opposing the Bureau's measure and exposing it. (See the April 23 speech of Congressman Frear, reprinted).
6. And finally and most important, the Indian Bureau has been "smoked out". It has been forced into an open position of denying and denouncing and actively refusing to permit the grant of elementary civil and human rights to our Indians.

In Indian affairs it is only a question of being able to join the issues simply and squarely. The outcome is certain when this is accomplished. The issues are squarely joined in the whole matter of civil liberty of Indians. The Indian Bureau says they shall not

have any civil liberty; and demands that its unrestricted power to govern their lives by unpublished administrative decree, carried out through irresponsible subordinate employees, in a manner flatly against the Constitution, shall be perpetuated and even clothed in a de novo Congressional authority.

INDIAN OIL LEASING AND EXECUTIVE RESERVATIONS

The struggle on this subject has been the outstanding Indian event in this Congress, and the victory is by far the most clear-cut and important in Indian affairs of many years.

The background is exhaustively covered in bulletins of this Association and in the several Frear speeches (reprinted) and particularly in the document by Dr. Haven Emerson and Mrs. H. A. Atwood, introduced into the Congressional Record by Senator Wheeler and reprinted. Therefore, the measure which the Bureau endorsed is but briefly characterized, as follows:

It gave 37½% of the oil revenue from three-fifths of the Indian land in the entire country to the States, with an ineffectual proviso that the money should be used for Indian welfare.

It presumed the absolute ownership by the United States Government of the oil and the earth out of which it came; thus presuming the absence of any degree of Indian ownership; thus declaring that the Indian executive reservations are nothing but public lands; thus inevitably pre-determining a future ruling by the Supreme Court to the above effect; thus preparing the way for an expropriation of the Indians from more than 22,000,000 acres of coveted land; thus leaving with the executive, i.e. the Indian Bureau, the power to declare Indians trespassers and herd them off their land like cattle whenever sufficient pressure of covetous interests was brought to bear.

The Bureau and the oil lobby were confident

Endorsing this measure, Commissioner Burke stated that it was a compromise which he was forced to endorse in order to keep faith.

In the beginning, the entire atmosphere indicated that the passage of the bill was ensured, and the lobby of oil interests were 100% confident.

A frontal attack was made on this measure, through publicity, through a very dramatic Forum meeting in Washington, and at the House and Senate hearings. This attack was not made in a rhetorical way but on the basis of facts, analyses, and law, and nowhere was a disproof of any of the charges furnished. Commissioner Burke (details below) engaged in fulminations but not in a relevant retort.

A search of Congress failed to discover more than a few men either in the House or Senate who were demanding that the Indian Bureau should "compromise". Evidently the "compromise" to achieve that which Albert B. Fall had attempted by administrative order and which Attorney General Stone had defeated through his ruling, was not a compromise with the political representatives of the people.

The reservations were walled off

Back on the reservations there was much excitement, but all efforts to reach the Navajo tribal council and ask what it really was recommending proved futile; the correspondence promptly arrived at the desk of Commissioner Burke. Similarly the Zuni Indians were prevented from expressing themselves, copies of the Congressional Record containing the discussions being taken away from them by Indian Bureau police. The other Pueblos acted vigorously.

But this is what came about

Immediately countering the Hayden-Bratton bills (endorsed by the Indian Bureau), Senator Cameron and Representative Frear introduced bills segregating all the royalties to the Indians and safeguarding the Indian title. The principles contained in these bills have been incorporated in the bills at this writing pending in both Houses, mentioned below.

Greatly telescoping the narrative: the House Indian Affairs Committee reported the Hayden bill, rectified in the detail of the disposal of royalties, but made worse in that the several hundred invalid Fall order applications were validated, thus depriving the Indians of extensive royalty and creating the implication of the absence of Indian ownership over the executive reservations. Then the Senate Committee reported the Cameron bill, in whose drafting Senator LaFollette had been coordinately active; there was only one dissenting vote in the Committee. The Cameron bill goes beyond the original Frear-Cameron bills, and incorporates the substance of two supplementary bills introduced by Frear and Cameron designed to safeguard the Indian ownership in executive reservations.

Then the House Indian Affairs Committee renewed its consideration and, with an almost unanimous vote, decided to change the Hayden bill as reported by itself, conforming it in all essentials to the Cameron bill as reported in the Senate.

Having found that they could get nothing unless they took the Cameron and the amended Hayden bill, the oil interests have now thrown their strength behind these measures, while the Indian Bureau has become at least quiescent. The Senate after an instructive debate passed the Cameron bill, June 8. The House will concur if a vote can be had.

The importance of the victory

The above narrative summarizes not only a great material victory for the Indians and for the cause of justice, but a strategical outcome of highest significance. The Indian Bureau system is a conglomeration of bureaucratic and underlying financial and financial-political interests. The largest project of Albert B. Fall came before Congress in this year, 1926, with the unified support of the "system" as thus described; it was combatted by the unified friends of the Indians and the Indians; and in a prolonged and public debate, and through extended hearings where every technical issue was threshed out, the Indian Bureau system was completely defeated. Indian affairs history contains no precedent for this.

Another feature stands out as of historical importance. Throughout the debate it was acknowledged by all the friends of the Indians that the ultimate power probably rested in Congress and in Congress alone; that if Congress desired to expropriate the Indians it probably had the power.

Congress accepts moral responsibility

The action, to this date, by Congress, which is a recognition of moral right as being fully as effective as legal right, is not quite unprecedented; for reference must here be made to the New Mexico Pueblo Lands Act which occasioned a prolonged and sensational conflict beginning in 1922.

It will be recalled that the attempted confiscation of Pueblo land titles was begun by Secretary Fall, Commissioner Burke and Senator Bursum; that this scheme was defeated after a warlike controversy, with hearings even more extended than those recently devoted to the oil bills. Thereafter, at the end of further hearings, Congress in 1924 adopted the Pueblo Lands Act, which incorporates the principles which had been enunciated by the Pueblo Indians themselves, and by the American Indian Defense Association and the General Federation of Women's Clubs. Reference is here intended only to one feature of the Pueblo Lands Act. The Pueblo Indians did not lose their land through a violation of treaty by the United States. They lost it through the negligence of the United States as their guardian. In other words, their power to recover compensation for lost land from the Government, is not ascertainable under the terms of treaties. Heretofore, all assertions by the Indians of the right of compensation for lost lands, etc. have depended on treaties; but three-fifths of the Indian land is not of the treaty type.

In the Pueblo Lands Act, Congress explicitly legislated that the loss of Pueblo lands by the Government as guardian, if demonstrable in the courts, should become the basis for a claim for compensation to the Indians, and this claim, if sustained by facts, should be met by an award of money damages which would be a judicial finding against the Government, exactly on a parity with awards made by the Court of Claims where treaty violations are demonstrated.

The far-reaching precedent created by this feature of the Pueblo Lands Act is realized when the outcome of the Indian oil bill struggle is contemplated; for the essence of this latter victory, as in the Pueblo Lands Act, is a recognition by Congress of the binding character of an obligation essentially moral, and its translation by Congress into a legal right in the Indians and a legal obligation upon the Government.

If the friends of the Indians through these years of effort had done no more than establish this decisive principle in Indian affairs, their activity would have been worth while.

THE INDIAN BUREAU'S ATTEMPTED "COME-BACK"

The intensity of struggle over the oil bill made it politically necessary for the Indian Bureau to attempt to meet the charges which

had been formulated against it. These charges had been made in extenso by Congressman Frear in a series of speeches on the floor, by the A. I. D. A. Inc.; and in their most serious parts, by the Indian Welfare Committee of the General Federation of Women's Clubs. The charges had been accompanied with proof, although the unused material available for proof far exceeded that which had been employed.

Commissioner Burke on April 10 attempted the "come-back". His speech was published in the Congressional Record and has been printed by the House Indian Affairs Committee in a document of 88 pages.

For information about Commissioner Burke's speech, reference is made to Mr. Frear's reply of April 23 and to the reply by Dr. Haven Emerson and Mrs. Stella M. Atwood of May 26.

The dramatic finishing-off of Commissioner Burke's attempted reply was made impossible through the refusal by the House Indian Affairs Committee to permit any rebuttal. It is anticipated that Commissioner Burke and his critics will be enabled to confront one another before an impartial tribunal of Congress and under oath, ere the approaching short session of Congress has ended.

This much can now be said. The Bureau replied to more than twenty charges of very grave character, by ignoring all except three of them - ignoring them absolutely; by building up a cloud of invectives concerning the three which were dealt with, wherein there is not found any answer to the charges. The charges are not even controverted; the method of argument is that of proving that one fact does not exist by asserting that another unconnected and irrelevant fact does exist. And finally, the Bureau, for one last time, undertook the defamation of its critics, but again it remained completely unspecific.

However, those who receive this bulletin will have received the basic documents, and further characterization is not useful here. But a word concerning the Indian Bureau's propaganda methods may be useful.

Fictitious announcements of improvement

A sample is the announcement broadcasted this spring, of a complete reorganization of the Indian Bureau medical system. That the reorganization, under actual financial conditions, was impossible; that nothing more than one additional survey, following antecedent health surveys into oblivion, was really programmed; that the Indian Bureau in the face of heartbreaking disease conditions and shocking disease menaces among the Indians, had actually asked Congress to reduce a health appropriation totalling only 42¢ a year for each Indian: these facts did not prevent the heralding from coast to coast of the great news of a reorganized, regenerated Indian medical service. At this writing, that fictitious announcement by the Indian Bureau has blocked the attempt to secure from philanthropic sources clinical assistance for the sorely distressed Pueblo of Taos.

for all field services

A current instance is the news-release by the Bureau, to the

effect that an entirely new scheme of Indian administration has been agreed upon. Investigation disclosed that some recommendations had been made by Indian Bureau superintendents and Commissioner Burke had expressed his sympathy. Among these recommendations was the following as an example: that the children in Indian Bureau boarding schools should be allowed to do educational work three-fourths of the day and drudge work, such as mopping the floors, washing dishes, cooking, and laundry work, only one-fourth of the day (instead of half of each day as at present). Yet no increased appropriation was asked or obtained, to provide hired substitutes for this child labor. The reform neither exists nor is contemplated, but the United States has been officially told that it, along with a general and equally fictitious reconstruction scheme, has actually been adopted.

This Indian Bureau custom, of fabricating any news requisite for calming the public, has penetrated to the moral core of the Bureau's activity; it has come to take the place of any striving for results, or any concern about the Indians as living beings. It is a comparatively recent development of Indian Bureau methods, and accompanies the systematic concealing of facts as instanced by the suppression of important documents like the Red Cross health report on Indians and the invaluable reports made from the field by superintendents, school principles, and doctors in the service. (See Representative Frear's speech, April 23, reprinted.)

The Bureau's propaganda of injury

Members of the Indian Defense Associations are familiar with the activity of defaming the Indians which went on, beginning in 1923, until recently, through the confidential circulation of pornographic material, uncorroborated and fantastic, collected and photostated through Indian Bureau initiative.

They are familiar with the circulation to a "selected list" of the defaming attack by Mr. "Pussyfoot" Johnson, in which, among other things, it was charged that the Indian Defense Executive was promoting drug addiction among Indians, and the Pueblo villages were described as Sodoms or Gomorrahs. Thus the Indian guardian looked after his ward; it was the Bureau which circulated Mr. "Pussyfoot" Johnson's libels.

Readers of Commissioner Burke's defense of the Bureau, April 10, etc. will find on page 77 thereof an alleged literal quotation from a bulletin of the American Indian Defense Association of March 1, 1926. Examining the quotation, they will get an impression of a curiously loose and ungrammatical English, and will marvel at the inaccuracy of a bulletin which wholly misdescribes paragraph 1 of the Bureau's Indian oil bill, even stating that this paragraph relates to subject-matter with which it does not remotely deal.

Bewildered by this quotation, we searched our files and corresponded with Mr. Burke. Enough to say, that a very important bulletin on the Indian oil bill was in fact issued March 1; that Commissioner Burke's quotation, by whomever given him, is garbled from this, with the inaccuracies and illiteracies above

mentioned. And in addition Mr. Burke's quotation carries the figures "425" in place of "25", inserted into a space on a line which, because of a typographical error, had been left blank on the mimeograph stencil from which the bulletin was printed.

By whom, and by what means, or how innocently, this complicated garbling of a widely circulated bulletin was achieved and perpetrated on Commissioner Burke, we do not know. But this passing subjective triumph is seemingly dear to the Bureau; for in correspondence it has been pointed out to Mr. Burke that the error as he gave it is meaningless in view of the oil bill's text, and is further meaningless in the light of the context of the bulletin in question. But there has been no correction.

Hence we are led to cite another incident, this time a picturesque one.

Soviet Moscow financing the Indians

In October, 1925, the papers carried a news release attributed to the Indian Bureau. This release stated that the Pueblo Indians' effort at self-defense (at self help before the Pueblo Lands Board and the protection of Pueblo religion from Indian Bureau interferences) was financed by Soviet Moscow. Anonymous Indians had been examined, said the news release. Anonymous investigators had obtained unspecified admissions of Soviet Moscow money from these anonymous Indians. Other grotesque statements were made, and this news release appeared with headlines covering the whole front page of a New Mexico daily.

Then on November 30, Commissioner Burke appeared before the House Appropriations Committee and said, speaking of the Pueblo activity: "We gave out a news release. It went to the press of the country and yet they are continuing."

The reporter who had obtained this release from the Indian Bureau headquarters at Santa Fe stated that it was in fact official. No Bureau news release except the Soviet Moscow libel had appeared; hence the Secretary of the Indian Defense Association wrote Commissioner Burke, asking for the text of the news release of which Commissioner Burke had been thus proud, though he had lamented its ineffectiveness.

Where to Commissioner Burke replied that in testifying before the Appropriations Committee he had been altogether mistaken. There had been no news release at all; the news release "which we gave out, and it went to the press of the country" did not exist, never had existed.

An institution which uses this kind of propaganda is, of course, tangled in its own net. Its capacity for adaptive behavior is lost; it reels like a drunken person, gnashes its teeth rather than employing efficient weapons, and inflicts its bitterness of heart on the Indians who, until now, have been in a position of dependent inferiors, spiritually as well as physically owned by the "system"; even as they still are in fact and in law.

REPARATION TO THE INDIANS OF CALIFORNIA

Effort believed to have produced fundamental results has been carried out in this matter. It involves some measure of restitution to the surviving 20,000 Indians of California, for the limitless wrongs done to them and their fathers under United States guardianship. The Washington activity has been instrumental on behalf of the California and Wisconsin branches. The assistance of Dr. C. Hart Merriam of the Smithsonian Institution has been invaluable at all points. The Indian Bureau and the Budget Director had reported against the Kahn bill, so that enactment at this session was not anticipated. But a voluminous printed record was made, which will be the foundation of next winter's effort for California's Indians (printed hearings of the House Indian Affairs Committee).

PERMITTING THE STATES TO HELP THEIR INDIANS

The Johnson-Swing bill from California, drafted by the Indian Defense Association of Central and Northern California, in cooperation with the Commonwealth Club of California, was introduced February 3. An identical measure affecting Wisconsin was introduced by LaFollette and Cooper.

After two months, Interior Department endorsement was obtained for these bills. After another seven weeks, the Comptroller General's endorsement was obtained. It can be stated that the Indian Bureau was heartily reluctant, but its overt action was necessarily controlled by the Secretary of the Interior's endorsement.

Thereafter, a hearing was obtained before a Senate sub-committee. LaFollette chairman. This record hearing will shortly be printed. The bills as drafted by the California workers remain substantially unaltered.

Their importance equals that of any measures that have come before Congress affecting Indians. They will be a main Indian issue before the next Congress and almost certainly will become law. They transfer to California and Wisconsin, as the experimental beginning of a general policy, the control over Indian education, health, social welfare and all personal service, and all the federal monies appurtenant thereto. These bills do not affect the status or control of Indian property; they make the needful distinction between guardianship over property and the wide field of personal and human services. The reform of the property guardianship is left to other bills.

Usually there are conflicts between the Indians and their neighbors in matters of property. But in health, education, the relief of destitution, etc., and general human welfare, the Indian and white interests are parallel. These bills will pass over to the states the money for this latter type of services, and full responsibility for them. It is hoped that the states will make appropriations supplementing the inadequate federal grants, but such action by the states is not made a condition in the Wisconsin and California bills.

TOWARD THE NEXT CONGRESS

The foregoing recital leaves much untold. Hundreds of bills affecting Indians were introduced at the session now terminating, and probably 75 will have become law. Such is the record of every Congress. The difference at present is in the fact that initiative in Indian legislation - in all the large questions - has passed from the Indian Bureau, which has been a systematic misleader of Congress, to the friends of the Indians in and out of Congress and, in no small measure, to the Indians themselves. The momentary defeats here narrated have contributed to the destruction of Indian Bureau prestige, quite as largely as have the victories.

The rank and file both in the Senate and the House are open-minded, progressively and generously disposed toward Indians. The Senate Indian Affairs Committee in the present session has been consistently independent and constructive in its policies.

The Congressional investigation demanded by Representative Frear (speech of March 4, reprinted) was not obtainable in this session, partly because of the Indian Bureau's still-dominating position in the House and partly because neither Senators nor Representatives were willing to serve on an investigating committee across the election period. The demand for an investigation will be renewed as soon as Congress meets in December, and there is every reason to believe that an investigation by the Senate, through a committee empowered to subpoena witnesses and hear testimony under oath, will be promptly obtained.

The investigation will make possible such an exposure of the existing situation as will startle the whole American public into full realization of the need for changes going to the root of the Indian system.

Simultaneously with the investigation, and whether or not there is an investigation, bills dealing constructively with the entire Indian situation will be introduced. The principles on which these bills are to be constructed, are indicated in the measures introduced already, but these principles will be applied comprehensively (reference is made to the A. I. D. A. bulletin of June 1, - "The Indian Policy of the United States. The Three Historical Stages and their Outcome in the Present. Future Necessities.")

Complete results are not to be looked for in the short session ahead; but in the long session following, with a newly elected membership in the House and the cumulative effect of the work which will be unremittingly pushed on, a final legislative settlement of the Indian question is to be expected.

II ORGANIZATION ACTIVITIES.

The work done inside Washington, while indispensable, could have produced few results unless reinforced from many parts of the country. This reinforcement has been provided with ever-growing strength from New York, through the directorate and mem-

bership there; from Wisconsin through the branch organizations in Milwaukee and Oshkosh, with a membership more or less state-wide; from California through the Central and Northern California branch, the Santa Barbara branch, and the Southern California branch. California, in addition to field work among the Indians, and technical legal work and publicity, has continued to bear the main financial load which includes about \$10,000 a year for legal aid to the Pueblo Indians.

Very close cooperation has been maintained with friends of the Indians in Arizona, in Oregon, and in Utah; with the Indian Protective Association in Montana and the Indian Relief Committee in Minnesota; and with various influential leaders of the Oklahoma Indians.

From beginning to end of the session, cooperation has prevailed between the American Indian Defense Association and the Indian Welfare Committee of the General Federation of Women's Clubs and the Legislative representative of the Federation.

In three important matters there has been an almost daily team-action with the Indian Rights Association. These matters have been the attempted reform of horrible conditions at Yuma, Arizona; the defeat of the Indian Bureau's civil and criminal jurisdiction bill; and the defeat of the Hayden-Bratton Indian oil bill and promotion of the Cameron-Frear oil bills.

In February, the National Council of American Indians was organized by numerous delegations then present in Washington. Close cooperation has existed at all times between the Indian Defense Association and the National Council of Indians.

During the latter part of the session, the organization of the Six Nations (Iroquois) came into cooperative relationships with the A. I. D. A., Inc., for legislative action.

Above all, mention should be given of the help of the National Popular Government League, through Judson King, its director. Whether the need was office space without rental, or contact with publicity sources, or contact with members of Congress, or advice regarding political strategy or technical matters like the hydro-electric development on Indian reservations - at all points and without stint Mr. King has given his help.

Such united action by numerous organizations makes possible a distribution of the load which otherwise would be crushing on any one of the organizations. And it gives to Congress a feeling that the persons most concerned (the Indians) and the friends of the Indians who have longest lived with the problem, are united in their legislative program.

It would be out of place to refer to the individual members of Congress, many of whom have made of the Indian question a leading concern unselfishly attended to.

A CALL FOR INTENSIVE EFFORT

There are thousands - potentially even millions - of Americans who would act to help the Indians and cleanse our national honor, if they believed a real victory to be possible.

How slight a beginning is represented by the report here given, is best realized by those who are nearest the struggle. Yet enough surely has been accomplished, and in the fact of the maximum resistance to reform that can ever be developed, to guarantee a victory final and, to the Indians, glorious and almost incredible. There is only one condition - that the effort of three years gone by shall be maintained and increased.

Financial help is more needed than ever before. There is no reduction of activity between sessions of Congress. The field of activity is the reservations rather than Congress. In the months ahead, not only must work be pressed unrelentingly to obtain the facts for use in December, and to assist the organization of Indians for their own mutual aid, but organization work throughout the country must be pressed forward. Publicity must be continued without diminution. The legal service to the New Mexico Pueblos must be kept up, for upon that depends in greater or less measure the material and spiritual future of these tribes.

Many cannot assist financially, yet desire to help. There are ways for every person to help. This report exhibits only a little part of the field of work and is not intended to prescribe how citizens individually or in groups can lend their assistance. Branches of the American Indian Defense Association are needed in all parts of the country; or independent bodies by whatever name, if only they seek Indian welfare and are ready to do fundamental thinking and practical work. The Washington and Pacific coast offices of the Defense Association will furnish literature and suggestions to any interested citizen.

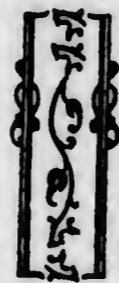
JOHN COLLIER

The American Indian Defense Association, Incorporated

President: Dr. Haven Emerson
Treasurer: Robert Ingersoll Brown
Treasurer for California: Max L. Rosenberg
National Executive Secretary: John Collier
California Executive Secretary: Alida C. Bowler

Washington office: 637 Munsey Bldg.
San Francisco office: 1010 Mills Bldg.

Indian Life Dinner



At the Town Hall Club, 123 West 43rd St.,
New York City.

On Wednesday, June 2nd, 7:00 P. M.

Under the Auspices of the Board of Direc-
tors of The American Indian Defense
Association, Inc.

Recd. May 22, 1926
C. W. ...

Presiding



DR. HAVEN EMERSON

President of the Association. Head of the Department of Public Health
Administration of Columbia University.

Speakers



Rabbi Stephen S. Wise, who was a member of Secretary Work's
Committee of One Hundred on Indian Affairs.

Gertrude Bonnin (Zit-kala-Sa), President of the newly formed
National Council of American Indians, a member of the Sioux Tribe, a
profound student, brilliant author and speaker on Indian life and prob-
lems.

Laura P. Kellogg, a member of the Oneida tribe, organizer, author,
and chief executive of the Six Nations—the Iroquois.

John Collier, Executive Secretary of the American Indian Defense
Association and legislative spokesman for the Pueblo Indian Tribes.

Committee on Arrangements



ROBERT ERSKINE ELY

ROBERT INGERSOLL BROWN

HELEN FITZGERALD

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American Indian Defense Association, Inc.

1927-30

American Indian Defense Association, Inc.,
214 Munsey Building, Washington, D. C., Feb. 7, 1927

THERE IS NO RIVAL TO THE INDIAN BUREAU

(From Brief for the Plaintiff, Jackson Barnett Case, District Court of the United States, Southern District of New York, December, 1926.)

"They set up that Barnett and his estate were under the exclusive jurisdiction and control of the Secretary of the Interior, that the Secretary's action in the premises is conclusive, and that none of the acts of the Secretary can be questioned or reviewed by this or any other court. This contention they press even to the point of contending that the Secretary was the sole judge of Barnett's mental competency and that his mental competency 'is not a matter that is the subject of proof nor of the judgment of any witness or any court' (see Objection at pp. 12, 13 of Plaintiff's Henryetta Depositions), and that no official of the Department of the Interior can be examined with respect to the transaction (see Objection at pp. 2-4 of Plaintiff's Washington Depositions)."

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THE INDIAN BUREAU'S ACCOUNT OF ITSELF. ADDRESSED TO THE
AMERICAN PUBLIC. FROM RADIO RELEASE NO. 70, OF THE UNITED
STATES CIVIL SERVICE COMMISSION

"The Indian Service is unique among the Government organizations. There is nothing else like it in this country. It has been called a government within a government.....

"The Indian Bureau is the great social service organization of the United States Government. It is one of the largest educational institutions in the world. It is a combination probate court, trust company, agricultural and live stock corporation, mining company, oil concern, timber organization, public health service, irrigation promoter, public roads commission, developer of natural resources, purchasing agent, town builder, municipal court, police department, board of county commissioners, orphan asylum, relief and aid society, philanthropic association, bank and employment agency. And this list of the manifold activities of the Indian Bureau is by no means complete.

"The Commissioner of Indian Affairs stands in the relation of father to the biggest family in the world, for he has direct, almost intimately personal, supervision over the affairs of more than 240,000 men, women and children. The signing of his name to an order can bring happiness or unhappiness to thousands of Indian homes in a single day, for the ramifications of his office reach to the very center of the family circles of the people under his care".

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It is submitted that the above entirely accurate statement describes such a dictatorship as the world has never seen. Napoleon at one moment of his career, and Mussolini, may theoretically have possessed, or may now possess, equal power (though both could claim that the power had been given them through forms of consent by the governed peoples). But their dictatorship never underwent the exhaustive, inescapable elaboration, through a hundred years of time, which the Indian Bureau's dictatorship has undergone. And their dictatorship was sustained by their appeal to the imaginations of their people, for a grandiose moment within a course of swift change. It was an incident in a great effort of will by their peoples; the Indian Bureau dictatorship is a lifelong crushing of the will of a race which never consented to the dictatorship.

THERE IS NO ANCIENT OR MODERN RIVAL TO THE INDIAN BUREAU.

American Indian Defense Association, Inc.,
37 Bliss-Building, Washington, D.C.
December 14, 1927.

From John Collier

INDIAN BUREAU--STATISTICAL PLAYBOY OF THE WESTERN WORLD.

It was believed a year ago that Secretary Work had appointed a statistical guardian over the non-competent Indian Bureau. The Indian Survey Committee of the Institute for Government Research began its labor.

These labors have extended to the present, and the Survey Committee's report is finished and will soon be delivered to Secretary Work.

But the Indian Bureau continues to "run wild!" The Bureau's Annual Report has just come from the press. The Bureau's Statistical tables a year ago were amazing. This year they are dumbfounding.

The non-competent Bureau--presumably fleeing from the Statistical guardian--runs wilder than before.

The subject is not academic. Squarely before Congress the issue is placed, ten months ago: Is the Indian enormously rich and getting richer through the Bureau guardianship? That is what the Bureau claims. Or is he very poor and getting rapidly poorer through acts by the Bureau Guardian who is immune from court review? That is what the Bureau's critics asserted, and appeared to prove out of the Bureau's own detailed records.

Here there is involved no question of the handling of Indian property by Indians. No question of Indian Squandering Indian property. The Indian Bureau's figures, and the figures adduced by its critics, relate solely and absolutely to Indian property held in trust by the Indian Bureau, controlled by it with a czar's powers, accounted for to no court, and saved or squandered by the Guardian--the Guardian alone.

INDIAN WEALTH--HUGE AND GROWING: THE BUREAU'S STATEMENT.

The Indian Bureau's 1926 claim was stated as follows by Edgar B. Meritt, Assistant Commissioner: (Footnote 1.)

"The per capita wealth of the American Indian is nearly twice as great as the per capita wealth of the other citizens of this country.....The per capita wealth of the American Indian is approximately \$4,700.....The Indians have today more property and this property is more valuable than ever before."

(1) Written statement to the "Oakland Forum", California, Dec. 1, 1926.

Recd. Dec. 17, 1927

Commissioner Meritt's words "rang round the world!" That was a picturesque idea: poor Lo, who had become the nation's and the world's plutocrat.

The Bureau's statistical totals more than upheld Mr. Meritt's claims. They showed an Indian wealth increase (total Indian property under Bureau guardianship) of 67% between 1923 and 1926; 119% between 1922 and 1926; it was \$1,010,000,000 in 1923; and \$1,693,000,000 in 1926. (Footnote 1.)

Mr. Meritt in his written statement omitted all hint as to how the Indian wealth increases had been determined. The Bureau's statistical table carried a small-type footnote, informing readers who might be very observant that the total asserted wealth of \$1,693,000,000 "includes \$1,033,000,000 estimated value of oil, gas, and other minerals."

Such was the Bureau's claim until its officials confronted their critics before the Senate Indian Affairs Committee, February 23, 1927. That day's hearings are printed, and copies are on hand for everybody. They reveal a propagandist's blunder of truly startling naivete. It seemed incredible that even the Indian Bureau had thus blundered; but, as will shortly be displayed, the Bureau in 1927 has "gone itself one better." Briefly:

THE DE-BUNKING OF INDIAN WEALTH.

The Bureau in successive years has published not only the alleged totals of Indian wealth, but the appraisements of the various special classes of Indian wealth. For example: The Bureau has published each year the appraised value of Indian allotted lands, held in trust; Indian homes, furniture, barns, etc; tribal and individual timber under Bureau trust; Individual Indian moneys in trust, and tribal moneys in trust.

These specific tables were introduced into the Senate records, and the outcome was thus summarized: (Footnote 2.)

" The Indian allotted lands held in trust have shrunk \$69,000,000 or 16.6% in four years, 1923-26, inclusive. The individual Indian trust moneys shrunk 36.6%, and the Indian tribal funds 18.5%, -the total shrinkage in four years has been \$122,000,000 but to this must be added the ever-mounting reimbursable indebtedness. (About \$31,000,000.) (Footnote 3.)

(1) P.52. Indian Bureau Annual Report, 1926.

(2) Po.38,39,46,47. Hearings on S.Res.341, February 23, 1927.

(3) The reader may exclaim: "This whole Indian Bureau showing is a fantasy. Nobosy knows whether Indian wealth has shrunk or increased." But these tabulations, the Bureau's own, were made during the year when it was seeking with elaborate care to prove an Indian wealth increase. The broad fact of Indian wealth shrinkage is provable outside of these statistics, doctored or true, of the Indian Bureau. (See, for example, p.47 etc. Hearings on S.Res.341.) This present article deals with the Indian Bureau's claims in terms of the Indian Bureau's own evidence.

The dwindling of a trust estate at four percent a year means its complete annihilation in twenty-five years.

To the above exposure and others far more grave, the Indian Bureau made no reply at the time of the Senate hearings. Now the Indian Bureau replies to this particular exposure. Its reply is contained in the statistical totals and tabulations for 1927.

(Footnote 1.)

POURING INDIAN GOLD FROM AN EMPTY HAT.

The exposure noted above had far-spread echoes. For example, "The Churchman" and "The New Republic" quoted it. A page of the San Francisco Chronicle was given to it, and a page of the Manchester Guardian, in England.

And the Bureau forces proceeded to meet the exposure. Their method shows that the playboy is continuing to run wild.

Through successive years, the Bureau had been concealing the rapid shrinkage of Indian wealth by throwing into its totals hundreds of millions of dollars of "estimated oil, gas and mineral wealth." For good measure, the Bureau had added other hundreds of millions of estimated oil and mineral wealth, thus pushing the Indian wealth up 119 % in five years. For additional good measure, the Bureau in 1926 threw in exactly one hundred million of still further increased wealth, accounted for by nothing that appears in any of its specific tabulations. This convenient method was rendered useless, once and for all, by the exposure in the Senate hearings.

So, what has the Bureau decided to do? It has cast aside its device of running the "estimated oil and mineral wealth" into billions. Instead, the Bureau declares that said wealth has shrunk—en seventy-two millions of dollars in the one year gone by. (Closer analysis of the Bureau's 1927 tables indicates an actual shrinkage of \$100,000,000 in this class of Indian wealth. The debunking of Indian oil, gas and mineral wealth has begun.)

But let no one bewail. The Bureau sustains our hopes through a method vastly more efficient than its method of the preceding years, now cast aside.

For the Bureau, leaving out all the estimated oil and mineral wealth, has added \$120,000,000 to the total of Indian land and timber and automobile and money wealth, etc. in this single year.

Until this very year just ended, the Indian capital wealth had shrunken, year following year, at four percent upwards a year. Now is poor Lo saved indeed; For his capital wealth (oil, gas and minerals being left out) has increased 18.7% in this single year. And a statistical technique has been devised which can add another 18.7% net increase as long as the Indian Bureau exists. Yes, even until the last Indian acre has gone into white possession.

(1) Pp. 223-241, Annual Report of the Secretary of the Interior, 1927.

It is hoped that at least some persons here and there will examine these Bureau tabulations. The Indian wealth in allotted lands is stated to have jumped \$65,000,000 in the year gone by (it had shrunken \$69,000,000 in the preceding four years.) .

The allotted Indian wards have developed a genius in thrift: Their moneys in bank and in the hands of Superintendents have risen from \$22,000,000 to \$73,000,000 in the single year (in the four preceding years these moneys had shrunken 36.3%). But this thrift by the Indians or the Guardian has not been a miserly thrift; for the investment of the Indian wards in "homes, barns, furniture, etc." has increased 66% in the one year just ended (the value of the "homes, barns, furniture etc. had diminished 28% in the four preceding years.)

Rejoice, Indians of the Northern New Mexico pueblos! Tesuque and Picuris, Santa Clara and Taos, rejoice! Your poor, lovely little mud houses and your roofless cedar-post corrals and your "furniture" are worth \$401,000. Exactly that sum! It is waiting for you on page 235 of the Bureau's tabulation. Just the Northern Pueblos, understand.

And Navajos of the Painted Desert: Your hogan-values are rising. They rose 37 % last year. We mean, your hogans and your furniture. They are worth \$422,500 today.

And the Chiefs of the Indian Bureau, rejoice! You have solved the Indian Problem. You dont have to reply to the King Resolution hearing charges! You have made your tabulations consistent with your totals. You have found the method of eternal progess for Indians and it can be as swift as your growing difficulty with Congress and with public opinion requires. It is suggested that you print a quarterly instead of an annual report; and that a regular speed of Indian wealth increment be standardized in regulations addressed to every superintendent and every clerk. A quarterly increase of twelve percent is suggested.

Your arrangement is not yet working at its best. You need to standardize,--standardize, the way you do when you mail the sealed examination questions, identical for Sioux children and Hopi and Cherokees of the Great Smoky Mountains.

For at present your Northern Pueblo superintendent appraises a Pueblo mud-house three and one-half times as high as your Southern Pueblo superintendent. (pss.214 and 235 of your Report.) And some Navajos are being awarded for their hogans and furniture a totally inadequate sum. It is true that the hogans of the Navajos of the Western jurisdiction jumped in value from \$1,400 to the round sum of \$50,000 last year; but the San Juan jurisdiction Navajos are still getting more than four times as much per hogan as the Western Navajos. These inconsistencies would not matter if it was only the Indians.....But there may be another King Resolution Hearing.

* Another Bulletin will deal with the Secretary of the Interior's report on the Indian Bureau, and with the Bureau's vital statistics for 1927.

The following statement was released to the Associated Press at Chicago, July 3, 1926, signed by the Executive Secretary of The American Indian Defense Association, Inc.

The President has vetoed the Indian Oil Leasing bill, by this action inflicting grave hurt upon the Indians, injuring the cause of conservation, casting the weight of his power behind the Indian Bureau against Congress, and wittingly or otherwise lending aid to one of the most ambitious schemes of the former Interior Secretary, Albert B. Fall.

The President rested his veto on stated grounds so indefensible that though they had been argued in the Committee hearings on the Oil Bill, they were abandoned by the bill's opponents when the debate was carried to the Senate and House floors. In essence, the President stated as follows: That under an Albert B. Fall order, subsequently held illegal by the Attorney General and reversed and made null and void, a certain number of investors had made heavy material investments; that a large number--over 400--had applied but their applications were suspended through the effects of the Attorney General Stone ruling; that the bill as passed by Congress allowed these twenty-odd bona fide investors to proceed with their enterprise, but extended no privilege to the applicants who had not invested, and this, in the President's judgment was inequitable. Translated into simpler language, the bill appeared inequitable to the President because it did not, at the expense of the Indians, turn over to 400 speculators 400 square miles of Indian oil land to be exploited at a royalty of only 5 per cent. Certain other minor considerations which Congress had, after months of debate, held to be unreal or irrelevant, were urged by the President in killing this most important, constructive and fair-dealing Indian legislation of many years.

The facts are here given because an issue is created by the President's action which involves the fate of 85,000 Indians and the possession by the Indians of 23,000,000 acres of land--three-fifths of all the tribal land remaining in the United States.

The bill which Congress had enacted replaced the objectionable Oil Leasing Bill which had been endorsed by the Interior Department and the Indian Bureau and successfully opposed by all the Indian welfare bodies and by the General Federation of Women's Clubs. This earlier objectionable bill exempted the oil companies from taxation; it confiscated, in effect, 37 1/2 % of the Indian oil revenue and made a gift of it to the States; in its form in the House, it validated the 400 illegal speculative Fall order applications; and as fully stated and acknowledged in the Senate and House debates, it went as far as legislation could go in destroying the Indian claim of ownership to the executive order reservations, three-fifths of all the remaining tribal land. The President's veto of the substitute bill which Congress adopted in place of this predatory measure, has the sole effect of reopening the opportunity for this gigantic confiscation and giving, at least by implication, Presidential endorsement to it.

Both Houses of Congress gave months to the open consideration of the rival bills--the predatory administration measure sketched above, and the substitute measure offered by Cameron and Lafollette in the Senate and by Frear in the House. Public hearings extended for weeks, a voluminous printed record was made, and discussion on the House and Senate floors continued for many hours. No open defense of the predatory measure was ever attempted, the only defense being that given by the Commissioner of Indian Affairs in stating that he endorsed the measure as a "necessary compromise". Commissioner Burke never revealed his facts as to why the "compromise", which was a complete surrender of Indian rights, was necessary, or with whom the "compromise" was being made.

Recd. July 8, 1926. - com

majority
The substitute bill which replaced this administration measure underwent exhaustive discussion in Committee and on the floor of both Houses. The Senate Indian Affairs Committee reported it with only one dissenting vote. It finally was passed without a record vote in Congress, so overwhelming was the informed ~~majority~~ favor of it. Every one of the essentially trivial and irrelevant objections raised since Congress passed the bill, by illegal applicants who, under the bill would be compelled to compete for their oil privileges, had previously been considered by Congress and rejected. The indefensible proposal to validate the hundreds of Fall-order applications, regardless of their non-investment had been rejected. The Indian Bureau, worsted in its advocacy of the earlier predatory measure, kept silence. No hint came from the White House. Only the speculators seeking to profit by the Fall order, and another group of speculators who this year have attempted to establish illegal filings, continued to make noisy opposition.

The bill which the President under these conditions has vetoed, was the opposite of the Indian Bureau-endorsed bill. It subjected the oil companies to taxation. It insured that all royalties and bonuses, after subtraction of the royalty share of taxation, would be deposited to the credit of the tribes. It required that the consent of the tribes be obtained for the spending of this money. It established the policy of selling the oil exploiting rights on the reservations to the highest competent bidder in place of granting them at a flat 5 per cent royalty for the first square mile under each claim filed. It rescued the lands which had been illegally filed on by the speculative Fall applicants. And, of the greatest importance, the bill prohibited the executive (which means the Indian Bureau) from tampering with the boundaries of reservations or abolishing reservations without the consent of Congress. Incidentally, as stated above, the bill authorized the bona fide investors already on the ground to go ahead if they could prove that they had made substantial investment.

This bill, substituted for the predatory bill sponsored by the Indian Bureau, represented the first measure of large justice affecting great numbers of Indians that has been passed for many years. The veto must be described as a premeditated and cynical blow against Indian rights, and a victory for the Indian Bureau and the oil speculators through the President after they had been crushed by the votes of Congress.

The struggle must be resumed in the next Congress. It will be in the power of the friends of American honor at least to see that the original infamous measure is not jammed through. But there remains a peril of the gravest sort, which for the immediate present is outside the control of Congress. The executive, through the veto of the Indian Oil Bill, has retained his power to alter the boundaries of Indian executive order reservations--to throw wealth out into the public lands for exploitation, and to make the Indians trespassers. And a litigation has been commenced by the oil interests, designed to obtain a Supreme Court ruling destructive of the Indian claim of ownership. Under the existing law, the Indians in this litigation must be represented by that same Department which gains its victory through the veto--and which previously endorsed the shameful defeated measure to confiscate the Indian titles. This dangerous and lamentable situation can be changed only if the policy of President Coolidge changes.

Dear Mr. Merritt. The Indian Bureau is still meditating on the new Deal Bill. When can we meet? JH

THE AMERICAN INDIAN DEFENSE
ASSOCIATION, INC.
37 Bliss Building,
Washington, D. C.

70th Congress Bulletin No. 7.

December 29, 1927.

UNCLE SAM, THE PATENT-FEE INDIANS AND THE
STATES AND COUNTIES.

A GREAT AND NEGLECTED INDIAN PROBLEM.

Place: The Senate Indian Affairs Committee.

Time: February 14, 1927.

An official delegation from Roulette County, North Dakota, is testifying. The Senate Chairman is Mr. Harreld.

"MR. STORMAN (of Roulette County): The poor relief of Roulette County has increased since 1916 from \$2,644.00 to \$17,314.02 for the last fiscal year, and \$22,358.00 for the fiscal year ending June 30, 1925. Of the sum during the last fiscal year, \$6,865.93 was spent for the white population and \$10,448.09 was spent for the relief of patent-in-fee Indians.

"The Government in issuing a patent-in-fee simply turned these Indians over to the County without the County having anything to say about it.

"The Government established an Indian reservation which was absolutely economically unable, under any circumstances, with any degree of intelligence which these Indians might have even though each and every one was a graduate of a university or agricultural college, to provide a living for these people upon that reservation." (Then the Government allotted this inadequate land and today, Mr. Storman continued:)

"1800 are patent-in-fee Indians and 1600 are wards. The Government granted these patents without any of the people in the local communities having a voice in the matter. They were thrown on to us and now we have the burden."

"The Indian officials tell us that they cannot give any relief or poor aid to the patent-in-fee Indians.

"CHAIRMAN: Why? Are they not wards of the Government?"

"MR. STORMAN: They say that no money can be spent under a ruling of the Comptroller General.

"CHAIRMAN: Is not the time coming when the Government will have to spend money on the emancipated Indians as well as on the unemancipated.

"MR. STORMAN: Absolutely and the time is here in our county.

Recd. Dec. 31, 1927

"CHAIRMAN: It involves the question of a new policy. The Committee is glad to have the information because it emphasizes the necessity of doing something along this line not only in your County but in several others."

Roulette County, North Dakota--A Sample and a Prophecy.

The fee-patent Indians numbered 11,402 in 1917; that number is larger now.

Many tens of thousands of this number are dependent or quasi-dependent.

The Indian Bureau has cultivated the belief that their dependency is due to the cessation of its guardianship. Some of these Indians have indeed parted with their allotted land unwisely, but their dependency is due to numerous causes, among them being the following:

Wastage of their land and funds held in trust, not through their acts but through the guardian's acts;

Unwise per capita payments from their tribal funds, doled out in such manner as to insure the prompt dissipation of these funds or their absorption into the payment of debts already incurred;

Virtually complete failure to give agricultural or industrial training to the Indians while they were wards of the Government; and, finally,

The thrusting of fee-patents on them against their own protest, under conditions where they possessed no capital for the improvement of lands which were instantly subject to taxation, mortgage and sale.

The above, among other established and generally admitted reasons, are stated without being argued in this document, because our present purpose exclusively is--

TO POINT THAT THE PATENT-IN-FEE INDIAN PROBLEM IS HEAVY AND RAPIDLY GROWING IN OKLAHOMA, NORTH AND SOUTH DAKOTA, MINNESOTA, MONTANA, UTAH, WISCONSIN, OREGON, WASHINGTON AND CALIFORNIA.

Some states and counties not yet as heavily burdened as Roulette County, will be more heavily burdened in a very few years, after the trust allotted lands are sold in the liquidation of inherited estates and the thousands of Indians now trust allotted, or their children, are dumped upon these localities.

Let there be no mistake. It is not only the states and counties which are victimized. The fee-patent Indians are frightfully victimized; Being held in a limbo where they are nobody's responsibility.

Almost it could be said that our present practice, under the peculiar circumstances surrounding it, is unconsciously designed as an instrument of destruction or torture, and a means for the creation of a special American class of "untouchables" comparable in its tiny way to that great sorrow and evil of Asiatic India.

As the Chairman of the Senate Indian Committee stated, "the question of a new Congressional policy is involved." That policy is the resuming by the United States of a guardianship responsibility for these Indians who should never have been thrust out from Government aid.

THE HISTORICAL DEVELOPMENT OF THE FEE-PATENT SITUATION.

The United States had treaty obligations with a great number of tribes. In no case did these treaty obligations contemplate the device by which the United States was able to whittle down the treaty obligations.

The United States was bound with these tribes by treaty but likewise it was guardian over them. And the Supreme Court, in the Hitchcock vs. Cherokee Case and other cases, decided that the guardian's device for reducing his treaty obligations was within his power as guardian. (The same procedure with identical effects has been pursued for executive order reservations.) The device was as follows:

A. A portion of a given reservation was allotted (under trust).

B. All or a large part of the balance of the reservation was thrown open to settlement, the Indians being compensated by an amount arbitrarily determined by Congress. (And in effect, Congress dealt with these unallotted reservation areas as public lands, and considered that the Indian interest in them was identical in kind with the Government's interest in public lands.)

C. Sometimes the amount, arbitrarily determined by Congress, paid to the tribes, went in per-capita payments to tribal Indians. Sometimes the funds were employed for the maintenance of the Indian Bureau. Sometimes they were used to finance improvements chiefly beneficial to the whites. The tribal assets thus have been enormously diminished. All of these three employments of tribal funds are still going on.

D. Then the United States fee-patented the trust allotments, and this action threw the fee-patented Indians out of United States guardianship and into a void. It would appear that Congress and the Indian Bureau never looked beyond that void!

E. But there was no void; the fee-patent Indians landed as charges upon the states and counties.

It is necessary to observe that in thousands of cases, it would have made no difference whether the fee-patented Indian had kept his allotment or sold it. He couldn't have effectively used it, being without experience and more especially being without capital.

But in any case, there are scores of tribes where only the lesser part of the individual's equity in the tribal estate was represented by his patent-in-fee land. For diverting the balance of his equity from him, other forms of law have been used.

F. Although admittedly the system of allotment, and particularly of fee-patenting, was a failure, and a gruesome failure in many cases, the United States continued to push right on with it, and the greatest speed of pauperization of Indians took place in the years just before 1920.

Meantime, through the peculiar methods of handling Indian allotted heirship property, the equivalent of fee-patenting was being arrived at for those lands still held in trust. Thus the total area of allotted land was diminishing (a) by fee patenting and (b) by sale of allotted heirship lands.

AND FROM THOSE THAT HAVE NOT IT SHALL BE TAKEN.

The total effect of the whole above process, has been the enormous whittling down of the original treaty obligations; and paradoxically, the Government has withdrawn its gratuity assistance first from those Indians who have suffered most from the whittling-down process. The Indian who still has got something still can have something done for him by the Government; the Indian who has got nothing any longer, or who was never allowed to have anything (such as thousands of Nevada and California Indians), must still go without! The Indian who gets may be only in small part Indian; the Indian who gets nothing may be a full-blood.

Meantime, owing to the concealing deviousness of the above process, the states and counties never received outright notification that increasing scores of thousands of Indians were to be or had been dumped upon them. No negotiations were carried out with the states prior to the act of dumping. No steps were taken to bridge the chasm between federal and local

responsibility. The Indians themselves were brought to the final dumping-off place without having been prepared for the new situation in any manner.

Hence it is only natural that the Indians remain bewildered, and that the state and county authorities refuse to admit any significant distinction between fee-patent Indians and those who still hold property in trust. There is no significant distinction. There is nothing but a course of action through which the United States has sought to escape its obligations without appearing to be seeking to escape them. This condition has become embodied somewhat in the Congressional tradition, Indian Bureau policy and in an opinion by the Comptroller and, apparently, in the policy of the Director of the Budget.

WHAT SHOULD BE DONE

First, the United States should be persuaded to resume the obligations which it never had any right to shed. Senator Frazier of North Dakota is sponsoring a measure meeting Roulette County's need and establishing the needed precedent.

Then, the fee-patent Indians should be brought within any and all Indian services just as in the case of Indians still having property in trust.

Then those states ready for the responsibility should plan a comprehensive educational, health and welfare service for both classes of Indians, to be carried out with Federal moneys transferred to the states, and supplemented wherever possible by state and county contributions.

Unless procedure be started along these lines, and hastened, each year will witness a large increase in such problems as are now troubling the states of Oklahoma, North and South Dakota, Minnesota, etc.; increasing thousands of Indians landless, propertyless, uneducated, unorganized, and yet ALIVE and necessarily demanding some sort of help from the local authorities or private charity.

He who runs may read what our Indian Bureau system of the past and present results in. The remedies lie with Congress.

Dear Mr. Warriner -

New Year's good wishes:

Tom Creech

THE AMERICAN INDIAN DEFENSE
ASSOCIATION, INC.

37 Bliss Building,
Washington, D. C.

70th Congress Bulletin No. 8.

December 31, 1927.

NEED FOR IMMEDIATE ACTION ON THE CALIFORNIA

COURT OF CLAIMS H. R. 491

(The New Johnson-Lee Bill)

The bill is discussed very briefly below.

It is now under consideration by the Interior Department and the Director of the Budget.

It is very desirable for the Indian Bureau and Secretary of the Interior to know that the bill is regarded favorably and that there is a widespread desire for prompt action on it. Therefore, letters dispatched immediately, addressed to Secretary Work or Commissioner Burke, will be helpful.

It will likewise be helpful if the members of the California delegation in the Senate and House are informed of the desire of California organizations that they shall interest themselves actively and make their interest known to the Administration.

If those who send letters, will furnish this office with copies, or at least with the information that favorable letters have been sent, some good use might be made of the information by this office.

The Johnson-Lee Bill H. R. 491

History

The bill has been developed out of the earlier bill which was drafted last spring in consultation with the Indian Office. California organizations will remember that the bill referred to was substituted for the earlier bills which had been variously known as the Raker and Lee Bills. The California legislature passed and the Governor signed an Act, authorizing the State, if in its discretion such procedure was desirable, to accept the task of presenting the Indian claims as attorney for the Indians.

The only substantial modification in the bill as now introduced (H.R.491, 70th Congress), is as follows:

The earlier draft fixed a value of \$2.50 per acre, and provided that the set-offs, to be deducted by the Government before payment of compensation, should be the total sum expended for Indian benefit in California.

The new draft reduces the acreage valuation to \$1.25, and correspondingly limits the set-offs to "specific appropriations" (Section 3 of the bill).

If the bill can be passed in the new form, the results will be approximately as large as, and definitely more secure than, the results under the earlier draft.

The factors are briefly as follows:

2. That the Present Bill Would Insure.

If acreage be assumed as 7,500,000, the acreage award at \$1.25 would be \$9,375,000. If the additional award (for undertakings of payment, made in the unratified treaties, never executed) be assumed as only \$1,000,000, the gross award would be \$10,375,000.

The Indian Office have just informed Congressman Lee that the total of specific appropriations (appropriations coming under the language of the bill, 1.13, p.3) is 4,150,403, including the current year. The net balance would therefore be \$6,224,597. (The statement of the total of specific appropriations by the Indian Office is probably definitive, inasmuch as the specific appropriations are matters of exact record. Note also that the bill provides that set-offs shall not accumulate after July 1, 1938)

The bill in its earlier form, on the above basis of computation, would have yielded a gross return of \$19,750,000. The total of off-sets seems to be a moot question but without doubt would exceed \$12,000,000, and almost certainly would be \$13,000,000, so that the net award would presumably not be above \$6,750,000 were the bill in its earlier form enacted. The off-sets might prove to be higher than \$13,000,000; and there is the undesirable element of uncertainty--of possible litigation to determine what off-sets would be appropriate.

3. General Merits and Demerits of the Bill.

These are not here discussed because the facts and considerations are well known in California. Certainly a total compensation of six or seven million dollars is not adequate. It is indefinitely inadequate. Yet long experience seems to prove that the effort to get largely increased compensation--one which could justly be called adequate--whether by methods of open gratuity or of suit for compensation for the whole area lawlessly taken from the California Indians, cannot succeed at any early date. Perhaps it can never succeed; at best there would be a long deferment.

It is the personal belief of the writer that the bill as now drawn would represent a great and admirable achievement if it could be passed. This means, of course, passed precisely as introduced, because a change in the wording about the set-offs could destroy the whole usefulness of the bill; likewise slight changes at other points in the bill could destroy the possibility of obtaining even a nominal recovery from the Court of Claims. It should be noted that the award would be placed in the Treasury subject to appropriation; and six or seven million dollars, if expended by a method of cooperation

between the Federal Government and the California state agencies, could do much toward providing land and industrial capital for the Indians.

Copies of this statement are being forwarded to the Brotherhood of California Indians, in consultation with which organization the negotiations at Washington and the actions at Sacramento have been consistently carried out.

Respectfully,

JOHN COLLIER

ITEM: To Avoid a Misunderstanding.

The organization (Board of Indian Cooperation) of which Mr. F. G. Collett is Executive Representative, is circulating among California Indians a statement, dated November 16, 1927.

This statement, asserting that 12,000 organized Indians are represented by its eleven signers, mentions the Chairman of Indian Welfare of the California Federated Women's Clubs, the officers of the California Indian Brotherhood, the Executive Secretary of the American Indian Defense Association, and one Buffalo B. Olney, as "scattering harmful, misleading and false information concerning the Court of Claims Bill." The resolution thereupon advises all of Mr. Collett's "Auxiliaries" as follows:

"That such persons should not be allowed to speak at any Auxiliary meeting or conference, unless so authorized in writing by all the officers of the organizations concerned."

"That letters and publications from such persons should not be read at Auxiliary meetings."

From the above it is not apparent whether Mr. Collett's organization is interested in fighting against the Court of Claims Bill above described, or against the Johnson-Swing Bill giving the State of California jurisdiction to assist its Indians in matters of health, education and relief. It is possible merely that Mr. Collett desires to prevent his Auxiliaries from being reached with the information that the Court of Claims Bill is not in Mr. Collett's hands; or that the compensation will not be \$100,000,000, more or less, and will not be distributed in cash to the Indians who are subscribers to the Board of Indian Cooperation.

In any event it is believed that all well-wishers of the Indians can unite behind the Johnson-Lee Court of Claims Bill and the Johnson-Swing California State Jurisdiction Bill.

The American Indian Defense Association, Inc.

[Objects: To secure to the American Indian just treatment from the Government and People of the United States and to promote his welfare]

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February 22, 1923.

To the Several Newspaper Associations:

An incorrect report has appeared in the newspapers of the Southwest, to the effect that this Association has conceded the passage of the Middle Rio Grande Pueblo Conservancy Bill and will not contest it before the President.

This Association, representing in the present case each of the six Pueblo Indian Tribes threatened by the Bill S. 700 in its present form, is seeking to obtain the amendment of the Bill into a form not unjust or ruinous to the Indians, and failing such amendment, its defeat or its veto. If the Bill in its present objectionable form becomes law, we will promptly seek its amendment.

This statement of firm opposition to the present objectionable Bill was made at the hearing before the Senate Indian Affairs Committee February 17. Formal meetings of the Eastern and Western Boards of this Association were held on the 19th and 20th, and at these meetings the opposition of the Association was reaffirmed with the utmost vigor.

We oppose the Bill in its present form because it represents a cynical and literal betrayal of faith and undertaking with the Indian Tribes;

Because further, it places on 15,000 acres of Pueblo land a debt of \$109.50 per acre as compared to the debt of \$77.00 an acre on the contiguous identical White land;

Because it pretends that the existing improved land of the Pueblo Tribes, totaling 8,346 acres so intensively improved by the Indians themselves that this limited area completely sustains 3,500 people, is nothing but raw or water-logged land, and charges against the Pueblo Tribes an additional debt of \$600,000 on the fiction that these already improved Indian acres are to be newly improved;

February 22, 1928

Because this exorbitant debt (a total of \$1,643,311) is made collectible out of the yield of the land, and all restrictions as to speed of collection have been stricken from the Bill;

Because the Bill, in the controlling points at issue, is the opposite of that which the Interior Department and the Director of the Budget endorsed and which the two Indian Affairs Committees of Congress originally recommended and which the Senate passed by unanimous vote;

And finally, because the Bill, placing a confiscatory debt on the yield of the land of Indian wards, collectible with no restrictions as to speed, is a radical precedent of utmost danger to all Indian Tribes in the United States.

The Senate debate and vote on this Bill will come Thursday or Friday, this week.

Respectfully,

THE AMERICAN INDIAN DEFENSE ASSOCIATION,
INC.

By John Collier,
Executive Secretary.

HISTORY OF THE BILL

It was first introduced in the Spring of 1926. It asked an excessive Government appropriation for the acreage proposed to be benefitted and made the whole a charge against the Pueblo lands. It was not approved by the Interior Department and was opposed by the Indians.

At that time, June 6, 1926, the Conservancy District stated in writing through its then and now attorney, Mr. Pearce C. Rodey, that the work on the Indian lands could be done, if necessary, for \$40 an acre; Mr. Rodey quoted the District's chief engineer, Mr. Burkholder (still the chief engineer), to the effect that the work could if necessary be done for \$35 an acre. (The amount contemplated in the present bill is \$69.83 for each Indian acre if the cost be spread over the 8,346 Indian acres already improved by the Indians themselves, from which the 3,500 Indians are now making their living. The amount contemplated in the present bill is \$109.50 for each acre of the 15,000 acres to be newly benefitted by the appropriation.)

After a great many joint conferences, a draft bill was agreed on and was recommended by the Interior Department and the Director of the Budget. Though the terms of this bill were severe upon the Indians they were not unjust, and the six tribes endorsed the bill, having been given written assurance by the Middle Rio Grande Conservancy District that the amount to be obtained from Congress nominally on account of their Pueblo acreage already improved, would be a gratuity and not a debt

against the Indians. (The text of this written assurance, as of the District's statement about the minimum appropriation necessary, quoted above, has been placed in the hands of the Senators after being exhibited to the representative of the Conservancy District; and at the Senate Committee hearings, February 17th, no attempt at denial was made by the District or by anyone.)

The draft thus agreed-on went to the House and Senate Indian committees. Extended hearings were held. Mr. Louis C. Cramton appeared before the House Committee and argued that the bill should be amended into the present objectionable form. The House Committee rejected Mr. Cramton's proposal and reported the bill in the form as recommended by the Administration and endorsed by the Indians, the Conservancy District and all Indian Welfare bodies which went on record.

The Senate Committee likewise reported the bill in the form as thus drafted and endorsed, and the Senate unanimously passed the bill.

Then, on the House floor, Mr. Cramton proposed as amendments his proposals which the House Committee had rejected. He gave no explanation; the House sponsor of the bill, Mr. Morrow of New Mexico, and the House Committee members present on the floor, neither objected nor explained. Under these conditions the House adopted Mr. Cramton's amendments. Thereafter, the next day, the bill as thus amended was presented to the Senate by Senator Bratton and was adopted without any explanation given.

Thereupon, on motion of Senator Frazier, chairman of the Senate Indian Committee, the Senate recalled the bill and sent it back to Committee.

On February 17th, by an almost tie vote, the Senate Committee reported the bill in its objectionable form with one insignificant amendment. THE INDIAN BUREAU ABANDONED ITS OWN POSITION AND, THOUGH EXPRESSING REGRET, ACCEPTED THE CRAMTON BILL, AND PLACED IN THE HEARINGS AN EXTENDED ARGUMENT IN JUSTIFICATION OF THE CRAMTON BILL.

The position of the Indians and of the Indian Defense bodies is fully stated in the February 17th hearings which will shortly be printed.

The bill, characterized at the beginning of this statement to the Press, will be voted on by the Senate this week.

AMERICAN INDIAN DEFENSE ASS'N, INC.
WESTERN HEADQUARTERS
1037 Mills Bldg.,
San Francisco.

September 6th, 1928.

To the Members of the National Board
and Advisory Committee , and of the Several Branches:

Your attention is urged to the enclosed memorandum. Can you not read it without delay, and either write, or secure letters from others, to Secretary West, urging that he withhold his signature from the pending agreement in its present form? Action should be taken without delay. The material importance of the issue will be clear to you after you read the first page of the memorandum.

Mr. Louis Marshall is handling this case for the Pueblo tribes, and will make his verbal presentation to the Secretary of the Interior on September 17th. In the meantime it is most important that Secretary West get such letters as will cause him to make an independent inquiry into the merits of the situation.

The enclosed memorandum has not been prepared for publication but for use of those who may exert influence in a personal way or through organizational connections which they may have. However, there is no reason why publicity should not be given to the facts at this time.

Sincerely and respectfully,

John Collier

National Executive Secretary

1037 Mills Building
San Francisco
September 3, 1928

THE PUEBLOS CALL FOR AID
IN GREAT IMMEDIATE NEED

It is the Secretary of the Interior alone--Honorable Roy O. West--who can prevent the injury described below.

The injury is the permanent crippling of six New Mexico Pueblos, which by the plan of the Indian Bureau and the Middle Rio Grande Conservancy District are to be forced to pay one-half-million dollars or more for improvements exclusively required by the White property-owners of Albuquerque and other urban centers and by various White corporations public and private.

Secretary West distinctly is not committed to this undertaking. The Indian Bureau and Conservancy District have obtained his signature, but "as to form" only. Secretary West may act at any time in the weeks ahead. How strenuously the Indian Bureau and Conservancy District are working to hasten his action (they have thrown regard for appearances to the wind in their haste) is told in Appendix 4, p. 10 below. The almost incredible effort at betrayal of the Pueblo Indian wards by the Bureau is stated without reserve herein. Mr. West inherited the situation when recently he became Secretary of the Interior. In his hands it lies--and his alone--to veto the scheme and to devise an equitable arrangement. It is in accordance with our system of government that friends of the Indians should address themselves to Secretary West.

The Lee Ferry Colorado River bridge and the Pima Bridge wrongs are known to the Indians and their friends. They are two of many instances of forcing the Indians to pay for improvements designed solely to benefit Whites. The present intended raid against the Pueblos far surpassed the Lee Ferry and Pima Bridge raids in the total of money to be extorted from the Indians. And the money is to be collected from the Indians beginning immediately, which is not the case with these earlier examples. The Pueblo Conservancy wrong will, if accomplished, establish a series of precedents disastrous to all Indians under United States guardianship.

1. THE PHYSICAL FACTS. The Conservancy District is planned to benefit (20,930) acres. The benefits will be flood-control, irrigation and drainage. At the center of the District is Albuquerque. The business and established residence areas of Albuquerque have been built below the present level of the Rio Grande river. Several other cities and towns, all low-lying, require flood protection: Bernalillo, Los Lunas, Belen, Socorro. The Santa Fe railway extends the length of the District; its depot, yards, museum and hotel are in the lowest-lying part of Albuquerque. (The Santa Fe, however, is not a party in the raid against the Pueblos.)

The Conservancy District includes present and future agricultural acreage totaling 117,050. Included in this total is the Indian acreage, all agricultural, totaling 23,607 of acres to be affected by the Conservancy project. Six Pueblos are involved: Isleta, Sandia, Santana, San Felipe, Santo Domingo and Cochiti. The acreage is in varying condition: some has never been brought under ditch; some is

under ditch but water-logged; some is under ditch but without adequate water; some is not water-logged or threatened with a rising water-table, and is abundantly supplied with water. The above holds true of White and Indian farmlands alike. ((The exact condition of the Indian lands is as follows, according to the Report of the Conservancy District, transmitted to Congress by the Secretary of the Interior: Acreage now irrigated, not water-logged, at present supporting the seven tribes, 8,346; acreage under ditch, having previously applied the water, but now more or less water-logged or under-supplied with water, 11,465; acreage to be taken for rights of way for the new Conservancy project, or already taken for roads, railroad right-of-way, etc., 2,735; new irrigable area, to receive presumptively a 100 per cent benefit from the new Conservancy project, 2,492. Those very important statistics are given P. 21, House Doc. 141, 1st Sess., 70th Congress.)) The Indian lands are 19.5 per cent of the total agricultural area of the District.

2. THE FINANCIAL FACTS

The total cost of the Conservancy project is to be \$10,337,000. (Modified plan of the District, finally approved

by the Conservancy Court Aug. 15, 1928.) This total cost, except as regards the Indians, will be assessed against the property-owners of the District in the measure of their benefits. As stated, these property-owners are of various classes. Each rests secure from confiscation under the guarantee of the Conservancy Act of New Mexico. For example, the White-owned agricultural lands have been classified, for assessment purposes, into:

Under present irrigation: orchard and garden land; alfalfa and grain land; pasture and hay land; home-site land;

Not under present irrigation: salt grass land; bosque land; swamp land; sand dunes; etc.

The initial values and the benefits of all these classes of land vary. Their variation amounts actually to 100 per cent. No more can be taken by the District for its costs, than is created in benefits by the District. Such is the New Mexico law, and such is the constitutional guarantee as well.

The urban and corporate properties within the District are, under the terms of the law, to be similarly assessed, the assessment being determined by the benefits. And long ago there has been raised in New Mexico that question which, prior to any assessment, is being arbitrarily answered in the pending Agreement affecting the Indians--answered in such manner as to take one-half-million from the Indians for White urban benefits. HOW DO THE URBAN AND CORPORATE BENEFITS COMPARE WITH THE AGRICULTURAL BENEFITS? This comparison must determine the distribution of assessments as between agricultural properties on the one hand, and urban, railway and sundry corporate properties on the other hand.

NONE YET KNOW WHAT THE URBAN AND CORPORATE BENEFITS WILL BE. NO APPRAISAL OF BENEFITS HAS YET BEEN COMPLETED. But the following official statements by the Conservancy District and its predecessors in the shaping of the Conservancy project,

give a sufficient answer.

Official report of the Middle Rio Grande Conservancy District, September 22, 1927, Exhibit R. "IT IS CERTAIN THAT ALBUQUERQUE HAS GREAT AND DESTRUCTIVE FLOODS IN PROSPECT, UNLESS FLOOD CONTROL IS SECURED." The Official Report then elaborates on the enormous flood control need of Albuquerque, to be met by the Conservancy project.

Report of Homer J. Gault, engineer, issued jointly by the Interior Department and the State of New Mexico, 1923. P. 49. "CONSIDERING THE MUCH HIGHER VALUES OF CITY PROPERTY PER ACRE, AND THE LARGE INCREMENT OF THESE VALUES WHICH WOULD BE BASED ON THE DIRECT AND INDIRECT BENEFITS CAUSED BY THE CONSTRUCTION OF THE (CONSERVANCY) PROJECT, IT IS OBVIOUS THAT CITY PROPERTY SHOULD BEAR A LARGE PORTION OF THE COST."

3. HOW THE PUEBLOS ARE TO BE RAIDED

A. By denying to the Pueblos, as the pending Agreement does, every single protection insured to White property-owners by the New Mexico Conservancy Act. The most important of these protections is the right to have one's benefits assessed and his appraisal determined by his benefits. Amazing as it may seem, the Agreement absolutely deprives the Pueblos of this right. Other protections extended to Whites in the New Mexico Conservancy Act, which are denied to the Indians in the Agreement, are such elementary ones as the right to have one's existing irrigation and drainage improvements credited toward the reduction of his assessment, and the right, when one's existing improvements are temporarily torn up in the construction of the new project, to have these improvements restored at the expense of the Conservancy District.

B. By making arbitrarily, in advance of any assessment, and in the absence of any supporting data, the following assumption-- the following wicked assumption, in the light of what is quoted above concerning urban benefits. The Agreement assumes that Albuquerque as a city, and all the property-owners of Albuquerque, and all public and private corporations therein, and all property-owners in all the other White towns, WILL HAVE THEIR BENEFITS ASSESSED AS THOUGH THEY WERE SIMPLY THE OWNERS OF AGRICULTURAL ACERAGE, PLUS A TOTAL PAYMENT BY THESE URBAN AND CORPORATE PROPERTIES OF \$152,043, OR EXACTLY ONE AND SIX-TENTHS PER CENT OF THE CONSERVANCY COST. The Agreement makes this assumption CONCLUSIVELY OPERATIVE against the Indians, though the Indian Bureau which wrote the Agreement and the Conservancy District which has signed it know that if this assumption were made operative against the White agriculturalists there would be riots in New Mexico and the whole Conservancy undertaking would "go up in smoke."

C. Having made the above omissions and commissions effective against the Indians, the Agreement then proceeds, on the basis created by the omissions and commissions, to load onto the seven Pueblos that assessment which, by the fiction above described, has been lifted off from the urban and corporate properties. The amount of payment thus dishonestly foisted onto the Indians

cannot be stated absolutely until such time as the appraisal of White benefits in the District is completed; but it will be proved below, on the strength of language contained in the Agreement itself, to be not less than \$567,188. It almost certainly is more than this total. The entire sum to be placed as a debt on the seven Pueblos is as follows according to the terms of the agreement:

\$1,593,311	to be newly expended
50,000	already expended on the Conservancy project
50,185	already spent on an independent drainage system for Isleta Pueblo, which the Conservancy District will incorporate and use.
\$1,693,496	Total

How inequitably and how ruinously this debt (a debt to be collected beginning at once) will rest on the several Pueblos, is told in a separate section below.

((BY THIS TIME THE READER WILL ASK: CAN THERE POSSIBLY BE ANY WARRANT IN A LAW PASSED BY CONGRESS FOR THE PROCEDURE AND RESULT DESCRIBED ABOVE? The answer is: THE CONSERVANCY ACT SIGNED MARCH 15, 1928, contains no warrant for the pending wrong. Injustices that Act does contain; they were thrust into an originally good bill, and kept there, through the manoeuvres of the Indian Bureau and of Representative Louis C. Cramton, Indian-baiter and chief spokesman of the Indian Bureau in the House. The new scheme, fraught with menace to all Indians, of taking, as stated above, nearly half the arable land of the seven Pueblos, and renting it to Whites and applying all the rental yield to the payment of the Indian debt, thus alienating the land from the Indians for two generations or more, is contained in the Act of Congress. (Exactly 11,261 of the 23,607 Pueblo acres are to be thus taken, and so enormous will be the indebtedness, if this Agreement is signed, that a century will be required to pay it off and release the land to the Indian owners.)

But not in the Conservancy Act of Congress, nor in any other law, is the present scheme of the Indian Bureau countenanced. Had the scheme been confessed beforehand by the Bureau, Congress doubtless would have expressly prohibited it. Universally, beneficiaries of composite irrigation, drainage and flood-control works pay toward the cost of the works according to their duly appraised benefits. Not to Congress nor to any friend of the Indians did it occur to pass a law stating: "Interior Department, thou shalt not enter as guardian of the Indians into a contract designed to rob thy wards and incapable of being made intelligible except as a contract designed to rob them." Such apparently is the phraseology needed in laws affecting Indians which are to be administered by the present Indian Bureau. In the present case, however, Congress neither expressly anticipated and prohibited the particular raid now in process, nor by remotest implication of language authorized it.))

D . THE WHOLE STORY IS NOT YET TOLD. Lawyers will best grasp the significance of what immediately follows.

There have been two editions of the Agreement; and

the first edition stopped with that which is described above: i. e., it not merely left possible (dependent on future acts by the Interior Department, which means the Indian Bureau) the confiscation of the tribes' property, but then and there accomplished it. The ^{execution} of the Agreement by the Secretary of the Interior would have created a situation of imminent peril of irreparable damage to the Pueblos: would, in other words, have been enjoinable, and the injunction probably would have been made permanent by the Federal court.

At this point, Mr. Louis Marshall, eminent New York lawyer, entered the situation as voluntary counsel for the seven Pueblo tribes. He is still their counsel. He stated clearly that ~~he would, if needed, carry~~ their fight to the highest court. Both verbally and in a series of memoranda, Mr. Marshall stated to the Indian Commissioner and to Secretary Hubert Work all these considerations which should have been persuasive with the Interior Department--which would have been persuasive with the courts.

Hence, the second edition of the Agreement--the present edition. The Indian Bureau and Conservancy District faced the problem: How to accomplish the whole original aim (i. e., how to load a half-million or more onto the Pueblos for Albuquerque benefits): how to do this, with an Agreement which at the same time would be injunction-proof. The devising of actions to be taken by the Indian Bureau, which shall be both outside the law and proof against equity proceedings in the courts, is over a leading concern of the Indian Bureau. It is one of those matters, the nightmares of Indians, at which the Bureau is truly expert.

The second edition of the Agreement (approved as to form by Secretary West, signed by the Conservancy District, and now awaiting Secretary West's final signature) embodies the Bureau's solution of its puzzle. As follows:

The whole of Section 14 of the Agreement, and of Section 26, is appended. That which is omitted from the second edition is bracketed; that which is inserted in the second edition is italicized. Organically, Section 14 is unchanged; it will accomplish all--absolutely all--that its original form would have accomplished, and with the same simplicity. Its wickedness is the original wickedness. And in addition, it is--or is cleverly designed to be--injunction-proof. For it says, translated into simple English:

"The Interior Secretary may, if he desires, subtract, in computing the Indian payment, an amount equal to the cost of any ditch, drain, dyke, etc. etc., which does not actually and materially benefit the land of the Pueblo Indians." Not that he will, but that he may. And who can prove in court that he will not? The payment of government money to the District will extend across five years. Every dollar paid becomes a debt on the Indians. But "There is no imminent peril," the court will say, or the Indian Bureau and Conservancy District hope it will say. "Wait and see." And no injunction granted after the event will have any avail.

THE PROOF THAT THIS JOKER IS A JOKER

The Conservancy District has fought a bitter fight to obtain

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the whole excess grant of \$500,000 more or less (probably more), of Indian money. The Indian Bureau, with equal stubbornness, has fought to make the excess grant. Hence the denial to the Indians of the right to have their benefits measured; hence the whole of that bizarre formula and of those arbitrary assumptions described in paragraphs A, B and C above. The denial to the Indians is continued in the amended Sec. 14, the bizarre formula is the basis of the amended Sec. 14, the arbitrary assumptions of fact are repeated. And because the District is secure in obtaining the whole amount that it demands, and no less than the whole amount, the District has signed the Agreement. It has rushed to sign it under the conditions wellnigh comic which are described below.

But there is a categorical way to determine whether the new matter in Sec. 14 is other than a joker. The new matter states that any item or element of the Conservancy project, not actually and materially benefitting the Pueblos, is to be subtracted in determining what the Pueblos shall pay. The Conservancy District lies in a shoe-string shape along the Rio Grande--a shoe-string 130 miles long. The Pueblos all lie in the upstream 65 miles. No engineering structure down-stream from Isleta can possibly, according to any view, "actually and materially benefit" any Pueblo. The statement is axiomatic. Then let us ask the Indian Bureau to insert in the Agreement, and the Conservancy District to sign, a statement that no "item or element" of the project lying to the South of Isleta shall enter into the computation against the Indians. Not "may be deducted," but "shall be deducted." These southward-lying items, of whose existence or non-existence the Pueblos would never be physically aware, are estimated to cost \$3,233,127. And when they, with the other items named in Sec. 14 are deducted from that sum of which the Pueblos are to pay a share equal to the percentage of their acreage to the total acreage of the District, the Indian payment is reduced by \$567,168. If the new language of Sec. 14 has any meaning at all--save as a "joker" designed to impede the seeking of a court injunction by the Indians--it has the meaning above stated.

Another "joker," presumptively intended to serve an identical use, has been inserted in the new Sec. 14. "Nor shall such cost (i.e., charge against the Pueblos) be in excess of the cost of like work done for the benefit of the District lands." The District, of course, makes no pretense of determining what it costs to benefit a given piece of property. It determines benefits and assesses against benefits. No such determination of costs in any particular case can be made, for the Conservancy project is composite, all parts of the engineering works serving multiple uses and an allocation of costs to particular areas benefitted being neither possible nor provided for in the New Mexico Conservancy Act. But here, again, there is a practical means of deciding whether the "joker" is not a joker. Let the Indian Bureau propose, and the Conservancy District accept, the following language which would give meaning to the "joker": "In no event shall the payment by the United States (i.e., by the Indians) be in excess of the amount assessed by the Middle Rio Grande Conservancy District against comparable areas of benefitted non-Indian lands; provided, that in establishing such comparison with the assessment against non-Indian lands, the

non-Indian assessment shall be reduced, for purposes of comparison, by subtracting any part representing interest charges, capitalized interest, or the fund required by the New Mexico Conservancy Act to be assessed and segregated for the insurance of the District's bonds."

It is not implied in this statement that such changed language, turning the "jokers" into reality, would make the Agreement acceptable to the Indians. Certainly the changed language would ameliorate the Agreement. In any case, the changed language, or any intelligible other language making the "jokers" real, will be resisted by the Indian Bureau and the Conservancy District. Equally they will resist any effort to cast the "jokers" bodily out from the Agreement, because they are intended to serve one object and one only: to hamstring, before it begins, any effort by the Pueblo tribes to seek refuge in the courts.

The above statement is prepared prior to an opportunity to consult with Mr. Louis Marshall, whose views as to the effect of the "jokers" on possible court action may not agree with the suggestion made. Of the intent which placed the "jokers" in the amended Agreement, there can be no plausible doubt.

CONCLUDING REMARKS

The last three pages above are technical: they are necessary for those who would form an independent judgment. Appendices below will give further facts of interest or importance.

There is irony and tragedy in this new assault against the Pueblos. Many readers will remember the Bursum and Lenroot bills of 1922 and 1923. These bills, sponsored by the Indian Bureau, sought to confiscate the land titles of the Pueblo Indians. In 1924, the Bureau's scheme was partially defeated. The Pueblo Lands Act was passed, and under it the Indians are now making substantial recoveries of land and of compensation.

Much Pueblo land has irrecoverably passed to White possession. Under the Pueblo Lands Act, the Indians are entitled to compensation for this land when it can be proved that the land was lost through the dereliction of the official Guardian--the Indian Bureau. Awards totaling about \$160,000 have been decreed to the Pueblos, to date; acreage totaling about 14,000 has been decreed to them, possibly one-third of this being irrigated land. These recoveries, and the securing of drainage and new water for their land now unproductive, constitute the last hope of the Pueblos: their last hope for a restoration of enough arable land for future subsistence.

And what of the Indian Bureau, technically the Guardian of these awards? The Bursum and Lenroot bills have been mentioned. Every compensation award made by the Pueblo Lands Board is an undisputed proof of dereliction by the Bureau. In 1926, the Bureau promoted that bill which would have destroyed the Pueblo claim of ownership to three-fifths of the total Pueblo area. (The defeated Bureau bill of 1926 which would have declared all Indian executive order reservations to be merely public domain and not Indian property.)

Then in the Pueblo Conservancy Act of the current year, the Indian Bureau obtained that clause which, as already explained, tears

away from those seven Pueblos now is jeopardy exactly 43.47 per cent of their arable area as that area will be after Conservancy is completed: 11,261 irrigated acres, or more than thrice the irrigated acreage recovered by the Pueblos under the Pueblo Lands Act to date.

All these prior events give a larger meaning to the betrayal now being attempted by the Indian Bureau. A final touch is provided by the "jokers" in the Agreement whose effect, whatever their intent, is to handicap the tribes if they seek a last refuge in the courts. Can the white reader put himself in the Indians' place? What remedies would Whites use, if held, in defiance of the Constitution, under a peon-master ravenous and faithless like the present Indian Bureau?

At present, the withholding of signature by Secretary West can alone prevent this crowning wrong.

APPENDIX 1. If the Jokers should prove not to be Jokers.

Suppose that the make-believe of the Jokers (see Pgs. 5 and 6 above) should be taken seriously by Congress; suppose that Congress threatened to reduce the appropriation for the Conservancy work, bringing it down to that total which would prevail if the Jokers were changed (as indicated above) to become real?

Quite simple. The Jokers would be quietly dropped from the Agreement, after signature of the Agreement, by mutual consent of the Interior Department and the Conservancy District. Can the Agreement be fundamentally changed without the consent of the Indians? Without notice to them? Without even subsequent publication of the change? The following is Sec. 26 of the Agreement:

"Nothing herein contained shall prevent the said parties, upon mutual consent, from entering into any further or supplemental agreements as the same may be deemed desirable for the best interests of the parties hereto in carrying out the work as planned."

With the Jokers dropped out, Congress would be faced with the duty of fulfilling an unconditioned contractual obligation already entered into, under presumed authority of law, by the Interior Dept.

APPENDIX 2. Suppose the arbitrary assumptions of Sec. 14 of the Agreement were applied to the White owners of farm-land in the District?

Possibly the Albuquerque interests expect that these assumptions will be applied to the White farmers. The result would be as follows, affecting acreage with an average value, after improvement, of \$100.

Assessment per White farm acre	\$87.76
Operation and maintenance charge per White farm acre, \$1.50 per year. (A low estimate. The White farm acres have at present no O. and M. cash charges.) Capitalized, this equals, per acre	25.
Total	\$112.76

The above cost (assuming the fictions of Sec. 14 to be imposed on the Whites) would accrue to every White acre, including those acres (about one-third of the whole) which are already irrigated, free from water-logging and improved. And for each White acre newly brought under ditch, there would be an additional cost of from \$20 to \$40 for clearing and leveling the land. In brief, the result of applying to the Whites the formula and assumptions applied by the Agreement to the Indians, would be a proximately a double confiscation--an assessment plus a requisite expenditure, more than twice as large as the benefits.

The Whites are of course protected against this eventuality by the terms of the New Mexico Conservancy Act.

APPENDIX 3. What indebtedness will the Agreement place against the several Pueblos?

If the Bureau's scheme (embodied in Sec. 14 of the Agreement) be carried out, the six Pueblos taken together will bear a two-fold debt. (1) Against a maximum of 15,255 "newly reclaimed acres" will stand a lien of \$1,112,503, this being the alleged "cost" to the Conservancy District of the operations benefitting this newly-reclaimed land. (2) Against a maximum of 11,261 newly-reclaimed Pueblo acres, to be taken over and leased, there will stand a lien against the rental yield (with no restriction on the speed of collection) of \$1,643,311. This second indebtedness will include the first. The existent indebtedness of Isleta for drainage works already built, will bring the total Conservancy debt of the seven tribes up to \$1,693,496, taking no account of the additional sums which will be required to clear and level that part of the Pueblo land not heretofore placed under ditch.

This total debt will be divided among the six Pueblos irregularly. From complete tables prepared by the American Indian Defense Association, showing the precise incidence of the tax against each Pueblo, the following is taken.

Cochiti Pueblo. Land lien against each newly-reclaimed acre, \$176.72. Rent lien against each of 483 acres to be taken for rental to Indians or Whites, the rental proceeds to be used to amortise the lien, \$297.23

Santo Domingo Pueblo. Land lien, \$105.44 per acre; rent lien, \$180.95 per acre.

San Felipe Pueblo. Land lien, \$95.87 per acre; rent lien, \$121.67 per acre.

Santana Pueblo. Land lien, \$132.78 per acre; rent lien, \$192.25 per acre.

Sandia Pueblo. Land lien, \$86.64 per acre; rent lien, \$90.40

Isleta Pueblo. Land Lien, \$127.36 per acre; rent lien, \$184.01

APPENDIX 4. The anomaly surrounding the approval and signing of the Agreement.

Immediately upon the entry to office of Secretary R. O. West, the Indian Bureau proceeded to urge his approval for the Agreement. On July 28th last, Secretary West approved the Agreement "As to form."

The controlling section of the Agreement is Sec. 14. Sec. 14 rests upon the Official Plan of the Conservancy District and the statement of costs of the project which is a part of that plan.

Did the Indian Bureau inform Secretary West that three weeks prior to his approval the Conservancy District itself had petitioned the Conservancy Court for a radical change in the Official Plan? Did the Bureau place in Secretary West's hands the report of the District's engineers, dated July 11th, describing the proposed change of official plan? Possibly the Conservancy District officials themselves kept the Indian Bureau in ignorance of what was afoot.

But the mystery deepens. At least the Conservancy District board, which had petitioned for the change of plan, knew what was afoot. But that board received the Agreement with Secretary West's approval as to form, and signed the Agreement. Then on August 15th, the Conservancy Court finally ordered the change of plan.

The change is radical and, as stated, causes Sec. 14 to hang in the air; the Official Plan on which Sec. 14 is based no longer exists. The change of Official Plan is adverse to the Indians. That is, accepting the terms of Sec. 14 the Indians under the changed Official Plan are doomed with even greater certainty to the maximum of possible payment, than they were doomed under the prior Official Plan.

Be it understood, that all this urgency to complete the fatal Agreement exists prior to the publication of the appraisals of benefits to the White properties. After those appraisals are published, the fantastic character of the Agreement will be plain to all.

And from the standpoint of the Indian Bureau and the District, the extreme need is to commit the Secretary of the Interior to the extortionate principle contained in the Agreement: the twofold principle of (a) denying to the Indians the right to an appraisal or benefits or other equality of treatment with the Whites, and (b) establishing by fiat that the urban and corporate properties of the whole District should pay only 1.6 per cent of the District's cost plus an assessment based on the fiction that city blocks are alfalfa fields. Embarrassing appearances can be risked, if the Secretary's approval of these principles can be obtained.

APPENDIX 5 . . . -- TEXT OF SECTION 14 OF THE PENDING AGREEMENT.

(Old matter eliminated from pending draft is in brackets.
New matter incorporated in pending draft is italicized)

14. The estimated cost of the project for the benefit of the Indian and District lands is \$11,828,424.00 to benefit a net area approximating 132,724 acres, of which a net area approximating 23,607 acres is land of said Pueblo Indians. The actual cost of the work may be less than this amount which will result in a reduction in said cost to the Pueblo Indian lands. From the actual cost of construction of the entire project for both Indian and district lands there shall be deducted before definitely determining the share of the cost to be apportioned to the said Pueblo Indian lands: the total cost of special or additional flood-protection work as contemplated by the plans or any modifications thereof for the city of Albuquerque, for San Marcial, and the Santa Fe Railway [at that point] (now estimated such additional work will cost \$652,000.00); the extra expense for increasing the capacity of the New Belen Canal (estimated to cost \$75,000.00); cost of all silt control work (estimated to cost \$500,000.00), and the cost of financing any capitalized interest to be paid on behalf of non-Indian lands (estimated to cost \$500,000.00). The total sum arrived at, after making the deductions specified above, approximating \$1,727,000.00 shall be used as the basis of apportionment to the Indian lands to be benefited by the work by multiplying the total sum to be apportioned by a certain fraction, the numerator of which shall be the total Indian acreage to be materially benefited, and the denominator of which shall be the total area to be benefited by the total works constructed by the District as hereinafter defined, it being mutually understood and agreed between the United States and the District that before the foregoing total sum to be arrived at is finally determined the United States reserves the right to consider each component item going to make up the cost of said works, estimated or otherwise, with particular reference to whether the Pueblo Indian lands are in fact materially benefited by each and every component item or element entering into and making up said total cost of said works, deducting or eliminating therefrom the cost of each and every such component item or element not actually and materially benefiting the land of the Pueblo Indians before assessment of any charges or cost shall be fixed or apportioned as the share of the cost of the work to be paid to the District under this agreement. [and] From the amount thus arrived at there shall be deducted the cost of the Isleta drainage canals previously constructed by the United States; the sum of \$50,000 previously paid by the United States to the District for preliminary expenses in pursuance to the said Act of February 14, 1927; a pro rata share of the cost of the El Vado Reservoir to be determined by multiplying the total cost of this reservoir by a certain fraction, the denominator of which is the total irrigable area to be benefited by the total works constructed by the District as hereinafter defined and the numerator of which is the acreage of irrigated Indian land approximating 8,346 acres which is estimated to be

\$103,300.00, and any other proper deductions that may be mutually determined as not being a proper expense and therefore should not be assessed against the Indian lands; and the sum so arrived at shall ~~not~~ be the total sum to be paid the District by the United States under this agreement. It being mutually understood and agreed that in no event shall the total sum for construction of such conservation, irrigation, drainage, and flood control work to be paid for by the United States on behalf of the Indian Pueblo lands exceed \$1,593,311.00 provided that such cost is in no event to exceed \$67.50 per acre for the entire Indian lands involved. The mutual understanding between the parties hereto being that in no event shall the total sum for construction of such conservation, irrigation, drainage, and flood-control work to be paid for by the United States on behalf of the Indian Pueblo lands exceed \$1,593,311.00, and that in no event shall the construction cost for any acre of Pueblo Indian land exceed \$67.50, nor shall such cost be in excess of the cost for like work done for the benefit of the District lands, less all interest charges including capitalized interest, it being mutually understood and agreed that within the bounds of efficiency and consistent herewith the District shall prosecute the work in accordance with said approved plans in the most economic way possible, and that in no event shall the per acre cost for the entire Indian lands benefited be in excess of the actual cost of such work as herein provided for.

N.B. After the above section was prepared, approved as to form by the Secretary of the Interior and signed by the Conservancy District, the Conservancy Court granted the request of the District and ordered radical changes in the engineering plan. These changes will necessitate the following changes in section 14:

Estimated cost of the project,\$10,327,000
Net area benefited, 120,930 acres
Special flood control works for San Marcial
and the Santa Fe Railway eliminated,
Special flood control works for Albuquerque
remain, to cost,\$ 152,043.
Cost of silt control work reduced from \$500,000
to \$100,000
Deduction on account of El Vado reservoir, \$112,100
instead of \$103,300.

The above changes being made, section 14 will have for the Indian lands an identical effect with its present effect.

That effect, as explained in this document, is an intolerable one.

APPENDIX VI. -- DIMINISHING THE INDIAN WATER RIGHT OWNERSHIP.

The Indian Bureau was able to insert into the Pueblo Conservancy Act as passed by Congress, language which by implication diminished the Indian ownership of water rights.

In the pending agreement the Indian Bureau has further developed this undertaking, to the point of stating by implication that the bulk of the Indian water rights are not under the jurisdiction of the United States.

This subject-matter is important, hence the citations are given.

1. As stated, page 2 of this document, the ~~six~~ Pueblos possess 8,346 acres now irrigated and, in addition, 11,465 acres under ditch. This second, larger part of the acres, previously appropriated the water but the ditches are now dry, or partly dry, or the land is wholly or partly waterlogged.

11. The position regarding the Indian water rights which it would appear to be the duty of the guardian of the Indians to urge on behalf of the wards, is that laid down in the famous Winters case, (207 U.S. 546) which was used as the basis for the case of U.S. vs. Conrad Investment Company (156 Fed. 123) and approved by the U.S. Circuit Court of Appeal (161 Fed. 829-833.)

The purport of these decisions of the Federal Courts is that Indian water rights, unless explicitly surrendered by Congress, are not merely equal to the water rights of non-Indians but are superior. It is the Government's duty, states the Court: "To so conserve the waters....as to supply the Indians fully in their probable or even possible needs...these Indians are now but the wards of the Government. The Government has not to make a prior appropriation....it has only to come into its own when its needs may require--the Department of the Interior being the instrumentality by which it exercises that right....and all persons seeking appropriation from public streams must take subject to this paramount right."

What has the Indian Bureau actually done in this Pueblo case? Instead of following the court rulings, the Bureau started by asking Congress to adopt language which was in fact made a part of the Pueblo Conservancy Act of March 13th, 1928, as follows: "The water rights for the newly reclaimed lands (of the Pueblos) shall be recognized as equal to those of like district lands."

Then in the pending agreement the Indian Bureau has extended the implication of equality in place of superiority of right. In Section 20 it is stated: "The cultivated area of the Pueblo lands, approximating 8,346 acres, has water rights that are not subject to the laws of the State of New Mexico and are prior and paramount to no rights of the District or any

appropriated owner therein; (but, and) in regard to the newly reclaimed Pueblo Indian lands the District agrees, recognizes and grants a proper share of water....as for like District lands, and agrees that the District shall not discriminate etc." Thus, having persuaded Congress to adopt language which possibly could be construed as diminishing the Indian right, the Bureau in the pending agreement now proceeds to incorporate language based on such a construction, which no court as yet has supported. By this creeping-up method the Indian Bureau may finally create the situation implied in the language of section 20 of the agreement, namely: "That the bulk of the Pueblo land is no longer under the jurisdiction of the United States nor possessed of the immunities which go with restricted Indian lands.

John Collier.

THERE IS NO RIVAL TO THE INDIAN BUREAU

(From Brief for the Plaintiff, Jackson Barnett Case, District Court of the United States, Southern District of New York, December, 1926.)

"They set up that Barnett and his estate were under the exclusive jurisdiction and control of the Secretary of the Interior, that the Secretary's action in the premises is conclusive, and that none of the acts of the Secretary can be questioned or reviewed by this or any other court. This contention they press even to the point of contending that the Secretary was the sole judge of Barnett's mental competency and that his mental competency 'is not a matter that is the subject of proof nor of the judgment of any witness or any court' (see Objection at pp. 12, 13 of Plaintiff's Henryetta Depositions), and that no official of the Department of the Interior can be examined with respect to the transaction (see Objection at pp. 2-4 of Plaintiff's Washington Depositions)."

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THE INDIAN BUREAU'S ACCOUNT OF ITSELF. ADDRESSED TO THE
AMERICAN PUBLIC. FROM RADIO RELEASE NO. 70, OF THE UNITED
STATES CIVIL SERVICE COMMISSION

"The Indian Service is unique among the Government organizations. There is nothing else like it in this country. It has been called a government within a government.....

"The Indian Bureau is the great social service organization of the United States Government. It is one of the largest educational institutions in the world. It is a combination probate court, trust company, agricultural and live stock corporation, mining company, oil concern, timber organization, public health service, irrigation promoter, public roads commission, developer of natural resources, purchasing agent, town builder, municipal court, police department, board of county commissioners, orphan asylum, relief and aid society, philanthropic association, bank and employment agency. And this list of the manifold activities of the Indian Bureau is by no means complete.

"The Commissioner of Indian Affairs stands in the relation of father to the biggest family in the world, for he has direct, almost intimately personal, supervision over the affairs of more than 240,000 men, women and children. The signing of his name to an order can bring happiness or unhappiness to thousands of Indian homes in a single day, for the ramifications of his office reach to the very center of the family circles of the people under his care".

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It is submitted that the above entirely accurate statement describes such a dictatorship as the world has never seen. Napoleon at one moment of his career, and Mussolini, may theoretically have possessed, or may now possess, equal power (though both could claim that the power had been given them through forms of consent by the governed peoples). But their dictatorship never underwent the exhaustive, inescapable elaboration, through a hundred years of time, which the Indian Bureau's dictatorship has undergone. And their dictatorship was sustained by their appeal to the imaginations of their people, for a grandiose moment within a course of swift change. It was an incident in a great effort of will by their peoples; the Indian Bureau dictatorship is a lifelong crushing of the will of a race which never consented to the dictatorship.

THERE IS NO ANCIENT OR MODERN RIVAL TO THE INDIAN BUREAU.

AMERICAN INDIAN DEFENSE
ASSOCIATION, INC.
37 Bliss Building, Washington, D. C.

January 31, 1929.

+ out -
TO FRIENDS IN NEW MEXICO, WHITE AND INDIAN:

Attached is a copy of a letter from an American Legion Post in Albuquerque. It will occur to you at once that this letter probably was instigated by the Indian Bureau or by some of its employees. The same Legion Post subsequently wired to Good Housekeeping quite ferociously, I am informed. Evidently they believed they could scare the Editor so that he wouldn't print the concluding numbers of Miss Connelly's series.

A flood of commendatory letters has gone in, I am informed, from many parts of the country. The whole article has been put into the Congressional Record. (January 26th.)

May I earnestly suggest that each of you, after reading Miss Connelly's article, shall write the Editor of Good Housekeeping, thanking and congratulating him for bringing out this series, and otherwise commenting as you see fit. It would be sad if the only letter from New Mexico were the attached.

I have written Miss Connelly that the Legion Post letter is, of course, not representative of the mental attitude of any of the New Mexico communities which I know.

Sincerely,

JOHN COLLIER.

(The Albuquerque letter mentioned above follows:)

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THE AMERICAN LEGION
Hugh A. Carlisle Post No. 13.
Albuquerque, New Mexico.
January 26, 1929.

Editor, Good Housekeeping,
57th Street at 8th Avenue,
New York City, New York.

Dear Sir:

In your issue for February 1929 there appears the first of a series of articles written by Vera L. Connolly entitled "The Cry Of A Broken People." It appears to local members of this organization that gross exaggerations, if not actual falsehoods, are given publicity in the article in question, which undeniably presents a strong human interest appeal and will doubtless be widely read.

To friends in New Mexico, con'td.

-2-

It is not the desire of this Post of The American Legion, to interfere or to take a partisan stand in what we believe is an old controversy. However, we do feel that as residents of the heart of the Pueblo Country we are somewhat familiar with conditions affecting the Pueblo Indians and it is our belief that statements presented in your publication merit an investigation as to their authenticity. In the event that misrepresentation is definitely discovered we believe that the other side of the picture should be revealed in justice to those responsible for Indian Supervision and education. Would you give equal publicity to a counter article?

We are confident that you are as desirous as are we of having actual conditions presented to the public without bias or discrimination and we are accordingly addressing you with a view to ascertaining what cooperation we might expect from you for our self-designated committee of investigation. Will you be so kind as to communicate your attitude toward our suggestion to us.

Very truly yours,
HUGH A. CARLISLE POST NO. 13
American Legion

(Signed) Jas. Russell Guild
Post Commander.

JRG'EMC

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SUGGESTIONS CONCERNING FUTURE
INDIAN POLICY, LEGISLATION AND
ADMINISTRATION

(Copy of a letter addressed to the Honorable Charles J. Rhoads, who, on July 1, 1929, will become Commissioner of Indian Affairs, by the Indian Defense Association of Central and Northern California. Mimeographed May 10, 1929, for the convenience of the several Boards of Directors, of the American Indian Defense Association. Not for General Release)

1037 Mills Building
San Francisco, California

37 Bliss Building
Washington, D. C.

* * * * *

San Francisco, Calif.
April 22, 1929.

Hon. Chas. J. Rhoads,
Commissioner Appointed of Indian Affairs,
Interior Department,
Washington, D. C.

Dear Sir:

We congratulate you on being willing to assume a task of supreme difficulty, through whose fulfilment a new era in Indian history will be created.

Our Association, which in the past has found itself compelled vigorously to protest against the conduct of Indian Affairs under former officials, now looks forward to a new epoch in which such influence as it possesses may be exerted to support an administration with a different point of view.

We submit, as of possible use to you at this time, some recommendations of procedures and of policies. The detailed recommendations are offered with the least possible argument or qualifying statement, at the risk of appearing dogmatic although we know that alternatives are possible. We appreciate too that the reorganization of Indian procedure must be a work of years. The recommendations of policies, at the end of this letter, are held to general terms. Some of the recommended procedures grow directly from the suggested policies.

The trend of the suggested procedures is as follows:

1. Emergency increases of expenditure, to meet the elementary requirements of clinical and health service, of food, sanitation and diminished productive labor for the boarding school children, of relief for aged and infirm Indian wards, and of housing for government employees on some reservations.

Recd. May 17, 1929
am

SUGGESTIONS CONCERNING FUTURE INDIAN POLICY ETC. #2:

2. Development and change of the Indian service, toward a practicable decentralization within the service and toward a much more systematic and energetic employment, for Indian upbuilding, of all available agencies for helpfulness--federal, state and unofficial--in the several fields of education, health, agricultural and industrial and community organization, and family life.

3. Modification of the federal guardianship toward the following goals, among others: Enabling and compelling the Indians while still under federal guardianship to assume responsibility for their own affairs; extending to them, not wholesale but by a series of acts, the Constitutional privileges; subjecting the guardianship operations to a more exact statutory direction and making them accountable; terminating the guardianship not, as often in the past, by cataclysm, but by an evolutionary progress.

BRIEF STATEMENT OF RECOMMENDED PROCEDURES

1. BUDGETING FOR EMERGENCY RELIEF.

a. We urge that in the earliest urgent deficiency bill there be provided an increase (above the 1930 appropriation) of at least ten cents per day per child for food purchased for the boarding schools.

b. We urge that either by transfers of available funds, or through an urgent deficiency appropriation, money be supplied for the adequate rationing of aged and infirm Indian wards.

Other recommendations with respect to appropriations are made under various of the headings below. But as being appropriate under the heading "emergency", we make the following suggestion:

Large and cumulative economies will be effected as reorganization of the Indian Service progresses; but a systematic starvation of the human and social services, many years old; must now be compensated for. An adverse discrimination in appropriations, against the Indian Service, has been carried out as a tradition, even as a principle, through a great many years. That discrimination should, we believe, be boldly challenged and ended, and we are convinced that popular and Congressional opinion are ready for such action.

2. THE ESTABLISHMENT OF NEW CONTROLS AND AIDS WITHIN THE EXISTING INDIAN SERVICE FROM THE CENTER OUTWARD; THE SETTING-UP COORDINATELY OF A MUCH GREATER DECENTRALIZATION AND FLEXIBILITY WITHIN THE SERVICE; AND REVISION OF THE SYSTEM OF PERSONAL MANAGEMENT.

We stress but do not elaborate this subject. It is dealt with exhaustively and, in our judgment, wisely and practicably, in the report of the Institute for Government Research. It is possible that we diverge somewhat from the Institute staff, in that we recommend (immediately below) a distribution of some Indian Service Functions into other federal agencies; and a more urgent attention to the enlistment of state and local cooperation in matters of Indian

SUGGESTIONS CONCERNING FUTURE INDIAN POLICY, ETC. #3:

service other than guardianship of property. Indeed, we shall urge that such a distribution of many Indian services is practicable at once and is essential. But an embarrassingly large amount and variety of responsibility for direct administration will remain with the Bureau of Indian Affairs, and its responsibility for checking-up on, and progressively developing, the indirect or contract administration and the self-service of Indian groups acting as bodies corporate, will be a difficult one. Hence, the need above stated (2) is instant; is, for some years to come, permanent; and is a condition precedent to the happy and long-range solution of the Indian problem.

3. DISTRIBUTION, OR DECENTRALIZATION, OF INDIAN SERVICE, i.e., UTILIZATION OF VARIOUS AGENCIES FOR HELPFULNESS.

We preface with the suggestion that the changes should be experimental and not irrevocable; and that while involving changes in the method of federal guardianship, they should not involve its termination. ((Some of the recommendations are inter-connected with recommendations concerning Indian Status and Indian Property Control (4 and 5 below). For justification from the standpoint of policy, see the concluding portion of this recommendation.))

a. Department of Agriculture. We recommend that by transfer or through cooperative arrangement the equipment of this Department shall be made available to the Indians for agricultural and community organization and planning and for home development. The equipment includes the cooperative arrangements with the states and their subdivisions which are maintained through the Agricultural Department.

We recommend that similarly, but in this case by a more decisive transfer, the Forestry Bureau of the Department of Agriculture be used for the handling of Indian forests. We suggest, however, a proviso that the determination of policy regarding timber sales shall be kept under the Indian Bureau or Interior Department; that the ideas of Major George P. Ahern respecting the training and use of Indians in Indian forestry operation shall be provided for; and that the conception of Indian corporate organization, discussed below, shall be weighed particularly with reference to the subject of tribal timber. These several suggestions are consonant with the utilization of the Forestry Service of the Agricultural Department.

b. That through transfer, the irrigation and reclamation work on Indian lands be combined with the work of the Bureau of Reclamation of the Interior Department. (We are aware that such a combination existed from 1908 to 1924; that the Reclamation Service prior to 1924 measured up to the Indian Bureau's irrigation service for wastefulness and futility; that the condition of split responsibility before 1924, when the Indian Office sought the appropriations and the Reclamation Service expended them, was a contributing cause to the disheartening record which is partly recited in the Report of the Advisors on Indian Irrigation Projects to the Secretary of the Interior of June, 1928. The Reclamation Service has become a different and better institution since 1924; and the combination now suggested, which could easily be protected with reference to the collection of charges from the Indian-worked lands, would bring up the service of the Indian lands to the present Reclamation Service level,

SUGGESTIONS CONCERNING FUTURE INDIAN POLICY, ETC. #4:

would make possible many economies of staff, etc., and would help bring to bear on the Indians' farming problems that capable attention which is now being given to the problems of white irrigation-ists.)

c. That through transfer or a more extended (than at present) cooperative arrangement, the health and medical work for Indians be combined with the work of the United States Public Health Service. (This recommendation implies, of course, a more generous budgeting for the health and medical service to the Indians.)

d. That legislation like the Kelly and Leavitt bills be secured, freeing the Indian Office to establish cooperative arrangements with states and their subdivisions for such Indian services (other than property guardianship) as can helpfully be set up. We recommend that in the especial cases of Wisconsin and California, the Swing-Johnson and La Follette-Cooper bills shall be pushed to enactment and to practical operation. (Hearings on these several bills have been had in Congress and briefs submitted; the Wisconsin and California legislatures have acted and the California enabling act is now law. Dr. Hubert Work advocated the policy throughout his tenure. The policy has been resisted through the misapprehension that federal guardianship of Indian property was being jeopardized and through a more relevant fear that the execution of Indian services through contract would suffer from incompetent federal supervision. This latter fear has had some justification in the looseness of federal supervision over the contract schooling of Indians both in public and in mission schools. Henceforward, we believe, the fear will not be entertained. We are disposed to recommend that the Kelly and Leavitt bills shall operate with reference to Montana as to all states having ward Indians, California and Wisconsin excepted.)

e. We recommend that the courts shall be given jurisdiction over civil and criminal matters affecting Indians. We endorse the La Follette-Frear civil and criminal jurisdiction bill, with a suggested exception, namely: That for Indians interspersed among the whites, or on small scattered reservations where tribal relations practically have ceased to prevail, the jurisdiction might advisedly be placed in the local rather than in the federal courts. To avoid misunderstanding, we stress that there should be no forced or precipitate discouragement or outlawry of tribal custom law or of tribal jurisdiction over matters coming within tribal custom law. The La Follette-Frear bill provides that the Federal Court shall determine in any given case whether tribal custom law actually exists, is operative and should prevail, and with it tribal jurisdiction over the matter in question. If our recommendation (g) below were put into effect, such determination might rest with the court upon the advice of the Commissioner of Indian Affairs. (Neither the Indian Office, nor anyone else, now possesses the assembled facts to intelligently advise the court in the sundry cases that would arise. All stages of transition are to be found, from undiminished, binding and often very salutary tribal mores, law and authority, to their nearly total disappearance. The stages of transition are not always connected either with the size of the reservation, or the quantum of non-Indian blood. Anthropological research possesses most of the needed facts but has not assembled them with relation to this present subject.)

SUGGESTIONS CONCERNING FUTURE INDIAN POLICY, ETC. #5:

f. We recommend that the supervision of attorneys performing services by contract for pay for ward Indians shall be vested either in the Attorney-General or in the courts having jurisdiction over the causes which they bring. (In frequent cases the United States government, and sometimes the Indian Office itself, is an interested party and in effect a litigant against the Indian. This is necessary in the nature of the facts. In addition, we point out that a large and not wholesome patronage has existed in this relationship between the Indian Office and attorneys who specialize in handling Indian claims suits and other suits.)

g. We recommend that there be formed an anthropological advisory council to the Indian Service, with a technical specialist employed under the Commissioner of Indian Affairs. The use of such a council would be to assemble and interpret data concerning the Indian group-life and heritage which might be needed in the determination of policy and method.

h. Connecting with most of the recommendations a--g above, is our suggestion that there be formed, through executive action an (advisory or authoritative) interdepartmental commission on Indian Affairs. Ultimately such a commission might be defined and its duties be fixed by statute (as now with the Federal Power Commission and the Federal Vocational Board, as examples). Valuable members would be the Secretary of Agriculture, Attorney-General, Comptroller-General, and chief of the Division of American Ethnology of the Smithsonian Institution. If merely advisory, such interdepartmental commission would be of use in developing coordination among the variously distributed and contracted Indian services. If authoritative, the commission, through its executive officer (the Commissioner of Indian Affairs) would direct the administration of the Indian Bureau. Its chairman would, of course, be the cabinet officer at the head of the department containing the Indian Bureau. (Interior, now; perhaps, at some later date, Public Welfare.)

4. THE INDIAN STATUS UNDER LAW.

It is questionable whether Congress, in enacting the citizenship act of 1924, extended any constitutional guarantees to Indians living in Indian country. However this moot point might be ultimately determined by the courts, we recommend that a statutory bill of rights be placed before Congress. The plenary authority of Congress over Indians has been banefully used at times in the past, but it has the present advantage that Congress can legislate selectively; can modify and attenuate its own guardianship and plenary control without ominously terminating it.

Part of our recommendation on this subject appears under the immediately succeeding caption of Property Control. Here we suggest:

a. That the right of all Indians to due process of law shall be established by statute.

b. Similarly their right to liberty of conscience; to free assemblage and freedom of the press.

SUGGESTIONS CONCERNING FUTURE INDIAN POLICY, ETC. #6:

c. That the guardianship of the Indian parent over the child shall by statute be declared identical with such guardianship in the general community. (No conflict here with the continuance of federal trusteeship over property.)

d. That while leaving intact the probate machinery of the Indian Bureau, the right of the Indian to make a binding will and testament shall be independently established by statute; the will being voidable through proceedings in court and on proof of fraud, mental capacity or undue influence.

e. That the right of the Indian, while living in Indian country, to make contracts and to sue and be sued, shall be clearly established. (Subject, of course, to the limitations inherent in the federal guardianship over his property).

f. That the jurisdiction of the courts shall be extended to Indian criminal and civil matters (See Par. e under Caption 3 above).

g. That the archaic espionage statutes dealing with the Indian Country shall be repealed.

h. Of primary importance, we urge that the extension of citizenship privileges and responsibilities to ward Indians (it is that group whom we are here dealing with) will remain in considerable measure ineffective unless the Indians be enabled, while remaining wards, to function as bodies corporate. We refer in part to the specific plan of tribal or group incorporation under federal supervision, which is discussed by the Institute for Government Research and more exactly contained in the McNary bill introduced for the Klamath tribe. But our reference is wider than this. It contemplates a more adequate recognition, in law and in practice, of the existing corporate ownership by tribes over their tribal estates. The guardianship responsibility of the federal government should be retained, but (for example) the placing of indebtedness on the tribal estate should be dependent on tribal consent. That assurance should be furnished by statute. As an administrative or budget policy we recommend that appropriations from tribal funds, or expenditures under general statutes from such funds including "Indian moneys, proceeds of labor", be made conditional on tribal assent. Help to Indians (rather than a mere authorization to them) to form themselves into credit unions, and a policy of making credit available to such unions from tribal funds and from reimbursable appropriations, will be an important step toward equalizing the Indian opportunity with the white opportunity. Indian tribal relations (which in the main, are simply Indian human relations) can be reconstructed into modern patterns, and caused to coalesce with the general life, by being given modern tasks to perform under conditions of modern advantage. We suggest that at this point the very center of the Indian problem is reached.

5. THE CONTROL OF INDIAN PROPERTY IN TRUST.
(OKLAHOMA IS SEPARATELY DEALT WITH UNDER CAPTION 7.)

In what twilight this, the trunk highway of Indian affairs, rests, appears on the reading of any of three important documents: The Report of the Institute for Government Research, the Report of

SUGGESTIONS CONCERNING FUTURE INDIAN POLICY, ETC. #7:

the Comptroller-General on Indian Funds (Sen. Doc. 263, Feb. 25, 1929), and the printed volumes of the hearings of the Senate Indian Investigation Committee. There is much of dead-hand and of conflict in the statute law dealing with this subject. The same is true of that vast volume of departmental regulations supplementing the law.

We call attention to the recommendation of the Institute for Government Research on p. 148 of that body's Report. That recommendation mentions a special committee which would study the revision of the rules and regulations. Such a study could better be conducted as an examination of the statute laws and the rules and regulations in relation to one another and of both in relation to the establishment of a modern trusteeship over Indian property which shall be (a) directed by a revised (radically altered) body of statutes, few rather than many, and (b) made accountable to some agency outside itself and Congress.

We would both expand this letter hopelessly, and get into waters which frankly are beyond our depth, if we tried to make a complete recommendation on this subject. We mention here a few outstanding considerations. The most elementary one is that the maximum of publicity for all records, and particularly for all financial records, shall be put into effect as fast as accurate data can be assembled. Thereafter--

a. We recommend an examination of Indian reimbursable indebtedness, with a view of charging off much of it in whole or in part. (See the Report of the Irrigation Advisors to the Secretary of the Interior, already cited; and the strong recommendations of the Comptroller-General, p. 42 of his Report on Indian Moneys).

b. We call attention to the situation regarding "Indian moneys, proceeds of labor." The Comptroller-General mentions (p. 40 of his report): "The absolute control and almost indiscriminate use of these funds, through authority delegated to the several Indian Agents by the Commissioner," etc. Congress actually has year after year been considering the appropriations for Indian service without knowing that the sums which it has authorized year by year were millions of dollars below the sums actually expended by the Bureau.

c. We urge that to hold more than \$12,000,000 of Indian funds in the federal treasury without interest is an unjustifiable procedure. ((26% of all tribal and individual trust moneys outside Oklahoma were non-interest bearing in 1928 (p. 39, report of the Comptroller-General.))

d. We urge that individual Indians and tribes should be made entitled to accounting for their property on demand. At present they may obtain a loose accounting as a favor.

e. We urge that periodical and adequate accounting should be required of the administrative guardian, whether to the Comptroller-General or to a federal court.

f. We recommend that the entire General Allotment Act and its derivatives should be reconsidered in the light of experience. It never has been systematically reconsidered. The mandatory implica-

SUGGESTIONS CONCERNING FUTURE INDIAN POLICY, ETC. #8:

tion of the allotment act should be nullified. The issuance of patents in fee should be required by statute to be preceded by a showing of competence in court (and when such showing is made to the satisfaction of the court it should be mandatory.) The most urgent of the problems growing out of allotment is that of the disposal of heirship lands. We suggest that a policy be adopted of the recapture, with the consent of the owners, heirs and tribe, and subject to the discretion of the Secretary of the Interior, of allotments and heirship allotted land, bringing the land back into the tribal estate whether for tribal use or for re-allotment. (We refer, of course, only to land economically worth recapturing. Tribal funds or reimbursable appropriations could be used for recapture.) The sale and lease of allotted land should, we suggest, be regulated by statute to the extent of establishing competitive bidding after appraisal and subordinating the sale or lease to the consent of the Indian owner. Public record and adequate bonding should be made mandatory. Such requirements if established by statute would provide the basis for reconsideration by the courts in the event of appeal.

g. With reference to Indian water power sites, we make a recommendation growing out of the long-lasting and still unsettled question of the terms of rental of the Flathead power site, and out of the deprivation (by Congressional act) of the San Carlos Apache tribe of all revenue from the Coolidge dam site; namely, that by specific amendment of the Federal Power Act it be provided that no license shall be granted for Indian power sites or contracts made for the disposal of the revenues therefrom if publicly constructed, until the Indians have assented thereto or the terms thereof have been approved by the federal courts, after injunction proceedings seasonably brought, by counsel of their own selection, who shall be entitled to expenses and suitable counsel fee to be fixed by the court.

h. The administration of the Pueblo (Middle Rio Grande) Conservancy Act of 1928 is a task of the Secretary of the Interior. We urge that payments to the Middle Rio Grande Conservancy District be held down to amounts no greater than those which are being required by the District from white owners of equal bodies of farmland receiving equal benefits. Under a contract very obscure and defective, signed by the preceding Administration, the Secretary nevertheless holds the discretion to enforce that equality of treatment which is all that the tribes are asking. The Conservancy District, on the other hand, is predicating its financing operations on the theory that the government will advance (and the Indians will be indebted for) at least three-quarters of a million dollars more than would be advanced on a basis of equality. The sale of bonds will, we understand, be predicated on that theory; and if the theory be sound, a grievous wrong will have been done the tribes, while if it be unsound, a wrong may have been done to the bond purchasers and to the conservancy project itself whose success is greatly needed by the Indians. We refer you to the presentations of this matter by Mr. Louis Marshall and by the National Secretary of the Indian Defense Associations, in Vol. 3, of the Senate Indian Investigation hearings.

SUGGESTIONS CONCERNING FUTURE INDIAN POLICY, ETC. #9:

i. We suggest an examination of the possibility of commuting some of the old treaties which contain vestiges of the old rationing system.

j. We believe that an investigation of the leasing of tribal lands for grazing will prove that in a good many cases Indian industry has been destroyed in order to obtain revenue and that in some cases the grazing values of the land have been diminished. We recommend an examination of this subject and likewise of the use of allotted leased land, with particular reference to the subject of improvement leases and to the maintenance of the agricultural value of the land in cash leases.

(We point out that some of the recommendations made above, in the direction of restricting the discretion of the Executive and of Congress itself over Indian property, would have prevented countless and immense abuses in the past; and that while they may not be needed as protection in the years immediately ahead, it can be said that (a) they are likely to be needed in times that will come before the federal guardianship is terminated, and (b) they are elementary properties and rights which should be extended to Indians as part of any citizenship program. Also, in the years ahead "riders" on appropriation bills will continue to be possible, creating injuries which the Executive is helpless to prevent.

(There can, of course, be no comfortable solution of the problem of Indian property administration until the Indians themselves, as individuals and as tribes, become more productive and make fuller use of their own resources. Faults of the guardianship law and procedure are among the causes of their unproductiveness; but absence of the means of education, want of credit, and the traditional absolutism which has crushed their group ambitions and hopes are important additional elements. We refer somewhat to these other factors in other parts of this letter.)

6. PATENT-IN-FEE INDIANS.

We suggest that the government's relationship to the patent-in-fee Indian need is somewhat comparable to its relationship to unfulfilled treaty obligations. Not all patent-in-fee Indians received their patents to land originally held under treaty, but all were wards of the government, and many thousands have been put into a disastrous situation through guardianship errors, which are now admitted to have been errors.

The same broad principle of justice which causes Congress to allow Indians to enter the Court of Claims (though nothing can compel Congress to allow their entrance) should guide with reference to the patent-in-fee Indians. They should not in any wholesale way be considered to have ceased to be a responsibility of the federal government. They should have access to its services as rendered through the Indian Bureau and through local instrumentalities. Appropriations should be sought, both for their material relief and, in some cases, toward making their economic rehabilitation possible.

A similar consideration applies to Indians who, as groups or individuals, have been put on bodies of land, held in trust, which are impracticable as farms or homes. This group of Indians is especi-

SUGGESTIONS CONCERNING FUTURE INDIAN POLICY, ETC. #10:

ally numerous in California.

7.

OKLAHOMA.

More perhaps than any other state (where important numbers of Indians have survived at all) the past seems in Oklahoma both irrevocable and sad. We make only three recommendations here:

a. The dual system of guardianship was created, or made possible, through an Act of Congress. It can be regulated and terminated by Congress. The existence of abuses and neglects under the Indian Bureau in Oklahoma is no reason for an increase of ills through the local guardianship system as that system has been found in past years. The fact that many of the local guardianship abuses have entailed the knowing cooperation of federal probate attorneys and superintendents is again no reason for tolerating the local abuses. We withhold any more definite expression pending the hearings of the Senate Indian Investigation Committee in Oklahoma.

b. The neglect of human and social services which are owed to the Five Civilized Tribes by the federal government is notorious; see, for example, its statement in the current report of the Board of Indian Commissioners. A generous extension of capable Indian Service, on the human side, into Oklahoma is indicated.

c. The plan of creating Indian trust estates has real merit. The bill embodying, or taking advantage of, that plan, pressed in the last Congress, was in our opinion defective and even sinister. A bill dealing with trust estates, which your office might draft for the next regular session of Congress, might point the way toward a reduction of government machinery and a conserving of Indian property in Oklahoma.

8.

EDUCATION.

a. We recommend a policy of educating Indian children in day-schools in their home communities, insofar as such a policy is applicable to one and another of the tribes.

b. We recommend that such schooling in day-schools shall be carried out as public schooling in the common schools, wherever such a method is geographically feasible and is likewise practicable from the standpoint of the social situation and personal equipment of this or that Indian group.

c. We recommend that the boarding school system be continued for three groups, namely:

(1) Children of less than high-school grade who are genuinely without families or homes;

(2) Children of those tribes whose nomadic way of life may really prove after earnest investigation to render day-schooling impracticable.

(3) Children receiving technical agricultural and trade education, who, because of the lack of past educational opportunity,

SUGGESTIONS CONCERNING FUTURE INDIAN POLICY, ETC. #11:

are unable to qualify for education in the general institutions which furnish agricultural and trade instruction to everybody. These, we recognize, are at present a very large group; the group should diminish with each year, as modern day-schooling is more widely and efficiently furnished.

d. For the boarding schools, we recommend as an immediate policy that, regardless of any other consideration, enrollment shall be held down to the healthy physical capacity of each school; that increased staff shall be provided to reduce the productive labor of the children; that the removal of children to hostile climates shall cease; that the policy of long-term separation of the child from the home shall be abandoned, a return home for at least one period of every year being made possible and encouraged; that the "outing system" shall be subjected to such criticism as is wisely given in the report of the Institute for Government Research; and in general, we recommend that the boarding school shall be looked upon not, as in the past, as being a cure-all for Indian child need, but as being on the contrary an institution extremely difficult to administer in a wholesale way and fraught with peril to the child and to the family life of Indians; an institution to be continued until its approximate abandonment can be carried out after the many developments of Indian education and community relationship which must precede its abandonment.

e. We recommend that a sustained emphasis be placed on the correlation between the work of the school and the community life of Indians. This recommendation applies to the archaic heritage of Indians; to their situation as rural populations; to their intense need for adult education in citizenship; and to their existence in many cases as groups with a peculiar and significant heritage which they can contribute to the community education program centering in the schools.

f. We recommend that steps be taken toward preparing the Indians for larger responsibility in their own service. This implies partly a changed administrative and civil service policy toward the using of Indian talent in responsible ways; partly, and perhaps more largely, a finding of talented Indians and an education of those Indians, through scholarships when necessary, in the general institutions equipped to serve them. We call your attention to the immense contrast between the employment of Philippino talent in Philippino public and social service and the employment of Indian talent in Indian public and social service.

9. AS A RECOMMENDATION OF METHOD, WE CALL ATTENTION TO THE NEED OF DEFINITE EXPERIMENTATION CARRIED OUT AS SUCH, UNDER PROPER CONTROLS, ON SUCH LINES AS THE FOLLOWING:

- a. New types of day schools for Indians.
- b. Utilization of Indian arts and crafts, commercially and in home development and in school work.
- c. Health education among Indians.

SUGGESTIONS CONCERNING FUTURE INDIAN POLICY, ETC. #12:

d. Placement of migrant Indians, or of those Indians not yet migrant, who desire and are equipped to pass out into the white industrial world.

e. Utilization of ancient tribal institutions and modes of functioning for the carrying out of modern tasks of production, marketing, education, etc.

f. Experimental work designed to connect Navajo boarding school and agency activities more effectively with the adult and family life and industry of the tribe.

For experiments like those exemplified above, the cooperation of many expert agencies could be enlisted, and doubtless private funds could be secured if necessary.

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RECOMMENDATIONS OF BASIC POLICIES

The day has come to revise our philosophy, implied or expressed, concerning Indian Affairs, which is a century old.

The needed changes of policy and method are without radicalism or novelty when viewed from the standpoint of educational and social science and business experience of today. But the trend of Indian affairs has been set by attitudes of mind which have no relevancy to the present situation, and by ancient statutes passed under a doctrinaire compulsion. Hence, the new policy must change that trend consciously and, in some details, radically.

Numerous interests have become vested in that inherited body of Indian law and procedure which the new policy must revise. Many of these interests are legitimate, yet inevitably they will resist any change which does not safeguard them. They must and can be safeguarded. In addition, there are vested wrongs, which will oppose any fundamental change in the Indian system. These vested wrongs are mostly in the economic sphere and they are able to exist by virtue of the anomalous status of the Indian.

We mention these considerations in order to suggest that the reorganization of Indian Affairs can not be achieved in an exclusively empirical way, but must be the expression of a consistent and far-reaching policy, whether or not that policy be publicly advertised.

The archaic policies or tendencies which need to be reversed appear to us to be the following:

1. GOVERNMENTAL ABSOLUTISM AND PATERNALISM.

Taking its critical departure from the Cherokee opinion of the Supreme Court a hundred years ago, the absolutism of the political branch of the government has been developed through court decisions, statutes and practices, and has been carried over into administrative absolutism. This absolutism has carried with it a paternalism which was all-embracing, however defective its ministrations may have been.

SUGGESTIONS CONCERNING FUTURE INDIAN POLICY, ETC. #13:

Continued federal guardianship need not be identical with continued political absolutism or with continued paternalism. The plenary authority of Congress makes possible such modifications of the federal guardianship as will establish checks and balances, and place responsibility on the individual Indians and on the tribes, and extend citizenship to Indians while yet preserving an adequate and (we might add) more inexpensive and more productive federal supervision over the Indians -- a supervision which would be directed toward its own diminishment and ultimate cessation.

Hence, we recommend a policy seeking to move away from absolutism and paternalism, but under the condition that federal guardianship shall not be terminated in a dogmatic or wholesale fashion.

2. UNDISCRIMINATING INDIVIDUALIZATION.

It is sometimes thought that those critical of the policies of indiscriminate individualization are merely or chiefly concerned with the primitive element in Indian life. We greatly appreciate the values of the primitive Indian life -- values anthropological, moral, aesthetic and spiritual. But our suggestion under this heading does not grow out of our regard for the primitive or archaic Indian culture. If no value were placed on those qualities or heritages that are peculiarly Indian, still the indiscriminate individualization policy would stand condemned.

Great numbers of Indians actually live, from their own standpoint, a group life. The family institution is common to all Indians. And Indians, equally with their white neighbors, need those facilities of cooperative and corporate action, recreation, mutual aid, etc., which have proved indispensable in the general white world.

The indiscriminating individualization policy of the past has tried to deal with the Indians as though they were not members of groups, or were members only of impracticable groups; as though their family life were of negative importance; as though the parent-child relation among Indians were something needing to be destroyed by the government; and as though Indians could make their transition into the general life as isolated individuals, stripped naked of their environmental influences and without access to those modern business facilities on which the economic life of the white American is dependent.

The central embodiment of the individualization policy is, of course, the allotment law and its derivatives. The system of boarding schools, the uniform curriculum of the government schools generally, the policy of shifting employees as though all Indian situations were everywhere identical: These are instances of the traditional individualization policy.

Of course, there has been a theoretical conflict through the past years between the policy of governmental absolutism and paternalism on the one side and that of the forced individualization on the other side. We mean that there has been such a conflict if it be conceived that the aim of the government has been to set free and to build up the personalities of individual Indians. In practise,

SUGGESTIONS CONCERNING FUTURE INDIAN POLICY, ETC. #14:

these two policies have converged to the end of stripping the Indian of that which he is born into, and then forcing or dumping him into the white world without experience, education or self-reliance but with a sense of inferiority due to his experience and reflected upon him by the white world.

The correctives of the indiscriminate policy of individualization are simple. With respect to Indian social life, the modern viewpoint and methods of community organization are applicable without any reservations. In the economic field, the viewpoint and methods of cooperative and corporate business are applicable, with some adaptations not difficult to formulate.

3. DECENTRALIZATION.

The ancient centralization of responsibility for the Indians, which came about under the War Department as an incident of the Indian wars, has been continued from 1850 to the present date with occasional slight exceptions.

Originally, the handling of Indian property was a rough-and-ready matter of treaty adjustment and enforcement. The property administration has now become a highly complicated business enterprise, made such through the workings of the allotment act and through the development of natural resources on tribal lands and the spending for administrative and other purposes of the income and principal of the tribal wealth.

Similarly, the government's social service to the Indians was originally a simple matter -- indeed, it hardly existed. But in the last twenty years, the Indian social services (no matter how defective and insufficient) have multiplied until they duplicate, at least by intention or pretense, the social services rendered to people at large by the myriad federal, state and local official agencies and the unofficial agencies.

The centralization policy has not merely centered an immense array of tasks within one Bureau; it has centered at Washington the initiative and discrimination which hundreds of Indian service employees should put into effect on a hundred reservations.

It is now easy to see that an adequate Indian service never could be built up within one exclusive bureau and under a centralized administration, unless that exclusive bureau were given inordinate sums of money to spend and were manned by supermen. And even were it theoretically possible to develop the Indian service in this centralized manner, the effect would be to defeat the policy of the assimilation of Indians.

It is in the light of the above propositions that we have urged in this letter a decentralization within the Indian service; a decentralization of various functions into other federal agencies; a decentralization into the states and their subdivisions; a decentralization into the courts; and finally, a definite shedding off of paternalistic responsibility by whatever branch of the government, as rapidly as (a) individual Indians can pass into the common life of America, or (b) incorporated groups of Indians, or groups or tribes

SUGGESTIONS CONCERNING FUTURE INDIAN POLICY, ETC. #15:

dealt with as bodies corporate, can assume responsibility for financing and directing these social activities of their own which are customarily left to private cooperative enterprise.

4. THE SOCIAL ASSIMILATION OF INDIANS vs.
THE DESTRUCTION OF INDIAN HERITAGES.

Back of each of the special trends dealt with above, there has operated a vague assumption, which often has been explicitly voiced, to the effect that Indians are inherently different from other human beings and human groups within the United States; and that the Indianhood of Indians is solely a negative, obstructive, or even sinister trait or influence.

Today, all who deal with the human stuff of our nation realize that every human personality is moulded by, or saturated with, group and parental influences; that energy and motivation are profoundly connected with and dependent on the group situation; that elements of our multiform American heritage are constantly being worked over into that which will become the American character and spirit as time goes on. The heritage of every immigrant group is being melted down or transposed into our increasingly typical American culture, and the movement of this process is rapid in the measure of the absence of coercion. Enforced "assimilation" has always brought about cultural resistance in the group being subjected to such coercion; when through extreme effort or under peculiar conditions it has succeeded in destroying the group loyalty and pride, then it has chiefly resulted in a demoralization and shrinkage of the personalities of the victims.

No argument is needed to show how these general propositions connect with the subject of Indian policy. If that connection could be officially stated and carried out into specific applications, the effect of Indian service employees would be a wholesome one, the moral effect upon the Indians would be profound; and the result would be in the direction of an expedited yet normal social assimilation of the Indian tribes.

We stress the term social assimilation, in order to draw a distinction between the policy here suggested and the historical one which was (and is until now) a policy of social extermination and of the biological assimilation of Indian remnants into the American life. A policy of social assimilation means give-and-take, and pays attention to tradition and to group endowments.

With a renewed expression of our congratulations and hearty good wishes for your administration, we are,

Respectfully,

INDIAN DEFENSE ASSOCIATION OF
CENTRAL & NORTHERN CALIFORNIA

By Chas. de Y. Elkus, President.

THE AMERICAN INDIAN DEFENSE ASSOCIATION, INC.
37 Bliss Building,
Washington, D. C.

February 15, 1930.

*Recd. Feb. 18, 1930
am*

A BILL FOR STATE COOPERATION IN INDIAN
HEALTH, EDUCATION AND RELIEF
(Johnson Bill S. 3581-Swing Bill H.R.9766)

This bill, endorsed by Secretary of the Interior Ray Lyman Wilbur and Commissioner of Indian Affairs Charles J. Rhoads, extends the terms of the Swing-Johnson California Indian Bill, making them applicable to all states, in the discretion of the Secretary of the Interior.

The new bill covers in its language all the purposes of the earlier Swing-Johnson California Bill, and can be considered either to be a measure additional to the California bill, or a substitute for it.

1. The bill (S.3581, H.R.9766) is discretionary. This means, with respect to any state, that it must show its determination to assist the Indians and prove its ability to assist them. It means, with respect to the Secretary of the Interior, that he must examine the facts, and in his hands is the power and duty to regulate, as well as the power to initiate the arrangement and to terminate it.

2. The bill does not deal with, or in any way change the status of, Indian property held in trust by the government; or Indian rights and obligations under treaties; or Indian claims against the government; or Indian citizenship; or the application of civil or criminal jurisdiction or laws to the Indians. The bill exclusively provides machinery for increasing the facilities for Indian education, medical and health service, relief and social welfare.

3. The bill does not launch a new policy. The government for many years has contracted with state schools for the education of Indians. More than half of all federal ward Indians now in school are schooled in state schools, the government contributing toward the cost.

But the bill does extend the schooling precedent to health and relief; and it creates the machinery for effective federal aid and regulation of the state services, at present ineffectual in the matter of education for Indians and non-existent in the matter of health and relief service to Indians.

4. The great positive necessity for the bill grows out of the fact that the federal government does not now, and never can, provide adequate service in education, health and relief to the scattered Indians on the Pacific Coast, in the Dakotas, Minnesota and Wisconsin, in Oklahoma and in some other states.

These Indians are scattered among the white populations, not only on federal-trust-held Indian land, but off of such land. The needed local centers of helpful service could not be provided by the federal government without spending tens of millions of dollars in excess of the ~~present or probable~~ future Indian appropriation.

Unless the state and county agencies which are serving white people can be enabled and persuaded to serve Indians as well, the Indians will continue to go unserved, and to drift steadily further and further below the prevailing level of education, health and standard of living of their white neighbors.

These facts are so evident that they are known to all and are disputed by none with any familiarity with Indian conditions not of fifty years ago, but of the last twenty years.

So long as the federal government is required to spend appropriations only through special federal agencies for Indians, the Indians will not be reached by the appropriations; the mere overhead of a vast centralized Indian administration will consume the appropriations, as it is now doing.

So long as the states and counties are without jurisdiction, or accepted obligation, to furnish their educational, health and welfare services to Indians, the denial of elementary help to Indians must continue.

So long as the Indians remain shut out from participation in the social service of communities where they reside, they will continue to go down-hill in white esteem, and in their own esteem, and in fact.

In brief, the bill (S.3581-H.R.9766) incorporates a policy so fundamental, that the new Administration's ability to accomplish great results for the majority of Indians is largely dependent on the enactment and subsequent application of the bill.

Secretary Wilbur's policy in this matter has been widely misunderstood. It has been thought that he contemplated a relaxation of federal guardianship over Indians. His utterances have never justified such an interpretation; and the present bill is not susceptible to being misunderstood. No element of federal guardianship is diminished by the bill; machinery is established by the bill, necessary for the effective assertion of federal guardianship.

Respectfully,

THE AMERICAN INDIAN DEFENSE ASSOCIATION, INC.

Haven Emerson, M. D., President,
John Collier, Executive Secretary.

THE AMERICAN INDIAN DEFENSE ASSOCIATION, INC.
33 West 42nd Street
New York

To Citizens and to All Organizations Concerned with the Welfare of American Indians—

The continued existence of many of the civilized yet ancient Indian Pueblos of New Mexico depends on action by Congress which will settle the long-standing question of their rights to land. The well-being of several thousand non-Indian settlers now occupying lands granted and patented to the Pueblos by both Spain and the United States, likewise depends on a just and constructive settlement by Congress.

During the last Congress, bills were presented and hearings were held, but no solution was enacted by Congress. It is hoped that a definite solution may be arrived at in the Congress shortly to meet.

There is submitted below an outline of the facts and a plan of legislation, drafted by the Legislative Committee of the American Indian Defense Association and adopted by the Board of Directors of the Association as its proposal. This draft is based on studies made by Counsel of the Association in the field; on consultations with the Pueblos and with non-Indian Settlers; and on a study of the legislation heretofore proposed in Congress and of the laws affecting the Pueblo controversy.

The Association submits this proposal with the wish that criticism, whether of detail or of fundamental idea, may be voiced; that an agreement may be reached upon a final draft for presentation to the Congress; and that the coöperation of all directly interested parties and all citizen organizations may be enlisted toward a final legislative settlement of one of the most vexing questions in Indian Affairs—a practical question involving the existence of Indian communities, the just treatment of thousands of White claimants, and the fulfillment of national responsibilities.

The Association requests consideration and comment upon the proposal and will welcome ideas for its improvement. Secretary Hubert Work has suggested that this plan be laid before the Committee of One Hundred on Indian Affairs at its meeting in Washington, on December 12th.

Report to the Board of Directors
American Indian Defense Association, Inc.

October 31, 1923.

As you are aware, there were presented to the Congress at its last session, various legislative proposals affecting the interests of the Pueblo Indians and the White settlers occupying Pueblo lands.

Chief of these were the so-called Bursum bill and the amendment or substitute reported by Senator Lenroot's Committee as a result of the examination of the Bursum bill; Senator Lenroot's conclusion being that the original bill involved flagrant injustice to the Nation's wards.

It is expected that the "substitute bill," with or without modification, will be introduced at the coming session.

While that bill obviates many of the unjust provisions of the bill for which it was substituted, it adheres to and embodies the principle that lands of the Pueblos shall be taken from them without their consent and without compensation, and therefore, we believe, it should be unacceptable to the Indians and their friends.

To us it seems too clear for discussion, that any legislation which deprives Indians of their lands, or of any of them, or by fiat bars their claims without giving them a "day in court," without their consent or without adequate compensation, constitutes a grave moral wrong.

It is further the opinion of our counsel that any such legislation is unconstitutional, and that because of this fact its enactment would add to the present confusion and strife and would involve increased hardship, not only to the Indians, but to those non-Indians who may be persuaded to rely upon it.

We believe that upon a proper presentation of the facts and of the law to Senator Lenroot and to his colleagues, it will be possible to procure the enactment of legislation through which justice may be done to all interests.

It is obviously of the greatest importance, both to the Indians and to those who are trying to protect their interests, that any action that may be taken in connection with legislation shall be taken with a clear grasp of the legal rights involved and

of the manner and extent to which these rights will be affected by any of the proposed legislative plans.

We are advised by counsel that, as the decisions stand,

(1) No rights have been acquired against the Pueblos through adverse possession, whether with or without color of title.

(2) The proposed legislation referred to above (the "substitute bill"), seeks to confer such rights under certain circumstances and thereby to transfer to non-Indian settlers lands which belong to the Pueblos, and to do this without the Pueblos' consent and without compensation to them.

We are also advised,

(1) That, through the quiescence of the Federal authorities and their failure actively to assert the rights of the Pueblos, some of the present settlers upon Indian lands have come to believe that they or their predecessors had acquired title to the lands, and upon the basis of that belief have in good faith expended moneys in improvements on the lands and thus have enhanced their value.

(2) That the Pueblos are ready and willing to recognize the moral equities of the situation, and will voluntarily relinquish their claims where the encroachments do not unduly limit the area necessary for the maintenance of their community life, either without compensation or for compensation based upon the value of the lands without improvement.

We think it clear

(1) That where the lands are necessary for the maintenance of the communal life of the Pueblos, the simplest principles of justice require that recognition of the moral claims of the settlers, founded on the theory that they have acted in good faith and have been influenced by the quiescence of the Government, shall be accorded, *at the expense of the United States*, whose agents have permitted the situation to arise, and *not at the expense of its wards* who have been helpless and have had no means to prevent the situation from arising.

(2) That the Congress can not and should not be expected to make the appropriations necessary to satisfy these claims without full and detailed information, submitted by responsible Governmental agents of its own choosing.

To meet the situation we propose to suggest legislation having the following features:

(a) The appointment of a Commission of representatives of the Federal Government substantially as in the "Substitute bill."

(b) Instructions to the Commission, as in the "Substitute," to take up the land problems of the several Pueblos successively.

(c) Instructions to the Commission to plot out and set forth by metes and bounds, etc., all lands to which, by grant, confirmation or purchase, the Pueblo Indians are justified in claiming title.

(d) Instructions to supplement the above (c) by setting off, by metes and bounds, etc., all lands within the boundaries thus set out to which, so far as is known, title is claimed by non-Indians; and stating the basis of the several claims so preferred, insofar as ascertainable; together with a report on the value of the lands and the improvements thereon separately stated.

(e) Instructions that the Commission, as soon practicable and without waiting for the completion of its final report, shall transmit to the Attorney General a schedule of all holdings of claimants adverse to the Indians who have *not* held the land adversely claimed either by themselves or by their predecessors in interest, for more than twenty-five years with color of title, or thirty-five years without color of title. Upon receipt of this schedule, the Attorney-General shall be instructed forthwith to file a bill to quiet title to the Indians to all lands contained in this special schedule, without prejudice, however, to the rights of the Indians in the land not so sued for, and without prejudice to their right, or to the Government's right in their behalf, to bring appropriate action to recover it; so that if the Commission does not report or the Congress does not act within a reasonable time, the Indians are not remediless for an undue period.

(f) Instructions to the Commission to confer in each instance with the representative (specified below) of the Pueblo involved, with a view to ascertaining, with respect to each of the claims preferred by the non-Indians, whether, and if so upon what terms as to compensation, the Pueblo will agree to the surrender of any of its rights in such lands; it being understood that the Pueblo may not offer to surrender rights claimed by it in any land unless such land is—

(1) Land occupied adversely for more than twenty-five years with color of title or more than thirty-five years without color of title; or

(2) Land within the boundaries, to be determined by the Commission, of a long-established populous community; including in any event Penasco, Fernandez de Taos, Alcalde, Espanola, Pena Blanca, Bernalillo; or

(3) Land occupied by a state, county or governmental organization for governmental purposes; or

(4) Land occupied by a church, mission or cemetery; or

(5) Land occupied by a public service corporation which has paid compensation.

The result of the conferences above specified, in the form of a statement of the Pueblo's offer in the premises, should be embodied in the report.

(The Pueblos have formally stated that they are willing to surrender the lands specified within categories (2), (3), (4), and (5) above, against compensation where equitably payable, as part of a just and final settlement.)

(g) Instructions that upon the completion of the survey of each Pueblo, the Commission shall frame a report setting forth its findings with respect to each of the matters referred to in Sections a, b, c, d, e, and f, together with

(1) Its opinion as to the validity of the several claims; and

(2) Its recommendation as to the action to be taken by Congress for the purpose of rendering compensation for rights surrendered, either by way of moneys to be covered into the Treasury for the benefit of the Pueblo affected, or by way of substitution of other public lands, or otherwise, in compliance with the terms upon which the Pueblo's agreement to surrender the claims may have been predicated; also

(3) Its recommendation to Congress as to compensation to be paid by the United States to any persons who in good faith have held lands adversely for a period of twenty-five years with color of title, or thirty-five years without color of title, upon their ejection from the land.

The bill should provide further that each Pueblo should be represented before the Commission by a

person chosen by it in accordance with its established and recognized communal practices; that this person should be authorized by the Pueblo to represent it with a power of attorney to negotiate for it, to make offers of surrender of lands claimed on its behalf, and to define the terms on which surrender would be made.

The bill should securely provide for instructions to the Attorney-General that immediately upon the receipt of the report as to any Pueblo, he shall file a bill to quiet title to all lands listed in the schedule referred to in subdivision "e" above (that is, to all lands which, in the opinion of the Commission, have not been held adversely with color of title for more than twenty-five years or without color of title for more than thirty-five years); without prejudice, however, to the rights of the Indians in the lands not embraced in these suits, or to their or the Government's right later to institute appropriate action for the recovery of such lands; so that if the Commission or Congress should not act within a reasonable time, the Indians would not be remediless for an undue period.

The bill should provide that after its passage, encroachments on Indian land not now occupied by non-Indian claimants shall be criminal.

SUMMARY REMARKS

We think that this proposal contemplates justice to all parties.

Those persons who have seized land within the last twenty-five or thirty-five years will be proceeded against immediately, without sacrificing any of the Indians' rights to any of the remaining land.

As to other adverse claims, the Commission will secure a firm offer from the Indians for the relinquishment of such of the lands as are not so essential to their communal life that they cannot be replaced by other lands or through the improvement of the remaining land. In the light of that proposal, the Commission will be in a position to devise an equitable plan of adjustment, and will ascertain and report the sums required to compensate both the Indians and such of the Settlers as have established moral equities. Finally, by reporting such plan Pueblo by Pueblo, it will facilitate speedy and informed Congressional action.

If such legislation shall be enacted, we should conceive it to be the function of those concerned in the preservation of the rights of the Indians—

(a) To see to it, so far as lies in their power, that the Indians are properly represented both in litigations and in negotiations;

(b) To foster what is believed to be the Pueblos' present inclination to recognize the moral equities of the situation and to seek merely that justice be done.

(c) To support legislation which must follow on the submission of the Commission's reports, whereby just compensation shall be paid *by the Government* to those settlers on the land whom it shall be necessary to eject for the purpose of maintaining the topographical integrity of the Pueblos, in those instances where the lands shall have been adversely held in good faith with color of title for twenty-five years, or without color of title for thirty-five years.

(d) Independently of the land question, to urge with respect to the Pueblos the immediate prosecution of the necessary irrigation projects, and health and other relief activities.

HOWARD S. GANS,
A. A. BERLE, JR.

Committee on Legislation.

ACTION OF THE ASSOCIATION

The above report embodies and conforms to the written report made to the Board of Directors of the American Indian Defense Association, Inc., at its meeting on October 30th, 1923.

The following is from the minutes of the meeting:

"The Committee on Legislation, Mr. Gans and Mr. Berle, reported a statement regarding the Pueblo land situation and an outline of proposed legislation. After lengthy discussion, on motion of Mr. Fred M. Stein it was unanimously voted that the committee be empowered to get this statement out as the proposal of the Association, at the discretion of the committee but at the earliest practicable moment; further, that the committee and the

Association should proceed to confer with all interested parties, inviting criticism and coöperation."

The twenty Pueblos of New Mexico, with ten thousand inhabitants, represent and perpetuate the fullest civilization achieved by the American Indian north of Old Mexico.

They are self-supporting and self-governing communities, archaic and yet Christian. They have irrigated their lands for thousands of years, and their complex institutions are probably older than Rome. Their democracy, their esthetic abundance and their hospitality, unweakened from prehistoric times, make them, as Theodore Roosevelt said, "one of our most precious possessions."

All of the New Mexico Pueblos except Zuni are involved in the land question with which the above statement deals. A number of them must dissolve and perish at an early date unless the question is promptly settled in accordance with justice and with the long-standing undertakings of the United States government.

THE
AMERICAN INDIAN DEFENSE ASSOCIATION, INC.
33 WEST 42ND STREET
NEW YORK
Room 1525
Phone Longacre 0506

NON-PARTISAN

NON-SECTARIAN

OBJECTS: To secure to the American Indian just treatment from the Government and People of the United States and to promote his welfare.

President, IRVING BACHELLER
Chairman, Executive Committee, L. R. E. PAULIN
Treasurer, MRS. WILLARD D. STRAIGHT
Executive Secretary, JOHN COLLIER
Counsel, A. A. BERLE, JR.

AMERICAN INDIAN DEFENSE ASSOCIATION, INC
Bliss Building,
Washington, D. C.

February 11, 1930.

THE INDIAN ARTS-AND-CRAFTS MARKETING BILL
(Frazier Bill S. 3520, Leavitt Bill H. R. 9718)

A copy of the Bill is enclosed. Prolonged study in the field, legal research, and consultation with scientists and with business advisors, preceded the Bill's introduction.

The field studies were begun last summer by James W. Young, of Chicago, at the request of Commissioner Rhoads. Among others, he consulted the licensed Indian traders, wholesalers of Indian goods, many of the Indians, and various people with a specialized knowledge of Indian arts and crafts.

Commissioner Rhoads and Secretary Wilbur have given full consideration to the plan, and they endorse and want it, unconditionally.

The best thought of the Indian Defense Associations and of the Institute for Government Research has gone into it.

Endorsements should be sent to Senator Lynn J. Frazier, Chairman of the Senate Indian Affairs Committee, and to Congressman Scott Leavitt, Chairman of the House Indian Affairs Committee. They are the introducers of the Bill.

Endorsements should likewise go to other members of the Indian Committees or to any Member of Congress.

This measure looks forward to a long life for the genius and the creative traditions of the Indian. It likewise promises an economic development which will give happy employment to tens of thousands of Indians in their home environment.

Do not delay!

AMERICAN INDIAN DEFENSE ASSOCIATION, Inc.

Haven Emerson, President
John Collier, Executive Secretary

The Pending Flathead Indian Outrage

A PLEA TO THE SENATE

AMERICAN INDIAN DEFENSE ASSOCIATION, INC.
Dr. Haven Emerson, President.
John Collier, Executive Secretary.

February 28, 1927.

WILL THE SENATE PASS THESE JOKERS —
TO PUT THE SECRETARY OF THE INTERIOR ABOVE THE FEDERAL
POWER COMMISSION;
AND TO CONFISCATE MILLIONS OF DOLLARS FROM THE MONTANA
INDIANS?

To Senators:

It is in your power to stop the proposed confiscation of the Flathead Indian
rights and the amendment of the Federal Power Act through jokers

Postscript March 1st, 1927.

Just as no hearing was granted in the House, so no public hearing has been granted in the Senate. The Senate Appropriations Committee met to consider the Urgent Deficiency bill in executive session this morning. Senator Wheeler appeared before the Committee and stated the objections to the proposed amendment.

The manuscript of this printed document, with further supporting data, was handed to the Committee through one of its members with the following statement:

"The proposed amendment is objectionable on two grounds.

"1. It takes the discretion over the granting of the power lease from the Federal Power Commission and gives it to the Secretary of the Interior.

"2. It declares that the Indian earnings shall be divided with the white members of the irrigation district. The above provisos of the amendment are objectionable because

"a. They are unnecessary to the stated purpose of the amendment.

"b. They have the effect of amending the Federal Water Power Act under circumstances where no hearing can be granted.

"c. The first proviso mentioned above is intrinsically indefensible; the second proviso mentioned above is confiscatory; both provisos change the Federal Water Power Act in a needless, unjust and injurious manner."

The case is not settled even if the Senate Appropriations Committee cures or strikes out the House Cramton amendment. The Cramton amendment may be inserted in conference and then be brought to the Senate with the pressure of conference endorsement. **Therefore every Senator should know the facts.**

Such has been the law since 1920. The joker here referred to absolutely reverses the Federal Power Act. Being in the nature of general legislation, this proviso would be subject to a point of order on the Floor.

WHY IS THE MONTANA POWER COMPANY UNWILLING TO MAKE ITS BID FOR THE LEASING OF THIS POWER SITE TO THE FEDERAL POWER COMMISSION? IS IT UNWILLING?

WHY IS THE SECRETARY OF THE INTERIOR UNWILLING TO LET THE FEDERAL POWER COMMISSION DECIDE WHO SHALL GET THIS LEASE AND WHAT THE TERMS SHALL BE?

WHY ARE THESE FAR-REACHING CHANGES OF PUBLIC POLICY SOUGHT THROUGH PUTTING JOKERS INTO THE URGENT DEFICIENCY BILL AT THE ELEVENTH HOUR?

The following additional information will be of use to the Members of the Senate.

A PREVIOUS WRONG IS OFFERED AS A FICTITIOUS EXCUSE FOR THIS GREATER WRONG

The Appropriation Act for the fiscal year 1927-28 carries \$395,000, appropriated toward a total of \$873,000, to be used by the Indian Bureau in constructing a power plant with distributing system. Said Appropriation Act re-enacts the terms of the Appropriation Act of last year, wherein are prescribed sundry conditions which must be met before the Appropriation is available for expenditure.

This appropriation and its authorization were made on the basis of misrepresentation and the withholding of data by the Indian Bureau from Congress. Therefore on February 14th last, this Association addressed an open letter to the President requesting that he cause the Department of Justice to intervene and protect the Flathead tribe against the operation of this Act, which was confiscatory, inasmuch as it delivered to white owners of land formerly belonging to the Indians, part of any net earnings that might be derived from the proposed Indian Bureau power project. This already authorized Bureau project, while confiscatory, does not involve an amendment or reversal of the Federal Water Power Act. It deals with only 7,800 of the 100,000 horsepower of the Flathead River, and is an abortive, impracticable government operation scheme. **IT CAN NOT BECOME OPERATIVE IN THE MONTHS AHEAD, AND NOW THAT THE FACTS HAVE BEEN MADE KNOWN IT WILL BE PROMPTLY RESCINDED—WIPED OUT—BY THE NEXT CONGRESS.**

The claim that the present sweeping proposal of giving to white men a share of the Indian earnings from the whole water power, with its reversal of the Federal Water Power Act, is necessary as an escape from the fantastic Bureau project, is supported neither by facts nor logic. The Bureau's abortive project will be delayed if necessary by legal action and Congress will wipe it from the statutes next December.

Furthermore, the proposed amendment to the Urgent Deficiency bill, with its division-of-earnings feature, leaves with the Secretary of the Interior the ultimate discretion as to whether he will still go on with the Indian Bureau's fantastic power-site-toy project. The amendment does not insure the substitution of a complete development even under the terms of the Federal Power Act changed, as proposed, to take away from the Indians part of their royalty. On the contrary the proposed amendment estops the Federal Power Commission and places final authority in the Secretary of the Interior.

Wholly or partly as the result of the full publication of the facts above asserted concerning the Indian Bureau's confiscatory earlier project, the Inter-

ior Department has now proposed and has actually put through the House the far more openly confiscatory amendment to the Second Urgent Deficiency Bill, which is now pending before your Body.

NOW GRAND CONFISCATION IS TO BE SUBSTITUTED FOR PETTY CONFISCATION

This amendment re-enacts, in a way wholly superfluous, the terms of the Appropriation Act already passed by Congress. It re-enacts in a restrictive manner the right of the Federal Power Commission to proceed and arrange for the licensing of the water rights to private parties, which existing law fully provides for. The final discretion is lifted out of the Federal Power Commission, where it now reposes, and is newly vested in the Secretary of the Interior. **WHY?**

All this appears as a cover for the new object contained in the pending which is the object accomplished by the third and second proviso, namely: (a) To transfer the discretion from the Federal Power to the Secretary of the Interior, and (b) to amend, in effect, Section 17 of the Federal Water Power Act, and by so amending it to provide for the of the revenues, an indeterminate part of which the Indians are allowed to retain and an indeterminate part of which would be to white owners of lands anciently Indian, to be used to reduce the of those white owners to the Government for reclamation serv- inimum effect of this second-to-last proviso is to obtain a Con- claration that the Indian earnings shall be divided with the

ing the lack of any necessity for the proposed amendment, the fol- are given:

The existing law (Appropriation Act for 1927-28) authorizes the expenditure authorized in the proposed amendment. Said expenditure, for a power plant, etc., obviously includes the construction of a distributing system.

The existing law (Appropriation Act of 1927-28) prescribes every detail regarding the making of contracts with the irrigation dis- trict, contained in the proposed amendment.

Existing law fully empowers the Federal Power Commission to with any undertaking from preliminary surveys to the final of the power development (Federal Water Power Act of June 1906). The proposed Amendment subordinates the Federal Power Commission to the Secretary of the Interior. **WHY?**

No opinion to the contrary of any of the above statements has been presented either by the Attorney General, the Controller, the Director of the Budget or the Secretary of the Interior. Patently, in the Indian project the expenditure is made by the Appropriation Act on future developments which have not taken place and until such time as developments do take place, the Federal Power Act should be construed as being, its terms being comprehensive.

e. Two, and only two, elements of new legislation appear in this proposed amendment. First is the subordination of the Federal Power Commission to the Secretary of the Interior. Second is the proviso "that the rental from such permits or licenses shall be divided between the Indians of said reservation as a tribe, and the irrigation project (of which a large and increasing part is owned by whites), or otherwise as may be determined hereafter by appropriate legislation."

This proviso directly and completely amends section 17 of the Federal Water Power Act wherein it is provided that all proceeds from power development on any Indian reservation shall be placed to the credit exclusively of the Indians on such reservation. It amends—reverses—this provision as applied to the largest Indian power site.

IT IS CONFISCATION AGAINST INDIANS, AND A BLOW AT THE FEDERAL POWER ACT IN THE FORM OF JOKERS.

SUMMARY

The division of revenue sought in this proposed amendment is in itself confiscatory, and is a sharp reversal of the established policy and law regarding the rights of Indians to royalties derived from their natural resources.

But, in addition, the method through which it is sought to obtain this object is wholly indefensible. The object is to be attained through what is in every sense of the word a joker. For even assuming the balance of the proposed amendment to be somehow needed (it is not needed but is, on the contrary, vicious), this division of revenue proviso is unrelated to the rest—nothing else hangs on it, and it is not required for clarifying or completing any other subject-matter of the proposed amendment. It is inserted to be carried through by the alleged necessity for the balance of the proposed amendment. It has been shown above that this alleged necessity does not exist.

The full meaning of the present effort at doing the Indians out of their largest water power resource, while ousting the Federal Power Commission from its authority, is revealed through the fact that not a word of explanation was given in the House, and that the report of the Budget Director omits all mention of that proviso which reverses section 17 of the Water Power Act of 1920, and which is revolutionary in its effect. No argument, no justification has even been attempted. Nor has that part of the joker which subordinates the Federal Power Commission been mentioned at all.

Congress has just re-enacted the Indian Oil Leasing Bill, which establishes that Indian oil royalties shall belong to the Indians and not be confiscated from them. The Indian Bureau proposed last year that these oil royalties be taken from the Indians to the extent of 37½ per cent of the total royalties and be given to the states.

The present proposal, directly emanating from the Interior Department, is identical in its confiscatory action with that contained in the Bureau's oil bill which Congress rejected last year. It is even less defensible, in view of the method through which it is being sought to attain the object—the method of inserting a joker into a supererogatory amendment of the Urgent Deficiency Bill.

And through the companion joker in this same amendment the Secretary of the Interior will usurp the leasing discretion of the Federal Power Commission. **WHY?**

Respectfully,
AMERICAN INDIAN DEFENSE ASSOCIATION, INC.
JOHN COLLIER, Executive Secretary.
214 Munsey Building, Washington, D. C.

The Pending Flathead Indian Outrage

A PLEA TO THE SENATE

AMERICAN INDIAN DEFENSE ASSOCIATION, INC.
Dr. Haven Emerson, President.
John Collier, Executive Secretary.

February 28, 1927.

WILL THE SENATE PASS THESE JOKERS —
TO PUT THE SECRETARY OF THE INTERIOR ABOVE THE FEDERAL
POWER COMMISSION;
AND TO CONFISCATE MILLIONS OF DOLLARS FROM THE MONTANA
INDIANS?

To Senators:

It is in your power to stop the proposed confiscation of the Flathead Indian water rights and the amendment of the Federal Power Act through jokers contained in the Second Urgent Deficiency Bill.

The words "confiscation" and "joker" are advisedly used. This Flathead power site is the most important power site on any Indian reservation and its ownership is vested by treaty in the Indians. Its horsepower is 100,000.

The House on Saturday did the extraordinary thing of passing **without a word of explanation given and without discussion**, the amendment proposed by Mr. Cramton which in all particulars except two is an ineffectual re-enactment of existing law. **These two particulars, which are (a) the division of Indian royalties, part of them to be delivered to white men, and (b) the subordination of the Federal Power Commission to the Secretary of the Interior, are carefully not mentioned in the report of the Budget Director endorsing the Cramton amendment.**

They were not mentioned on the Floor, nor in any other way, so far as we know, brought to the attention of the House.

The new legislation contained in the amendment as passed by the House is found in two provisos, as follows: The "meat of the cocoon" is in the words in heavy type. The long antecedent passages are not quoted, being useless repetition of existing law "Provided further, That the Federal Power Commission is authorized, **upon terms satisfactory to the Secretary of the Interior**, to issue a permit or permits, or a license or licenses, for the use of power sites on the Flathead Reservation and water rights reserved or appropriated for the irrigation project for the development of power. Provided further, That the rentals from such permits or licenses, with the exception of fees for administration under the Federal water power act and charges for use of public lands not within the reservation **shall be divided between the Indians of said reservation as a tribe and the irrigation project or otherwise as may be determined hereafter by appropriate legislation.**"

The confiscatory proviso, which is the second proviso from the end of the Cramton amendment, definitely and conclusively alters the terms of the Federal Power Act of 1920, which Act, in section 17, guarantees to and segregates to the Indian Tribes all the rentals obtained from water power when the development of that power is licensed by the Federal Power Commission. Such has been the law since 1920. The joker here referred to absolutely reverses the Federal Power Act. Being in the nature of general legislation, this proviso would be subject to a point of order on the Floor.

WHY IS THE MONTANA POWER COMPANY UNWILLING TO MAKE ITS BID FOR THE LEASING OF THIS POWER SITE TO THE FEDERAL POWER COMMISSION? IS IT UNWILLING?

WHY IS THE SECRETARY OF THE INTERIOR UNWILLING TO LET THE FEDERAL POWER COMMISSION DECIDE WHO SHALL GET THIS LEASE AND WHAT THE TERMS SHALL BE?

WHY ARE THESE FAR-REACHING CHANGES OF PUBLIC POLICY SOUGHT THROUGH PUTTING JOKERS INTO THE URGENT DEFICIENCY BILL AT THE ELEVENTH HOUR?

The following additional information will be of use to the Members of the Senate.

A PREVIOUS WRONG IS OFFERED AS A FICTITIOUS EXCUSE FOR THIS GREATER WRONG

The Appropriation Act for the fiscal year 1927-28 carries \$395,000, appropriated toward a total of \$873,000, to be used by the Indian Bureau in constructing a power plant with distributing system. Said Appropriation Act re-enacts the terms of the Appropriation Act of last year, wherein are prescribed sundry conditions which must be met before the Appropriation is available for expenditure.

This appropriation and its authorization were made on the basis of misrepresentation and the withholding of data by the Indian Bureau from Congress. Therefore on February 14th last, this Association addressed an open letter to the President requesting that he cause the Department of Justice to intervene and protect the Flathead tribe against the operation of this Act, which was confiscatory, inasmuch as it delivered to white owners of land formerly belonging to the Indians, part of any net earnings that might be derived from the proposed Indian Bureau power project. This already authorized Bureau project, while confiscatory, does not involve an amendment or reversal of the Federal Water Power Act. It deals with only 7,800 of the 100,000 horsepower of the Flathead River, and is an abortive, impracticable government operation scheme. **IT CAN NOT BECOME OPERATIVE IN THE MONTHS AHEAD, AND NOW THAT THE FACTS HAVE BEEN MADE KNOWN IT WILL BE PROMPTLY RESCINDED—WIPED OUT—BY THE NEXT CONGRESS.**

The claim that the present sweeping proposal of giving to white men a share of the Indian earnings from the whole water power, with its reversal of the Federal Water Power Act, is necessary as an escape from the fantastic Bureau project, is supported neither by facts nor logic. The Bureau's abortive project will be delayed if necessary by legal action and Congress will wipe it from the statutes next December.

Furthermore, the proposed amendment to the Urgent Deficiency bill, with its division-of-earnings feature, leaves with the Secretary of the Interior the ultimate discretion as to whether he will still go on with the Indian Bureau's fantastic power-site-toy project. The amendment does not insure the substitution of a complete development even under the terms of the Federal Power Act changed, as proposed, to take away from the Indians part of their royalty. On the contrary the proposed amendment estops the Federal Power Commission and places final authority in the Secretary of the Interior.

Wholly or partly as the result of the full publication of the facts above asserted concerning the Indian Bureau's confiscatory earlier project, the Inter-

ior Department has now proposed and has actually put through the House the far more openly confiscatory amendment to the Second Urgent Deficiency Bill, which is now pending before your Body.

NOW GRAND CONFISCATION IS TO BE SUBSTITUTED FOR PETTY CONFISCATION

This amendment re-enacts, in a way wholly superfluous, the terms of the Appropriation Act already passed by Congress. It re-enacts in a **restrictive** manner the right of the Federal Power Commission to proceed and arrange for the licensing of the water rights to private parties, which existing law fully provides for. The final discretion is lifted out of the Federal Power Commission, where it now reposes, and is newly vested in the Secretary of the Interior. **WHY?**

All this appears as a cover for the **new** object contained in the pending amendment, which is the object accomplished by the third and second proviso from the last, namely: (a) To transfer the discretion from the Federal Power Commission to the Secretary of the Interior, and (b) to amend, in effect, Section 17 of Federal Water Power Act, and by so amending it to provide for the distribution of the revenues, an indeterminate part of which the Indians would be allowed to retain and an indeterminate part of which would be turned over to white owners of lands anciently Indian, to be used to reduce the indebtedness of those white owners to the Government for reclamation services. The minimum effect of this second-to-last proviso is to obtain a Congressional declaration that the Indian earnings shall be divided with the whites.

As proving the lack of any necessity for the proposed amendment, the following facts are given:

a. The existing law (Appropriation Act for 1927-28) authorizes the expenditure authorized in the proposed amendment. Said expenditure, authorized for a power plant, etc., obviously includes the construction of the distribution system.

b. The existing law (Appropriation Act of 1927-28) prescribes every salient detail regarding the making of contracts with the irrigation district, etc., contained in the proposed amendment.

c. Existing law fully empowers the Federal Power Commission to proceed with any undertaking from preliminary surveys to the final licensing of the power development (Federal Water Power Act of June 10, 1920). The proposed Amendment subordinates the Federal Power Commission to the Secretary of the Interior. **WHY?**

d. No opinion to the contrary of any of the above statements has been presented either by the Attorney General, the Controller, the Director of the Budget or the Secretary of the Interior. Patently, in the Indian Bureau project the expenditure is made by the Appropriation Act contingent on future developments which have not taken place and until such developments do take place, the Federal Power Act should be construed as prevailing, its terms being comprehensive.

e. Two, and only two, elements of new legislation appear in this proposed amendment. First is the subordination of the Federal Power Commission to the Secretary of the Interior. Second is the proviso "that the rental from such permits or licenses . . . shall be divided between the Indians of said reservation as a tribe, and the irrigation project (of which a large and increasing part is owned by whites), or otherwise as may be determined hereafter by appropriate legislation."

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The full meaning of the present effort at doing the Indians out of their largest water power resource, while ousting the Federal Power Commission from its authority, is revealed through the fact that not a word of explanation was given in the House, and that the report of the Budget Director omits all mention of that proviso which reverses section 17 of the Water Power Act of 1920, and which is revolutionary in its effect. No argument, no justification has even been attempted. Nor has that part of the joker which subordinates the Federal Power Commission been mentioned at all.

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The present proposal, directly emanating from the Interior Department, is identical in its confiscatory action with that contained in the Bureau's oil bill which Congress rejected last year. It is even less defensible, in view of the method through which it is being sought to attain the object—the method of inserting a joker into a supererogatory amendment of the Urgent Deficiency Bill.

And through the companion joker in this same amendment the Secretary of the Interior will usurp the leasing discretion of the Federal Power Commission. **WHY?**

Respectfully,
AMERICAN INDIAN DEFENSE ASSOCIATION, INC.
JOHN COLLIER, Executive Secretary.
214 Munsey Building, Washington, D. C.

Indian Defense Association of California

1924-27

Including Bulletin: American Indian Life

REGARDING MISREPRESENTATIONS

Oct. 20, 1924

To the Directors and Friends of the
Indian Defense Associations of California:

Last winter during the Legislative effort preceding the adoption of the Pueblo Land Law as endorsed by the Indian Defense Associations, it became necessary for the American Indian Defense Association, Inc., to issue a "Statement Regarding Misrepresentations." Because these misrepresentations had been invidious and sometimes personal, the Association had remained silent about them for many months, but it became clear that good people were believing the misstatements just because they were uncontradicted.

A similar situation has arisen now, and with even more hesitation I am writing, this time personally, to give you the facts through which to deal with slanders that are doing harm to the Indian cause. The subject is of minor importance---but not unimportant.

The Allegations

They fall into groups and I will briefly quote such of them as I have been able to learn about.

1. That the Pueblo religions are immoral. That we and specifically I have encouraged the Indians in these systems of immorality.
2. That there is a "progressive Christian" group numbering over 2,000 in the Pueblos who are being persecuted by the "pagan" elements, and we and especially I are encouraging this persecution and preventing the Government from stopping it.
3. That I personally am engaged in preventing the Government from regulating the use of peyote (a drug) among the Indians.
4. That the Pueblo Land Law, as finally passed by the Congress represents the opposite of what the Indian Defense Associations were seeking and these Associations have now claimed responsibility and credit for the measure which represented their defeat.
5. That the whole effort of the Associations is due to the self-seeking activity of a few persons, especially myself; and I am receiving a large compensation, specifically stated at \$15,000 and an equally large expense account, and I am working to prolong the Indian Defense effort; and
6. That in the course of this effort I (and we) have exaggerated conditions and misstated facts.

A wide variety of persons are making one or all of the above statements. They include employees of the Bureau of Indian Affairs; executives of a long-established Indian Rights organization; certain missionaries; and individuals in New Mexico, or connected with certain New Mexico groups.

Below, these allegations are dealt with seriatim.

The charge that the Indian religions are immoral has been developed across a ten-year period; the charge that we are upholding the Indians in immoral religious practices has been made as a retort to our charge that the Indian Bureau is persecuting the Indian religions.

The general allegations of immorality have been met through denials by competent authority. But those making the charges have insistently referred to unprintable documents in the possession of the Indian Bureau, which were stated to contain abundant evidence of the immorality of the Indian religions. (See for example the Indian Rights Association's statement in The Saturday Evening Post of October 18th, current.) These documents have been given a wide subterranean circulation. It was not until a month ago that I came in possession of them.

These secret exhibits contain about 60,000 words and are in the shape of affidavits and sworn verbal testimony by Indians and others. The material was collected by employees of the Indian Bureau, by certain missionaries in and out of Indian Bureau employ, and by an executive of the Indian Rights Association.

A careful reading of this highly pornographic material reveals, in its whole repulsive extent, one charge and one only against the religious creeds, ceremonies or practises of the Indians. This charge--a fantastic one related to the Rio Grande Puebles--is made by one witness, who is not cross-examined regarding it; and the other witnesses are not invited to corroborate or deny it. I do not characterize this material further, but it must be said that those circulating it are to be presumed to have read it; that having read it, they know that even as an ex parte statement--even as a mass of uninvestigated assertions--it neither proves nor alleged immorality against the Indian religions. But with many who read it the purpose is accomplished: a revulsion of feeling is caused, not against the perpetrators of this outrage, but against the Indians, its victims.

I do not imply that the repulsive statements, even as descriptions of the secular behavior of these Indians, are true. They are false--in most cases wildly false--and the makers of most of them can be proved irresponsible. But this aspect is of secondary interest. The sensational aspect is that documents, unprintable and therefore necessarily secret, which even on their face do not indicate an immorality of Indian religions, are rumored through a systematic nation-wide campaign as constituting a fearsome proof--that "pagan-immoral religions" must be suppressed, and that the friends of the Indians are endorsers of immorality.

This slander against a whole Race who are necessarily voiceless, carried out by a bureau of the Government with the aid of important Indian welfare and missionary agents, is so extraordinary that it makes uninteresting all the other ~~things mentioned~~ things mentioned below.

2. PERSECUTION

The charge concerning the persecution of Christian Pueblo Indians by so-called "pagans" was made by spokesmen of the Indian Bureau--"system" at Los Angeles and was dealt

with by Charles F. Lummis. It was repeated with some detail by the head of a great missionary organization in an article published in the Sacramento Bee. This article was controverted with exhaustive circumstantial details by myself in the Sacramento Bee. In my reply, the maker of the charges was gently convicted of wholesale ignorance regarding Pueblo Life. The statements which I made were by name, number, place, etc.---they were designed to make it necessary for those preferring this charge to prove specifically that they were telling the truth and that persons like Chas. F. Lummis and myself and the Indian officials of the Pueblos were liars. No answer has been forthcoming, but the same type of slander goes right on and is now going on in San Francisco.

3. PEYOTE

The charge regarding peyote was made by Clara B. True, Associate Secretary of the Indian Rights Association, and has been circulated by the Indian Bureau, the Indian Rights Association, and a group in New Mexico which included Edward S. Curtis of Los Angeles, the well-known Indian photographer. Mr. "Pussyfoot" Johnson was enlisted to broadcast this charge along with the other charge that "agitators" were leading the Taos Pueblo officials to withdraw their boys from the Government school for a two year's course in sodomy.

Regarding the peyote slander, my solitary activity in the matter of peyote has been the introduction, at the meeting of the Committee of 100 on Indian Affairs, of a resolution asking the Secretary of the Interior to request the National Research Council to investigate the peyote question. This resolution was adopted unanimously by a vote which included some of those very individuals now circulating this slander.

4. PUEBLO LANDS

The struggle over Pueblo legislation has been responsible for much of the campaign of injury referred to in this letter, and some of those who were hostile in that controversy are now very active in the attempt to impede the work of the Associations. Those desiring the full background can obtain from me the documents which cover it. Enough to say that the struggle revolved around an effort to cancel the land titles of the Pueblos by a retroactive statute of limitations without the consent of the Indians; that New Mexico local groups---political and intellectual---with the Indian Bureau advocated a bill thus providing for cancellation of the land titles. The Indian Defense Associations carried their point and there was finally passed a bill which gives the Pueblos their day in court in all land title disputes, which does not cancel any Pueblo land title through retroactive limitations without the consent of the Indians, which does compensate the Indian for any land that he may be proved to have lost by Governmental neglect, and which in general fulfills the aims of these Associations as stated from the beginning.

As soon as the Pueblo Land Law was passed the struggle became shifted to an effort to defeat the Pueblos before the Pueblo Land Board and the Courts: (a) to dissuade the Pueblos from making use of the legal aid which these Associations were offering them; and (b) to split into factions those Pueblos which had the largest stake in the land settlement, in order that they could not appear solidly, as unified corporations, before the Land Board. Out of this hostile effort, which coincided with the struggle led by ourselves against the persecution by the Indian Bureau of the Pueblo religions, arose a new phase of controversy and the slanders which are dealt with in this letter.

All the statements here made regarding this complicated subject will be substantiated to any inquiring person; in fact they are all covered in mimeographed or printed documents.

5. GRAFT

The allegations here relate partly to motive and partly to fact. The innuendo that our motives are self-seeking can be passed by. The allegation of fact, viz. that I, as Secretary of the National Association or in some other capacity, am receiving a fabulous compensation, expense account, etc., must be dealt with because it is doing practical harm. The harm it is doing is to prevent the Defense Associations, and particularly this one here in the Bay Cities, from raising the money necessary to finance the legal aid to the Pueblos before the Land Board and the National legal and legislative effort ahead.

Therefore, regardless of the indelicacy of paying attention to personal gossip, I am compelled to make the following statement:

I have not, since the first taking up of the Indian work, earned or gained, by means of it, enough for the modest support of my family. I have been able to keep myself going and to help keep the work going, through using up an inheritance belonging morally if not legally to my children, supplemented by the earnings of another member of my family not engaged in Indian work. The years since I began the Indian work have been the years of smallest earning and greatest financial hardship that I have known for a decade. Our attorneys similarly, since March 1923, have been underpaid or not paid at all. Those facts are not evidence either of self-devotion or of efficiency, but are rather a humiliating confession, which nevertheless must be made at this time because a contrary allegation is influencing persons who might be workers or contributors in the Indian cause.

6. INACCURACY

As to the allegation that the Associations, or officers of them writing or speaking independently, have exaggerated or have misstated facts. Our chief strength lies in this---that we have made an exhaustive record before the Committees of Congress, in the press and in pamphlets, and that none of our thousands of statements have been specifically challenged. Were the Indian Bureau able to show that we had exaggerated or testified falsely in even one matter, it and the interests it represents and those miscellaneous people driven by local animus or personal revenge, would have gained a strategical victory. We can but await the event and hope that they will get down to instances.

SOME GENERAL REMARKS

It is just as well for every director and every worker to appreciate where this Indian situation stands. Our critics are right when they say that we wish to extend the struggle. Details along the way are important, but our object is to bring the present system of Indian Affairs to an end, with the implied uprooting of vested interests entailing ultimately hundreds of millions of dollars. We are not only seeking to cope with vested financial interests, but with the more emotional local biases and interests, hostile to the Indians, such as those in Oklahoma, New Mexico and the Dakotas. We are coping likewise with over 5,000 employed persons who must carry out the bidding of a headquarters staff determined at all costs that the historic Indian system shall not be changed. And further still, we are coping with the situation among

the missionaries, whereby they are at once victims of the Indian Bureau and recipients of un-American privileges of proselyting from the Indian Bureau, and in certain important cases subsidized financially through the action of the Indian Bureau.

As we draw nearer to the critical struggle we must expect that the attacks which have been going on for more than a year will multiply and will intensify; and the method of slander will not be less used hereafter than now.

It must not be inferred that persons waging such a campaign by such methods as here intimated, are peculiarly depraved. A historical precedent is not only interesting but important. During 1880 the Ponca Indians were a focus of National interest somewhat as the Pueblo Indians have recently been. In connection with the Poncas there arose the question of whether Indians were possessed of constitutional rights, including habeas corpus. A group led by Helen Hunt Jackson solicited money to be used in litigating the whole subject of the personal and property rights of the Indians through the Ponca case---a litigation not to be conducted as a "friendly suit" designed to obtain court rulings strengthening the autocratic power of the Indian Bureau, but a suit in dead earnest to establish the rights of the Indians. Into this situation no less a personality than Carl Schurz was injected. Schurz was Secretary of the Interior, and he threw his influence publicly into the effort to prevent this Indian Welfare group from raising the money to litigate the Ponca test case. Because of Schurz's great reputation and of his acknowledged wish for Indian welfare, and of his official position, his effort succeeded. Schurz was not venal, nor had he any revenge to wreak on Mrs. Jackson and her group or on the Poncas. His action was controlled by a dogma, which was that a short cut to freedom and civilization for all Indians lay in the immediate allotment, with fee simple individual patents of their lands. Any other program might distract attention from this sure solution.

Historical developments completely overthrew Schurz's dogma. Through using that dogma the Indian Bureau used him and postponed indefinitely the effective test of the rights of Indians under the Constitution.

We are now seeking in part to do what was not done in 1880--- to establish by litigation and legislation the right of the Indian to be free. The Ponca case is fully dealt with in the appendix of Mrs. Jackson's book, "A Century of Dishonor", along with much beside which will remind a reader that there is no feature in the struggle to obtain justice for the Indians. No new feature--- unless it should be the determination of the Indian Defense Associations to go on to the end.

from Collier

Indian Defense Association of
Central and Northern
California.

Indian Defense Association of
Santa Barbara.

Indian Defense Association of
Southern California.

Branches of the American Indian
Defense Association, Inc.

For more information, address
Room 407, Call Building,
San Francisco.

TWO CRITICAL BILLS

DEALING WITH

THE INDIANS OF
CALIFORNIA

State
The ~~text~~ of Senate Bills Nos. 336 and 337 is appended
herewith.

The Indian Defense Associations urge support for these
pending bills for reasons of which the following are examples:

The State Board of Health, after a careful investigation two
years ago, reported that the conditions among the Indians in northern
California were "incredible." The Board's investigators found that
Indians had been allotted on mountain tops where frost came every month
of the year, and on lava beds where nothing grew and where cracks in
the lava were big enough to swallow cows.

Distress and disease were found in many of the bands. Over
one half of the children in Fort Bidwell school were suffering from
infectious Trachoma leading to blindness.

Land has been purchased for the Indians with Federal money,
80% of this land being valueless for farming or grazing.

The conditions described by the State Board of Health two
years ago, have not been materially altered. Meantime, similarly
shocking reports have come from the south of the state. Captain S.L.
Hoffman, of Santa Barbara, reports currently to the Indian Defense
Associations, as follows, about the hospital for Mission Indians at
Soboba:

"This is nothing but an old farmhouse fixed up in a rough
way to accomodate about six women, six children and six men. The
nights are very cold in this high altitude, but there is no provision
for heating this old house except by the use of an oil stove. At this
hospital is one nurse who has to do the duties of a nurse and also cook
and run the laundry. The doctor is trying to do some operative work, but
there is no sterilizer in the hospital. Nearly all the cooking is done
in the laundry, an old barn about 200 ft away from the main building,
and the food is carried over to the patients. No provision is made for
isolation cases, and at the time I was there, I found two isolation
cases being cared for in an old tent house back of the hospital. The
only place these patients had to bathe was an old chicken coop near
the tent."

Near Healdsburg on the Alexandra Valley rancherios are Indians
domiciled on the steepest slopes of the valley canyons, where the sun
penetrates but a few hours a day. Agriculture is impossible under such
conditions.

Recd. Feb. 9, 1925 - *can*

Shacks, without light or ventilation, are the homes of these people. Much sickness is in evidence. Men go long distances for work. The investigator found some of the women in the fields searching for edible greens to eke out their meager food supply.

The proposed investigation would learn the facts about land, health, schooling, economic conditions, care of the aged and infirm, etc., and would formulate a scheme for cooperative action between the Federal and State and County authorities to be submitted to Congress and the State Legislature. But the immediate relief for hungry and diseased Indians should not be postponed, since enough facts to justify it are now in possession of the State Board of Health and County Welfare Boards and the State Board of Education.

California must not allow her own first Americans to remain in such conditions.

The case is one for emergency action.

YOUR help is needed.

WHAT CAN YOU DO TO HELP?

A sample Resolution that may serve as a basis for action by your organization is herein presented.

The Committee of the Senate to which these Bills are referred is the Finance Committee. The following is a list of the members:

Chairman - Mr. Ingram.
Messrs. Allen, Boggs, Breed, Canepa
Chamberlin, Crowley, Dennett, Harris,
Inman, Johnson, M.B. Jones, Lyon,
Nelson, Rush, Sample, Sharkey, Slater.

Send your endorsements as an organization, also individual letters of your members to the Chairman and members of the Finance Committee; to be followed later by appeal to the individual members of both Senate and House, after the Bills have been reported from Committee. Appeal to your local editors for newspaper support of the two bills. Ask the Pastors of the churches of your communities for support, and any other persons who might exert influence.

Get in touch with your Assemblyman and Senator and urge passage of these Bills.

Please let us know what you will do. Action must come now or a period of two years must elapse before the legislative session following the present one.

SAMPLE RESOLUTION

WHEREAS the condition of the California Indians, economic, educational and sanitary, has been uncovered, both in official reports and the investigations of private individuals, to be a matter of reproach and criticism of the great State of California, and,

WHEREAS, there is urgent need for immediate relief, medical attention, food, clothing, fuel and shelter for these Indians,

THEREFORE, BE IT RESOLVED,

this Organization endorse and sustain Senate Bills 336-337, asking thorough investigation of the Indians of California, as outlined in S.B. 336; also immediate relief, S.B. 337, when the investigating committee so recommends.

TEXT OF THE BILLS

SENATE BILL

No. 336

Introduced by Senators Handy, Slater and Nelson,

January 22, 1925.

Referred to Committee on Finance.

An act providing for the appointment of a committee to investigate and report upon the economic, sanitary and educational conditions, needs and general welfare of the Indians of California, and appropriating the sum of twenty-five thousand dollars to cover the cost of such investigation.

The people of the State of California do enact as follows:

SECTION 1. The governor of the State of California is hereby authorized and directed to appoint a committee of three persons, one of whom shall be an agricultural expert, for the purpose of making a complete survey and report to the governor of the economic, sanitary and educational conditions and needs of the Indians of California, together with a recommendation as to specific measures to be adopted by the legislature of said state, or by the congress of the United States or other government department, for the purpose of remedying and relieving any conditions which may be found unsatisfactory. In addition to the three members so appointed by the governor, there shall be four ex officio members of said committee, viz, the governor of the state, chairman of the state board of control, secretary of the state board of health, and the state superintendent of public instruction.

SECTION 2. None of the members of said committee shall receive any compensation for their services; but shall be allowed their actual traveling expenses in connection with the work of the committee. Said committee shall organize by electing a chairman and a secretary, and may employ such expert and clerical assistants, and incur such further expense as may be necessary to fully accomplish the purposes of this act, within the limits of such sums as are herein appropriated. Upon organizing it shall be the duty of this committee to investigate fully the economic, sanitary and educational conditions and needs of the Indians of California, and within the period of one year from the date at which this act becomes effective shall embody the results of their investigation and survey in a written report to the governor of the state, together with their recommendations as provided in section one hereof.

SECTION 3. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000), to be expended by said committee in the making of said investigation, survey and report.

SENATE BILL

No. 337

Introduced by Senators Handy, Slater and Nelson,

January 22, 1925

Referred to Committee on Finance.

An act making an appropriation for emergency relief of
Indians in California.

The people of the State of California do enact as follows:

SECTION 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of one hundred thousand dollars (\$100,000), to be expended by the state board of health upon recommendation or approval of the committee appointed under the act entitled: "An act providing for the appointment of a committee to investigate and report upon the economic, sanitary and educational conditions, needs and general welfare of the Indians of California, and appropriating the sum of twenty-five thousand dollars to cover the cost of such investigation" approved -----, 1925, for the emergency relief of Indians in California, residing either on or off Indian reservations, who may be suffering from lack of medical attention, food, clothing, fuel or shelter.



America's Blackest Crime

and its remedy



"After a long private conference with this little Indian girl, I grew dumb at the horrible things she rehearsed, much of which is of official record at Union Agency, Muskogee, Oklahoma. There was nothing I could say. Mutely I put my arms around her, whose great wealth had made her a victim of an unscrupulous, lawless parry, and whose little body was mutilated. Her terrified screams brought no help then—but now, as surely as this tale of horror reaches the friends of humanity, swift action must be taken. This is an appeal for **action, immediate action** by the honest and fair-minded Americans of this 20th century." From the **Joint Report of the Indian Welfare Committee, General Federation of Women's Clubs, The Indian Rights Association, and The American Indian Defense Association, Inc.**

Where a whole race of men is denied civil, religious and property rights—is handicapped like a slave race or serf class of ancient times—then myriad dramatic instances of suffering and shame are bound to exist.

One from the myriad of such instances is given above.

But the challenging fact is not this or that particular tragedy or outrage. The challenging fact is the system of exploitation under which the American Indian, our ward, is held in violation of solemn treaties as well as of American traditions. Doomed as a race, and in tens of thousands of cases doomed morally, doomed to physical blindness and to premature death—and needlessly doomed.

Such a challenge must be personal to every American. A handful only of the general population desire to maintain the "accursed system" which President Lincoln characterized and which has grown more all-embracing since his day. The great masses are unconscious of the situation, though millions of public wealth are dissipated by that system which dooms the Indians. America does not want to wrong the Indians; Congress does not want to wrong them. The remedies are at hand.

The Indian Defense Associations have been formed to

bring to an end this last chapter of **human and racial bondage under the American flag**. They are prepared to show the facts to citizens. They have work for all citizens to do.

Some Facts

All the atrocities were not committed in Belgium, France and Armenia. Right here in America we have been guilty of black doings. Between 1849 and 1900 we killed off nearly a hundred thousand Indians in California alone, killed them with bullet, knife, hunger and disease. One posse came back with sixty-two Indian scalps, most of them from the heads of women and children. **The posse had not lost a man.** In the winter of 1882 we allowed 700 Blackfeet to starve to death in the Montana snows.

There are 350,000 Indians left. They own property, controlled by the Bureau of Indian Affairs, worth at least a billion at present values. Their property contains potential wealth in oil, ores, power and timber, worth several billions. Yet the owners are living mostly in abject poverty, with constantly increasing numbers suffering from tuberculosis, trachoma and other infectious diseases. Their property at best is producing insufficient revenue; at the worst it is being dissipated, taken from them by unscrupulous grafters. Despite the appropriation of many millions annually, this hopeless, defeated race is not receiving the proper guidance necessary to make it self-supporting; it is not receiving the proper education; and the medical and sanitary service in the Indian country has aroused the anger of all medical authorities.

These conditions must and can be changed.

You, a contributor to the relief funds for Belgium, Armenia, Russia, Germany, must help to bring belated justice to the victims of American greed, sitting so silently, hopelessly on the doorsill of America.

How can it be done?

The Indian estate of 123,000 square miles is administered by the Bureau of Indian Affairs. This Bureau has almost unlimited authority over the property and the person of the Indian. It is a political bureau suffering from dry rot, excess of red tape and from outside pressure of interests determined to get at the billion-dollar Indian property. The Bureau, with Indian reservations in 35 states, is responsible only to Congress. Therefore a national effort must be made, is being made, to bring about a complete reorganization of the Indian Bureau, of its executive personnel, of its policy and methods, by Congressional action.

The American Indian Defense Association, Inc., and its Branches, are directing this effort. In two years the Associations have succeeded in laying bare many startling facts, in placing them before the Nation and Congress,

and in arousing the American conscience. Today the Indian problem is a live issue. **It must be kept alive if justice is to be done.**

The Indian Defense Associations blocked the effort to prevent the confiscation of the lands of the Pueblo Indians in New Mexico, twenty self-supporting tribes which never asked the government for a dollar. More; the Associations were chiefly instrumental in the passage of a just and practicable law to settle the Pueblo land titles and to return to the Pueblos such tracts of irrigated land as were taken unjustly from them. To save these lands, the Pueblos must have able legal assistance, under the new law, before the Land Board and the Courts. The Associations have engaged counsel for them. It will cost \$25,000 this year to save a million dollars' worth of land for the Pueblos.

For two years the Associations have taken the lead in the fight to defeat legislation hostile to the Indians, such as the infamous Omnibus Bill, drafted by the Indian Bureau. That bill was defeated.

The Associations have taken an important part in the exposure of the incredible plundering of Indian property by the Oklahoma system of professional guardians. Your help is needed to put an end to this legalized robbing of helpless red victims.

The Associations have brought into action national health organizations and state health boards. Chiefly as a by-product of this activity, the Indian Health budget was increased by \$130,000 in 1924 and a beginning in a trachoma campaign was made.

The Indian Defense Associations have breached the old wall of indifference, red tape, inefficiency and greed. Now they need help to complete the work. They need **your** help to right the ancient wrong. With an aroused American conscience behind them, the Associations can lay the foundation for a **permanent** solution of the Indian Problem if **you** will help to keep up and increase the pressure.

How You Can Help

This is the detailed program you are asked to support:

1. Provide counsel for the Pueblos to handle the Indian claims before the Pueblo Lands Board which begins work this autumn. Land worth millions, the future existence of the Pueblo communities, depend on this assistance. It has been pledged. It must be given.
2. The rectification of the guardianship abuses in Oklahoma through Congressional action.
3. Co-operation work for the improvement of Indian health, education and economic conditions in conjunction with organizations already enlisted, such as the National Health Council, the General Federation of Women's Clubs,

the American Child Health Association, state boards of health and education and others.

4. The formulation of comprehensive legislation designed to reorganize the entire system of handling Indian affairs.

5. The establishment through test cases of the Indian's right to civil and religious liberty and to the protection of the courts.

This program is now under way. To carry it through successfully will require funds for the following purposes:

Engagement of counsel for the Pueblos.

Engagement of counsel for the drafting of legislation, for the investigation of bills introduced in Congress and for conducting test cases.

Establishment of legislative headquarters at Washington.

Maintenance of investigators for research in the Indian country and for organization.

Maintenance of administrative and publicity organization.

The blind wall imprisoning the Indians has been attacked, the breach has been made; the goal is in sight. At last the American conscience is awake and ready to give the Indian a square deal. But it will go to sleep again, bureaucrats will heave a sigh of relief, greed will chortle, things will go back to where they were, unless you help right now.

**Indian Defense Association
of Central and Northern California**

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(A Branch of the
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BULLETIN No. 4
January-March, 1926

Recd. April 21, 1926 CALIFORNIA'S HOPELESS INDIANS

When the Spanish padres came to California, they found the densest Indian population of any part of the present United States. And Spain, cruel Spain, did *not* decimate the Indian population. In 1800 estimates place the number of California's Indians at 200,000. After Mexico wrested California from the Spanish crown, the decimation process began with the secularization and plundering of the Mexicans. When the United States came into possession of California, between 100,000 and 150,000 Indians were left.

What did American rule do to the Indians? How many are left today?

Last year the Commissioner of Indian Affairs reported the Indian population of the state as 18,812. What happened to the 130,000 odd? From sound historic sources can be gathered their tragic tale. The white man's greed, his bad whiskey, his bullets, his diseases and his relentless invasion of the Indian's home life and home lands—down to their death these drove the 130,000 odd.

From equally sound social and economic surveys can be built up the picture of the tragic plight of the remnant that still abides in California. From one such survey we quote some of the conclusions:

"The Indians are now living a hand to mouth existence—

- a. In houses not fit to live in,*
- b. Upon land that is useless, and*
- c. Without water.*

They are not receiving any education worthy of the name;

A great deal of sickness exists among them and they are receiving absolutely no care; and

They are not receiving any advice, assistance or encouragement in their business dealings with the outside world or in the personal side of their lives or in the lives and health of their families." (A survey of the Indians of Northeastern California, By Allen F. Gillihan, M. D., and Alma B. Shaffer, R. N., for the California State Board of Health. 1921, P. 82.)

Indian Lands and the Lost Treaties

The ancestors of the California Indian of today occupied and derived their living from the whole fair land of California. Under Spain and under Mexico they remained in undisturbed possession of vast areas wholly sufficient for their needs. Then came annexation by the United States, and, for the Indian, the great tragedy, the discovery of gold with the attendant rush of gold-seekers and settlers. It had been the practice to make treaties with the Indian inhabitants of newly acquired territory. This was undertaken in California.

In 1850 and 1851 commissioners appointed by President Fillmore negotiated 18 treaties with 119 tribes of Indians in California. By the terms of those treaties the Indians surrendered their wide-flung claims, covering the greater

part of the state. In return they were to receive certain reservations totaling some 7,500,000 acres, and fixed quantities of stock and implements. In good faith the Indians signed the treaties and gave up their lands. But when the Senate was asked to ratify these treaties action was blocked, largely through the influence of the California pioneers.

The Indians' land was rapidly taken from them. No compensation of any sort was paid them. The treaties were never ratified. They are still known as the *Eighteen Lost Treaties*. A black page in our archives.

Gradually the white settlers drove the Indians off all cultivable lands, back into the arid wastes, or up on the precipitous, rock-strewn mountain slopes. A typical case of what happened to the industrious Indian is that of Eph Cummins of Calaveras County. Nine times Eph cleared and cultivated a little patch of ground, each time on land a little more remote and a little less desirable. Eight times he was driven away and his little acreage taken by a white settler. Eph, being "only an Indian," had no redress. His last stand was on land so poor that no white man wanted it.

From time to time out of the least desirable public lands small Executive Order Reservations have been set aside as dwelling sites where the Indian might live if he could find any way to eke out an existence.

A number of exceedingly careful studies have been made. Details can not be given here. But without exception these studies agree that a *very small proportion of the land that has been set aside for Indian use, in the form of reservations or of allotments to individual Indians, can be cultivated and that even that which is arable is almost without water.*

In describing some of the allotments actually made to California Indians one of the members of the Board of Indian Commissioners uses these words, "Some of the allotments are so thickly covered with boulders that it is possible to walk over acres without setting foot on soil." (Annual Report of the Board of Indian Commissioners, 1920, P. 68.)

By the 1919 report of the Commissioner of Indian Affairs it can be seen that in the eleven Far Western States the California Indian has fared much worse than his brothers. The per capita acreage of Indian lands ranged from 32 in California to 1,235 in Wyoming. Next to California came Nevada with 127. Oregon Indians claim 250 each, Washington 245, Arizona 440.

Landless, or with worthless land, and for the most part homeless, the California Indian has been reduced to a deplorable economic level. Naturally this process of dispossession, with its solemn promises made and broken, has left a deep psychological mark on the race, —a mark that must be taken into account in all efforts to understand and to help the Indian of today.



MARRUFO'S BABY

Marrufo's baby lived in a two-room cabin with her four brothers and sisters, her parents and an 18-year-old uncle dying of tuberculosis. What becomes of such babies? The federal government was giving neither medical nor financial aid. In those regions where the needs are greatest, the State of California and the counties refer the cases back to Washington. Shall these babies, these families, be allowed to die like 150,000 other California Indians? This baby, this family, were taken care of by the county, but there are hundreds of Indian families in counties which do not look after their Indian residents. What shall be done to help them?



THE INDIAN SCHOOL AND TEACHERAGE AT STEWART'S POINT RANCHERIA

The Indian fathers at Stewart's Point built this little school for their children. This Rancheria is in a remote mountain section of Sonoma County. The federal government purchased the land and assigned it to this band of Indians for a home site. It was miles from any school. The children had never been to school until Miss Louise Clark became County Superintendent of Sonoma County. Under her fine leadership the Indians have built the school and made many other improvements in this little community. She has demonstrated what can be done, with a little material help and much human understanding, with a forlorn and neglected little band of California Indians, of the type usually considered "hopeless."

What Now?

In 1924 Congress passed an act granting citizenship to all Indians, tribal as well as non-tribal. At the present time the legal status of the California Indian is impossible of satisfactory definition. For a detailed discussion of the problem the reader is referred to the two articles on the subject by Chauncey S. Goodrich in the January and March California Law Review, 1926. Briefly put, the confusion lies in the fact that the State Supreme Court holds that the Indian is now a full citizen of the State with all the responsibilities and all the benefits (including medical care and material relief) of a full citizen. But the U. S. Supreme Court holds that he is still a ward of the federal government and as such entitled to all the benefits which that relationship implies.

In the resultant confusion it is the Indian who suffers. The refusal to render aid to him when he is ill and in want can be justified by any agency citing the proper court ruling. Very frequently this does happen. The hope for the future lies in some plan for amicable co-operation between federal and state governments. For the present three plans are proposed to further this co-operation.

House Bill No. 8821

Under the provisions of this bill, written by Mr. Robert M. Searls, working in co-operation with the Indian Defense Association of Central and Northern California and introduced in the House by Mr. Swing and in the Senate by Mr. Johnson, all federal funds to be spent for California Indians in the fields of education, health and relief shall be turned over to the State agencies in these fields to be administered by them. The State agencies are interested and eager to undertake the work. Wisconsin thinks so well of the plan that she is following California's lead and has introduced a similar measure. It is feasible only for those states whose agencies are willing and properly equipped to carry on the necessary work.

House Bill No. 9497

This bill, which was also prepared by Mr. Searls and the Indian Defense Association, was introduced in the House by Mrs. Kahn. The bill recognizes that the prime Indian problem in California is an economic one. In the preamble it sets forth the historic facts concerning the taking away without any compensation of the California Indians' lands. It then proposes that restitution be made in the shape of an adequate appropriation, the funds to be spent by a joint federal and state commission in the purchase

of good agricultural lands, with irrigation projects where necessary, for decent homes, stock, implements and in establishing a system of credits for the Indian farmers during the first difficult years of their return to their soil, while the lands are held in trust for them.

A California Committee on Indian Relief Work

A number of State-wide organizations interested in the Indian problem are appointing representatives to serve on a California Committee on Indian Relief Work. This Committee will in no way duplicate the work of any existing agency, but will serve as a clearing-house for cases of individual need and will find for each case some agency, federal or state or private, that will accept the responsibility and will care for the case in accord with the dictates of humanity and with present-day standards of relief work. With representatives from the Indian Bureau, from the State Department of Public Welfare, the State Board of Health, the American Red Cross, the Federation of Women's Clubs, the California Conference of Social Work, the Indian Defense Association, etc., sitting about a table planning for actual individual cases rather than a theoretical "policy," it is hoped that a gradual co-ordination of agencies may be brought about which will entirely eliminate the present confusion.

A Case in Point

As an example of how such a Committee may bring suitable agencies to work together on a given case, one of recent date in San Diego County may be cited. A few months ago it was reported to the Indian Defense Association that a young Indian father had committed suicide, leaving a wife and four young children. Had he not died by his own hand tuberculosis would soon have ended his days. Up to the day of his death he was earning a living for his little family by driving the bus which took the reservation children to school.

It was reported that the mother and children were in want. The case was reported at once to the Superintendent of the Mission Indian Agency, and also to the State Department of Public Welfare. Then the story of the fatherless children was called to the attention of the Junior Red Cross of San Diego County. All of these agencies co-operated in taking care of the family. The Junior Red Cross has provided some clothing and is keeping an eye on the health problem. One of the children has a tubercular bone. The Federal Government has given the mother a job and is making an allowance.

It is confidently predicted that this little family will not go the way of the young suicide's own family. He had seen two brothers and a sister die of the dread disease. Likewise the wife and four children of one of his brothers. Thanks to the efforts of the Indian Defense Associations and co-operating organizations, this Indian family of five will not be allowed to die in squalor and poverty.



THE CHIEF'S HOME

This neat and orderly cabin is the place called home and as such deeply loved by the Chief of the Stewart's Point band. But with all of his able-bodied men he must leave home and go many miles to find work.



THE WAPPO RANCHERIA
(See last page)

Indian Health—Pigeon-Holed Reports

The Indian Bureau has published no figures in this field for a number of years. Presumably it has some knowledge of the facts. But no detailed statistical study is available.

A short time ago at the request of the Commissioner of Indian Affairs the American Red Cross made, at its own expense, an extensive and intensive field study of Indian health conditions. The study was made and the detailed report prepared by one of the most intelligent and best trained public health nurses in the United States. A part of her time was spent among the Indians of California. Every effort has been made to secure this report. But it remains hidden in the pigeonholes of the Bureau of Indian Affairs. Commissioner Burke has refused access to it to

Representatives of the Indian Defense Associations, Indian Affairs Section of the Commonwealth Club of California, California State Board of Health, A California member of the House of Representatives, and A California Senator.

Haven Emerson, M. D., Professor of Public Health Administration at Columbia University, a physician of very high repute in national medical circles, reviewed the report for the Red Cross investigator before it was submitted. Dr. Emerson says of it, "It revealed concretely and descriptively the unanswerable conditions of neglect and abuse and ignorance in Government service that would shock the whole medical profession and the humanitarian world of the United States if they were made known."

From the less intensive studies that are available, from field reports and observations by qualified representatives of our State Board of Health and of the California Tuberculosis Association, we know that infectious diseases are tragically prevalent. We are told that in some schools at least 50 per cent of the children are on the road to blindness with trachoma; that whole families of children are wiped out with tuberculosis. In the face of such conditions it was found that in many sections no sort of care was being given to the sufferers. And absolutely no effort was being made to prevent the spread of the diseases.

The impoverished condition, the malnutrition that at times approaches and even reaches actual starvation—these provide a fertile field for the white man's diseases in the red man's family.

Indian Education—

On Paper in Washington and in Fact in California

The Indian's one hope, it would seem, lies in the proper education of the oncoming generations. People who know the California Indian know that one of his constant pleas is for good schools for his children. On paper in Washington the school plan may look good. But it is very, very rigid and it takes little account in its curriculum of the needs of the Indian child in the remote mountains.

Qualified educators have visited and studied government-owned and operated Indian schools in California. The Indian Affairs Section of the Commonwealth Club of California has been studying the problems of the California Indian for many months and through its efforts many fine studies along all lines have been made. The investigators regretfully report that in general these schools are "pitiful excuses." Very often the teachers found there could not possibly qualify under the State requirements. Even in sanitary matters the government schools fail to live up to the minimum of state regulations. Small wonder that the intelligent Indian prefers whenever possible that his children attend public school.

No adult education is attempted although a fertile field awaits the proper kind of leadership.

It is impossible to secure figures as to exactly how many Indian children are not in school because of lack of facilities. It is known that there are many along the lower Klamath. Elsewhere is briefly told how one such government-neglected group has been rescued by an interested county school superintendent.

Whose the Responsibility?

These many years the federal government has maintained guardianship over the Indian's person and property. Thus to the Bureau of Indian Affairs in the U. S. Department of the Interior belongs full credit for the lack of education worthy of the name, for the want of protection of the well from infection by the ill, for the cruel neglect of the sick and suffering, and for the failure to provide kindly understanding advice and help in the difficult adjustments that the Indian has been called upon to make between the old tribal life and the new economic order and social practices of the white man.

What has the Indian Bureau done? It has spent, in California in the years 1920-1924, inclusive, \$2,449,141.00. Of that sum 33 per cent went for salaries. Seven-tenths of one per cent is classed in their own figures as having been spent on medical supplies. A per capita annual expenditure of 18c for medical supplies! On "Office and School Supplies" three tenths of one per cent of the total was expended. It is impossible to know how much of that went for school supplies, but with a pay-roll that consumed 33 per cent it is safe to assume that a considerable quantity of office supplies was used. These figures were obtained from a report furnished by the Commissioner of Indian Affairs to a Sub-Committee of the Committee on Public Lands and Surveys of the United States Senate, 69th Congress, 1st Session.)



THE WIDOWS' CABIN

This cabin was built for two Indian widows, with four children each, through the use of State Aid funds. It is on the government-owned land of the Dry Creek Rancheria. The character of the land is shown in the picture. There is no level, cultivable land. The men must all leave home to earn the living for their dependents. The County Social Service Worker, through whose interest the State Aid is administered, is standing in front of the cabin. No medical care is provided by the indifferent Indian Bureau. In material aid to the sick, the old, and the dependent last year the Indian Bureau, legal guardian of these people, paid out \$100.00, while Sonoma County spent \$395.00 on their behalf.

Leasing Indian Lands in California

The one tribe of California Indians with whose development the Indian Bureau should have had an exemplary success are the Yumas whose reservation lies along the Colorado river opposite the city of Yuma, Arizona. This tribe had from time immemorial made a living through crude agricultural operations on Colorado river overflow lands. When their reservation was included in the Yuma Project of the U. S. Reclamation Service twenty years ago their future seemed assured. For fifteen years the Yumas have had forty acres of irrigated land per family, ample water and a twelve month growing season. What has the Indian Bureau done with these assets?

One investigator sent to the Yuma reservation by the Indian Defense Ass'n of C. and N. California found that out of 7000 Indian-owned irrigated acres almost 4000 acres are leased to white persons for an inadequate rental, that barely 2000 acres are now being cultivated by Indian owners, that white tenants are depleting the soil by continuous cotton cropping and that the Indian owners are being discouraged from farming their own land. Land belonging to minors and to the heirs of deceased Indians is being leased to white men regardless of the wishes of the real owners and the terms of the leases are not being enforced by the Indian Bureau. No effort is made to encourage Yumas to farm their own land and the Indian Bureau is not only denying its wards the credit necessary to start farming, but has so managed the reservation that a water debt of more than \$100 per acre has been accumulating on the land.

Arbitrary action by agency officials has so antagonized the Yumas that effective leadership by the present staff of the Yuma agency is impossible. Under the management of the Indian Bureau the tribal fund, derived from the sale of surplus land, has vanished, leaving the fund an indebtedness of \$65,000 to the Bureau. Tribal property is being leased to white men for a fraction of its true rental value. For six years the heirs of deceased Yumas were unable to obtain title to their inheritance because no wills were probated or heirs determined during this period. For five years the Indian Bureau maintained as superintendent of the agency a man whose dismissal had been recommended in 1920 by the Bureau's own chief inspector, kept him in office even though his indictment was urged by a special investigator of the General Land Office. And when the Secretary of the Interior ordered his removal,

The Indian Defense Associations have a united National Program. They are governed locally by autonomous Boards of Directors. They invite members within their respective areas. The officers of the American Indian Defense Association, Inc., are Haven Emerson, M. D., President, John Collier, Executive Secretary and Robert Ingersoll Brown, Treasurer. The treasurer of the Pueblo Legal Aid Fund and the Fund for California and Southwest Indian Work is Max L. Rosenberg, Treasurer of the Central and Northern California Branch.



One of the Twenty Regular Attendants at the Stewart's Point School

This little twelve-year-old Indian girl, neglected by her federal guardian, had never been to school until two years ago. Now she is flying through 8th grade spelling, 6th grade reading and 4th grade arithmetic. She is a typical example. In the two years since their fathers built the school, under public-school leadership, the children have made fine progress.

the Indian Bureau promoted him to a better position.

The pathetic failure of the Indian Bureau in its administration of the Yuma reservation where every condition for success was at hand, reinforces the demand that Congress turn over the health, education and welfare appropriations for these and other California Indians to the proper state departments.

The Wappo Rancheria

Not all of the California Indian problems are in remote sections of the state. The Wappo Rancheria illustrating many of the serious problems was recently visited—less than seventy miles from San Francisco.

To reach this Rancheria one leaves the highway and rides up a narrow country lane, away from the rich valley lands toward the adobe hills. Twelve gates, to be opened and closed, lie between the Indian who goes to work on the valley ranches, and the main highway. The government-owned land of the rancheria consists of 50 odd acres, of which about 1½ acres can be cultivated.

But there is no water on the place except during the rainy season when there is a tiny brook. At all other times of the year water for all purposes must be dipped directly out of the Russian River, about half a mile away. Nearby ranches seem to have good wells. But the Indian Bureau has not seemed to care whether its wards had pure water to drink or not.

Here in two small cabins live twenty Indians. One cabin is just large enough for two people. In the large shack with its one window and its one bed sleep the other eighteen men, women and children. Two of the five men are very obviously ill and in need of medical care. At the time of the visit four children and one of the mothers were ill with what the nurse diagnosed as chicken-pox. No doctor had seen them. None ever comes to the place.

Steps to secure adequate medical care, to procure a safe water supply, and to make other social and economic adjustments are under way. An officer of the Parent-Teachers' Association, the County Superintendent of Schools and the County School Nurse, are interested in the conditions found. In this particular progressive and prosperous county the local groups may assume the responsibility. But in an indefinite number of cases in remote, financially poor and socially backward counties, no one steps forward to meet the Indian's crying need, to remedy the ills resulting from Indian Bureau neglect.

CLIP AND MAIL

For my share in this work of bringing education, health and a measure of restitution for the economic wrongs endured, to the Indian peoples, enclosed find my check for \$.....

(Signed).....

(Address).....

Make Check payable to INDIAN DEFENSE ASSOCIATION,
1010 Mills Building, San Francisco, California

Indian Defense Association of Central and Northern California
1010 Mills Bldg., San Francisco

Indian Defense Association of Santa Barbara
P. O. B. 274, Santa Barbara

Indian Defense Association of Southern California
Chamber of Commerce, Los Angeles

Wisconsin Indian Defense and Development Association
520 Grand Avenue, Wauwatosa, Milwaukee

Branches of
The American Indian Defense Association, Inc.
67 Morton Street, New York

American Indian Life

PUBLICATION OFFICE
1010 Mills Building, San Francisco

ISSUED BY THE
Indian Defense Associations of California

BULLETIN No. 6
July-Sept., 1926

The Pueblo Indian Struggle For Life And For Land

Thousands of citizens of California were interested and excited by the visit of the Pueblo Indian representatives a year ago. What have the subsequent time and effort brought to these Indians—the twenty Pueblo tribes of New Mexico who keep alive the oldest civilization of our continent?

We must recall their plea, to which California so generously responded.

They asked for political help, that their religions might not be outlawed and their culture suffocated by the official policy of the Indian Bureau.

They asked for political help, that the laws affecting their dwindled land holdings might not be made more adverse to their interests.

And they asked for financial help, that they might have adequate legal service in prosecuting the several thousand cases before the Pueblo Lands Board and the Courts, to the end that some of their ancient land, still legally theirs, should be recovered — enough to make possible their continued existence as independent agricultural communities.

Such were their pleas, in reality one plea: "Help us in our crisis so that we may live. Help us to win the right to live—as individuals and as communities, as farmers, as artists, as worshippers, as citizens of our ancient tribes and citizens of the United States." California's response made possible the following among other results, stated necessarily with brevity and with omission of some important accomplishments.

Protected Once More—Their Religious Liberty

A four-months' battle in Congress held up the passage of the Leavitt bill, H. R. 7826. This bill was drafted by the Indian Bureau and pushed by it with all the varied forces at its command. In addition to conferring on the Indian Bureau superintendents the power to throw any reservation Indian into jail for six months without trial or court review, under regulations not published, to be drawn by the Bureau, this bill contained a provision *explicitly invalidating the moral code of every Indian tribe, and taking away from the tribes all authority over the moral conduct of their members.*

The first part of this bill was an attempt to gain Congressional sanction for the Bureau's established practise of arresting and imprisoning Indians without legal process. The second part was aimed chiefly at the Pueblo and Navajo tribes and meant a complete reversal of the Congressional policy, as construed by the Supreme Court, of permitting the tribes to govern their internal affairs in their own way. The backbone of the tribal authority and custom is, of course, the tribal religion.

This bill if enacted would have largely completed the century-old destroying work of the Indian Bureau against the Indianhood of Indians. The tribal spiritual structure built through thousands of years of racial creation, would have been demolished by Act of Congress through the same Act that would have effaced the Constitutional rights of the Indians.

Countrywide protest was aroused against this Bureau undertaking. Ultimately the Bureau tempered the extremes of its first demand, though still insisting that its rules and regulations, never in all the hearings before Congress made public, should govern the

Indian courts in place of any stated procedure or any due process of law. As for the second and more revolutionary demand, the Bureau pressed it to the end though never attempting, either by fact-presentation or by argument, to justify the policy rationally. H. R. 7826 was blocked. The effort to push it to enactment will undoubtedly be resumed in the approaching Congress.

Renewed Menaces to the Pueblos

On March 1, 1926, C. J. Crandall, Superintendent of the Northern Pueblos, Santa Fe, wrote to the school principal at Taos, instructing him to read the letter to the Pueblo officials. It is recalled that two years ago the Secretary of the Interior and the Commissioner of Indian Affairs went in person to Taos and forbade the withdrawal of children from the Government school for religious instruction. The Taos tribe passively resisted, the All-Pueblo Council appealed to the country, and after some months the Commissioner reversed his order and stated that religious



Martin Vigil (Rainbow) of Tesuque Pueblo

interferences were ended. The Crandall letter of March 1, 1926, read in part:

"In any case where a boy is taken out of school for any purpose whatsoever and kept out . . . I shall hold the parents responsible, will cause the parent's arrest . . . A personal letter from Charles H. Burke, Commissioner, complimented me highly upon my action in the recent test case . . . He further stated that I was at liberty to put this law in effect at Taos . . . I certainly will put the screws on and will not hesitate to do so . . . The first Indian that keeps his child out of school as suggested will find himself behind bars." Similar announcements were made at other Pueblos.

Why is this matter a grave one to the Indians? Aside from the principle of freedom of worship, they know that a prohibition of the religious training of their youth means a destruction of their religion in one generation entailing the destruction of that moral code and code of family and human relationships and of industry which hangs from their religion. Their bible is of course transmitted through memory alone. They know also that the withdrawal of their children for religious training entails no loss of time at school; hence on March 1st they knew that religious persecution as such, and nothing else, was being resumed against them.

They appealed to the Indian Defense Association. A renewed publicity campaign was waged and various members of Congress were enlisted. Readiness to defend the Indians through legal action was announced. Then after five weeks, *once more* the Commissioner of Indian Affairs announced that it was all a misunderstanding. The Pueblo religious life goes on, and parents have not found themselves behind bars.

Meantime, at Zuni Pueblo—

For nearly three years a religious and civil persecution, melodramatic in character, has held sway. It has entailed two forcible overthrows of the tribal government, carried out by Indian Bureau employees; the violent taking-away, and secreting, of the ancient Spanish and Lincoln canes, insignias of Pueblo authority; and the seizure and destruction in the public plaza of copies of legislative bills and of Congressional Records, in order to prevent Zunis from expressing themselves against the Bureau's Indian Court bill above described and against the Bureau's Indian Oil Bill.

THE MAJOR PUEBLO TASK — LAND TITLE ADJUSTMENT

Most readers of American Indian life know the background of the Pueblo land struggle. Spain granted the 20 Pueblo tribes their land by solemn decrees 240 years ago. Mexico respected these titles and the United States again validated them through act of Congress and in the courts.

These lands were irrigated and tilled by the Indians, hundreds, and in some cases thousands of years ago.

White settlers and squatters have encroached on these Pueblo land grants, chiefly since the beginning of American guardianship. Nearly 4000 parcels of land, whose title is held by the Pueblos, are actually possessed by whites. The encroachments have gone ahead until 8 of the 9 Pueblo tribes north of Santa Fe are today without enough land, or one half or one fourth enough land, for normal subsistence. The other Pueblos have suffered, though in a less extreme degree.

After many legislative conflicts, Congress in 1924 passed

Following an exposure in Congress last March, prepared by the Indian Defense Association, Superintendent Bauman, who in person and through his employees had executed these atrocities, was moved away from Zuni. His successor, a man of different temper, has already set valuable reforms into motion but continues embarrassed by his predecessor's acts. The *de facto*, revolutionary tribal government at Zuni brought about by the Bureau through violence and intrigue but never authorized or installed by tribal custom, is now being used by the Bureau in the effort to destroy the Indian-controlled Council of All the Pueblos, elsewhere detailed in this issue.

Defeated—The Legislative Raid on Indian Land Titles

In Bulletin No. 5 was described in some detail the revival of the Albert B. Fall oil scheme, which in addition to taxing the Indians 37½ per cent would have had the effect of a legislative destruction of the Indian claim of ownership to some 22,500,000 acres. *About 65 per cent of the entire land of the New Mexico Pueblos, and all that of the Arizona Pueblos, falls within the 22 million executive order acreage.*

This bill (H. R. 9133), confiscating the Indian royalties and prospectively dispossessing them from their lands, had the endorsement of their guardian, the Indian Bureau. As previously explained, the Indian Defense Association, with other organizations interested in Indian rights, fought this bill and defeated it, and drafted and supported the Frear-Cameron bill (S. 4152) which made oil leasing immediately possible, insured that all Indian royalties would stay with the Indians, and provided, in effect, a Congressional declaration of *Indian ownership* to the executive reservations in place of the mere right to occupancy by Executive grace with the possibility

(made actual on scores of reservations) of ejection at any time.

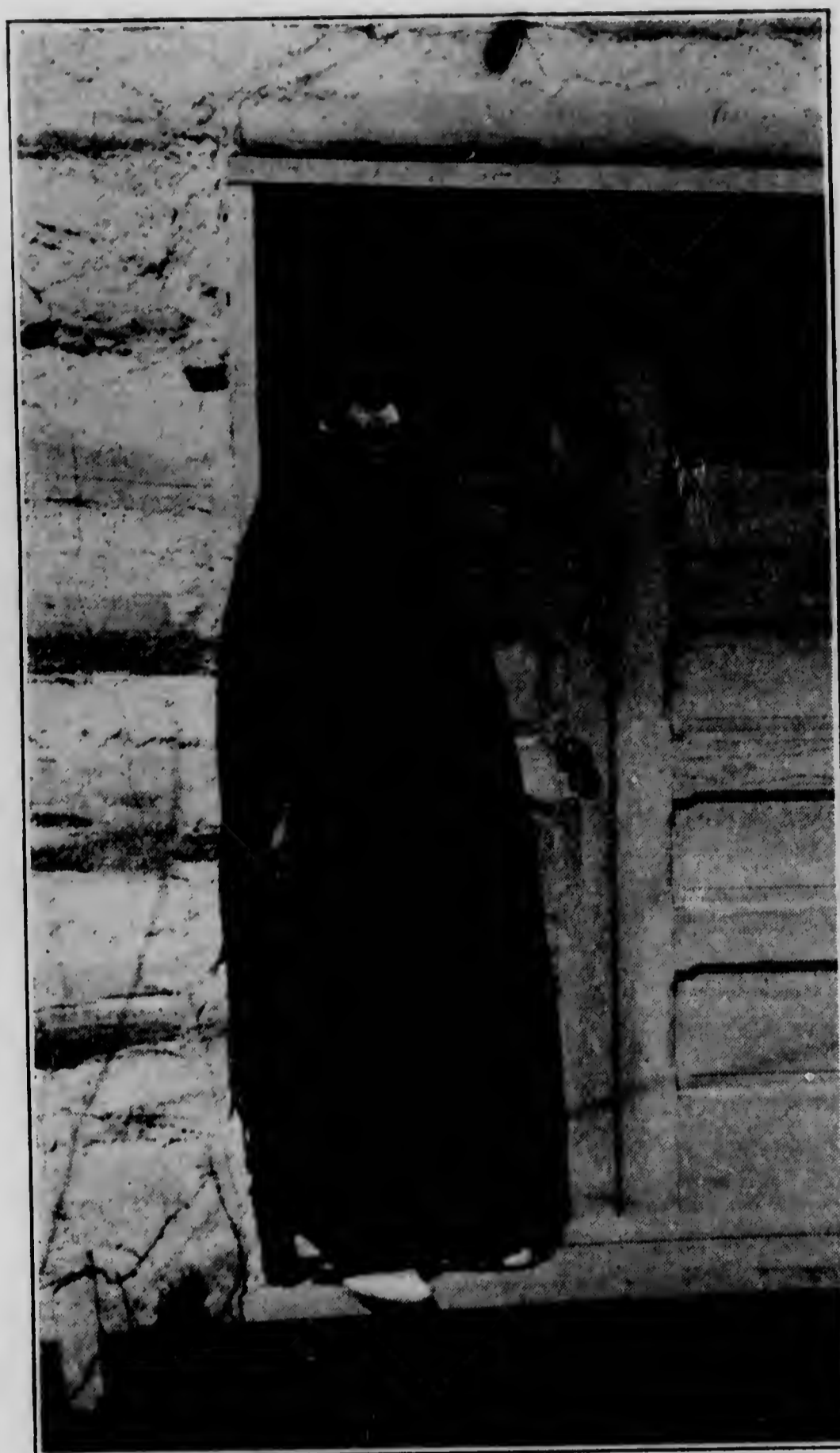
The Cameron bill was passed. It was vetoed by the President, on the sole stated ground that the equities in certain old and new oil applications had not been duly protected. It is expected that Congress will re-enact the Cameron bill and that the President will sign it. Meantime, it is very unlikely that the original Albert B. Fall scheme will again be pressed by the Indian Bureau.

Board is now conducting adjudications of title and decreeing awards of compensation to Indians for lands not recaptured. The terms of the Federal Act authorize and necessitate the use of private counsel by the Indians, who on their part are wholly unable to pay such counsel. This responsibility was assumed by the Indian Defense Association, and the work has progressed for more than a year, the financial support having been contributed largely from California.

The total cost of legal fees, court appeals and technical field work under the attorneys is \$10,000 a year.

Here a very brief report and statement of future policy is given.

The Pueblos are represented by the firm of Richard H. Hanna and Fred C. Wilson, of Albuquerque, who are directly responsible to their Pueblo clients but whose work is supervised by unpaid attorneys of the Indian Defense As-



A Woman of Taos Pueblo

American Indian Life

PUBLICATION OFFICE
1010 Mills Building, San Francisco

ISSUED BY THE
Indian Defense Associations of California

Supplement to
BULLETIN No. 6

The Indian Bureau's Attempt Against the Council of all the New Mexico Pueblos

Elsewhere, this Bulletin deals with the Pueblo land titles work; and it deals with the Indian Bureau's attack upon the Pueblo religions and tribal codes and institutions.

A larger onset, very significant, involving prospectively the whole subject of Pueblo lands, is now under way, in the Bureau's effort to do away with the Council of All the New Mexico Pueblos and substitute for it a Council decreed and controlled by the Indian Bureau.

The Council of All the New Mexico Pueblos has existed since 1922. It has united all these tribes for mutual aid. It waged the Pueblo battle for equitable land legislation. It waged the Pueblo battle for religious liberty. When the Lands Board was created, this Council, acting against the protest and active intrigue of the Indian Bureau, announced that lawyers responsible to the Pueblos were needed for the lands work and appealed to the friends of the Indians for aid, which was given.

The All-Pueblo Council has a membership exclusively Indian, delegated by the several tribal councils. In the various crises, it has sought light and cooperation from all sources. Every "faction" of white Indian welfare interest or profession has been called by the Council to advise it. The Indian Bureau, through official representatives, has participated at nearly all of the Council's meetings and has been a welcomed guest always.

Why is the Overthrow Sought

Now a significant course of events is to be told. Last spring, the All-Pueblo Council met, deliberated, and denounced the Indian Court Bill and the Indian Oil Bill, described in this issue, which were being promoted at Washington by the Indian Bureau.

At the same time (February 12, through March, 1926) another Indian tribe figured largely in the Congressional discussions. What did the Navajos—the largest Indian tribe, and with over 10,000 square miles of land affected by the Indian Oil Bill—what did the Navajos think?

The Commissioner-General of the Navajos, Hon. H. J. Hagerman, journeyed 2,000 miles to state what the Navajos thought. He testified before the Senate Indian Affairs Committee, March 10th (P. 100, printed hearings). Mr. Hagerman stated that the Navajos were willing to surrender one-third or even one-half of their royalties from executive order lands to the States; that they were willing to accept a bill—the Indian Bureau's bill—whose effect, as stated and never disputed in committee and on the floor of both Houses, would be to disestablish the Indian ownership of vast Navajo areas and likewise areas belonging to other tribes. Mr. Hagerman explicitly quoted the Navajo Tribal Council, which he had created in 1923-24 and whose procedures are under his auspices.

Could such an allegation be true—had the Navajo Indians gone mad? Efforts were made to learn what the Navajo Tribal Council actually was recommending. They were vain; till the end, the Council uttered never one word.

The National Council of American Indians sent a letter to the Council asking the Navajos' views. Congressional documents—the bills and the House discussions—were enclosed. This communication was answered not by the Council or its members, but by the *Commissioner of Indian Affairs*.

Subsequently it was learned on the ground, that the Navajo Tribal Council had never met, with the Bureau bill, the counter-proposal and the reports before it; and the Council had never acted at all. But it was silenced, prevented from denouncing a measure that no Navajo Indian knowingly could have endorsed, and at Washington was cited by Commissioner Hagerman as endorsing a scheme menacing to the Navajos as was the famous Bursum Bill (advocated by the Indian Bureau) to the Pueblos.

What connection has this digression into Navajo and oil-bill history with the new Indian Bureau attack against the All-Pueblo Council? The connection is most important.

Navajos First—Now the Pueblos

Commissioner Hagerman, employed by the Indian Bureau, organized and practically manages the Navajo Tribal Council.

During September last, Commissioner Hagerman, who likewise serves as a member of the Pueblo Lands Board, invited the Taos tribal council to meet with him. He broached a plan to substitute for the existing All-Pueblo Council a new Council, bureau-instituted and bureau-controlled. He said that this Council would be like the Navajo Tribal Council which he had created.

The All-Pueblo Council's Reply

Informed through the Taos council, the Council of All the Pueblos met October 6th and considered at length this new project of the Indian Bureau's. The stenographic record of this meeting is available to persons interested. The Council engaged in no recriminations, but instead, met the new Bureau menace by reducing to a paper statement the rules by which the All-Pueblo Council has operated for four years. Its committee report, delivered by Pablo Abaita of Isleta Pueblo, adopted by roll call and signed by sixteen Pueblos (Laguna withholding its vote until instructed by its constituency) is here given in full.

1. The name of this organization is The Council of All the New Mexico Pueblos.
2. The purpose of this organization is to promote the welfare of the Pueblo Indians and their good relation with their White neighbors, and to enable them to stand united.
3. Every Pueblo in New Mexico is eligible to this organization.
4. The officers of this organization shall consist of a Chairman, a Secretary who shall be also the Recording Secretary, and an Interpreter. All officers shall be elected by majority vote and shall hold office until the succeeding meeting.

5. In accordance with the rule adopted at the first meeting of this organization in 1922, and maintained to this date, each Pueblo may be represented by any number of delegates but shall cast one vote.
6. In accordance with the procedure since the foundation of this organization, all actions on any proposal shall be through a roll-call by Pueblos, and any Pueblo voting against any measure shall be so recorded, along with its reasons if it cares to give them. The same rule shall apply to any Pueblo stating that it desires not to vote.
7. Meetings shall be called in the discretion of the Chairman or on the petition of any three Pueblos.
8. These rules may be changed by a two-thirds vote at any meeting.

(Signed) Taos, Picuris, San Juan, Santa Clara, San Ildefonso, Nambe, Pojuaque, Tesuque, Cochiti, Santo Domingo, San Felipe, Santa Ana, Sandia, Zia, Isleta, Acoma.

Nevertheless, The Onslaught

On October 18, ignoring absolutely the existence of the Indian-controlled All-Pueblo Council and the action of that Council taken October 7th, the Indian Bureau announced the creation, under the leadership of Mr. Hagerman, of an All-Pueblo Council stated to be modeled on the Navajo council. The fully organized existing All-Pueblo Council is to be put aside—outlawed; the Indian Bureau Council will succeed it. This procedure has been successfully followed by the Indian Bureau with more than 100 tribes in past years.

In the present instance, the Bureau will not succeed. Will the Bureau have power to deceive Congress through this latest scheme? Probably not, for it would need first to deceive the Indians and this is impossible. But the following fact is given as a proper subject for Congressional investigation.

How the Pueblo Lands Board Is Involved

As previously stated, the Indian Bureau two years ago used extreme effort to persuade and frighten the Indians against being represented before the Pueblo Lands Board and the Courts by attorneys responsible to the Indians. It was then understood, as the later events have proved, that

in the absence of such representation the Indians would be wholly helpless against unfavorable constructions of law by the Lands Board or unfavorable acts by the Lands Board extinguishing their title.

The Bureau's effort was carried out by the then Inspector of the Indian Bureau, now the Interpreter for the Pueblo Lands Board, and by the local Indian Superintendents; in the case of Zuni, it was the determination of the tribal officers to solicit such legal aid which insured the violent overthrow of the Zuni Government by the Bureau.

Nevertheless, the Pueblos asked for the help of lawyers, and the Indian Defense Association has provided it. The Bureau is unreconciled. The Hon. H. J. Hagerman, an employee of the Indian Bureau, is a member of that quasi-judicial body, the Pueblo Lands Board. Mr. Hagerman has achieved a record in the creation of a bureau-controlled tribal council among the Navajos.

The White Settler vote along the Rio Grande will largely control the Republican Senatorial nomination for year after next. Mr. Hagerman is talked of as candidate for that nomination. The White Settler interest harmonizes with the Indian Bureau's wish—that the Pueblos *not* be represented by lawyers and be *not* enabled to appeal their cases from the Lands Board to the Courts.

Now, down from the Pueblo Lands Board, where he sits as a Judge, steps Mr. Hagerman. But he does not resign. He goes among one of the parties to the litigations judicially before him, and organizes, not in the Lands Board's behalf but in the Bureau's behalf, an attempted new Council to represent these litigating Pueblos who already have their long established Council. He returns to the Pueblo Lands Board to participate in decisions from which the Pueblos must appeal or they will suffer irretrievably; he continues, outside the Board, to launch a bureau-controlled All-Pueblo council, whose chief efficiency, if any, apart from the endorsement of Indian Bureau Bills in Congress, would be to create a rift, or the appearance of a rift, among the Pueblos in the supreme matter of their land contests and the sustaining of appeals from the Lands Board decrees. The anomaly is too striking to pass without mention. The facts are called to public attention and especially to the attention of the Senate Committee on Indian Affairs.

Messrs. Hanna and Wilson have shown the utmost of devotion and of legal capacity.

All of their work during the preliminary phases of the past year, is work which the Federal Government logically should perform. But since the creation of the Pueblo Lands Board, and the tremendous labor which its duties entail, no provision has been requested by the Indian Bureau or granted by Congress for increasing the Indian Bureau's legal service to the Indians. Consequently the single Indian Bureau attorney, if he attempted to fully execute the Lands Board work in addition to his regular duties which previously were supposed to require all his time, would be overwhelmed; and this preliminary work undone means the beginning of the undoing of the Indians.

Messrs. Hanna and Wilson, and their field representative (a competent attorney), cooperate with the Indian Bureau attorney at every point, giving him the benefit of their independent investigations and supplying much of the evidence vital to the Indians' cause. The field representative's work is technical. In his own words "intimate touch is kept with every move of the Pueblo Lands Board. If the Board is examining original deeds in Santa Fe, he is checking up on this work and making whatever suggestions and objections legal experience indicates to be of value to the Indian cause. If the Board is investigating the value of improvements at Nambe Pueblo, he is tramping over the claims in the Indian's defense.

"Prior to the hearings at the Pueblo of Taos the field representative, accompanied part of the time by Judge Hanna and part of the time by Mr. Collier, the National Secretary, spent several weeks interviewing the Governor, the Council, and individual Indians, actually walking over scores of the claims with them, preparing evidence to be submitted in the Indian cause at the hearings. Without such preparation it is impossible to present a strong case for the Indian."

The white settlers retain well-paid highly competent lawyers and abstractors to prepare their cases.

Back in the office, the field representative and the firm employing him tackle the mass of work accumulated in the field, "examining abstracts to the thousands of claims, making records of the evidence and testimony, and briefing the legal points involved."

The Lands Board Operation

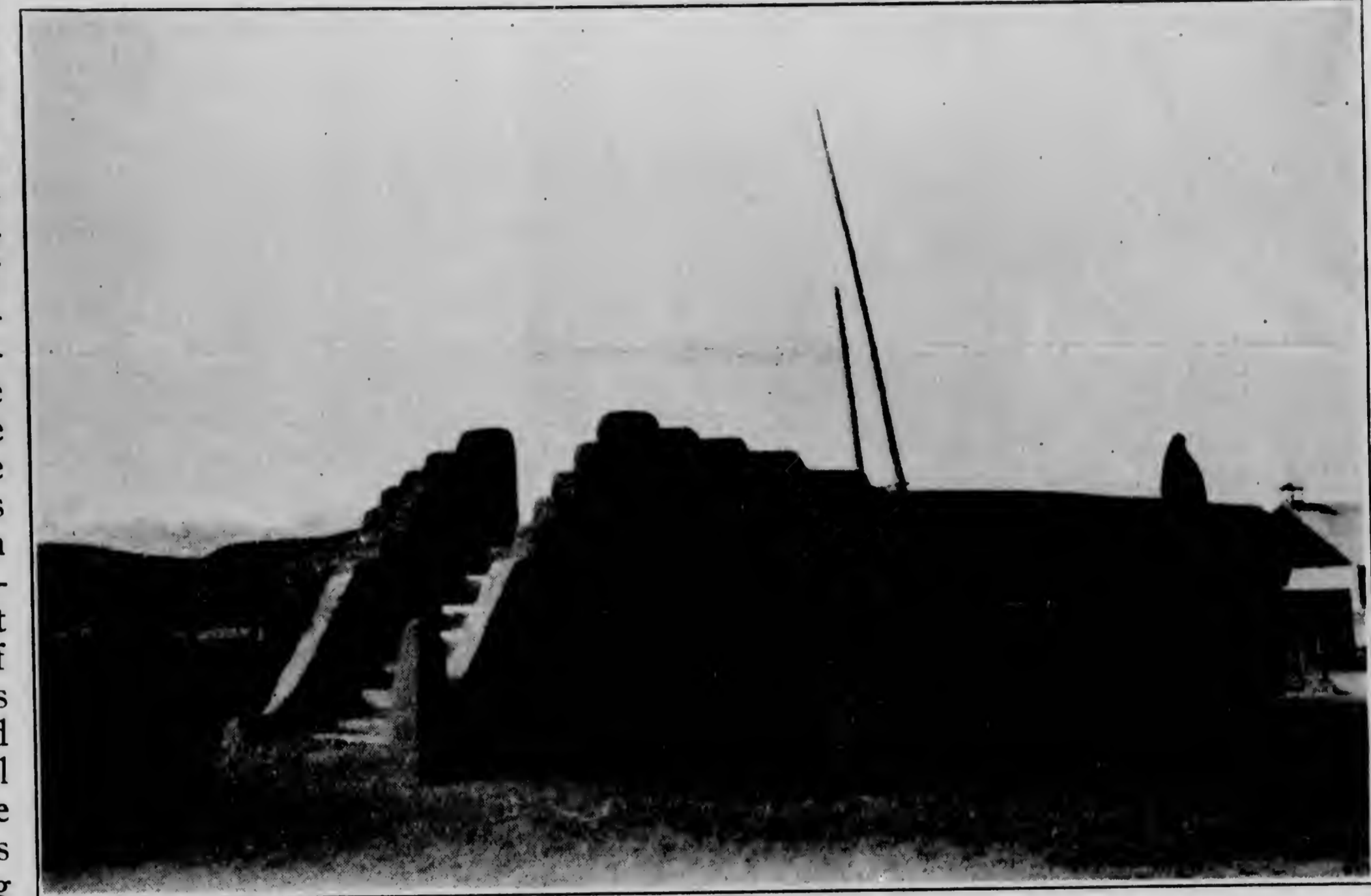
Adjudication has been completed for approximately six per cent of the contested land claims, and the work at Taos Pueblo is more than half done. The acreage decreed to be restored to the Indians or recovered to them through Federal initiative, totals about 400 irrigable acres and grazing land in excess of 1,000 acres. Compensation decreed to date totals about \$39,000. This compensation, when appropriated by Congress, is to be spent on permanent economic improvements in the Pueblos affected. Only three Pueblos, all small ones, have yet been completed by the Lands Board—Tesuque, Jemes, (small in its area of contested land) and Nambe.

The Lands Board Work is Preliminary

Lawyers will at once understand that the work done by the Pueblo Lands Board, while under the Act of 1924 indispensable, is preliminary and provisional. Its land awards favoring the Indians must be rendered effective through court action in suits to quiet title or suits in ejectment. Its decrees of compensation to the Indians are subject to court review (the Nambe awards, being deemed grossly insufficient, are now being appealed by Hanna and Wilson to the Federal District Court); and still thereafter, Congress must appropriate the money, which will require political effort by friends of the Indians.

And of greatest importance, the Board's land awards *against* the Indians are subject to court review through the indirect method of independent suits by the Pueblos as provided in the Act of 1924.

Similarly the Board's constructions of law are reviewable thru independent suit. The Tesuque and Nambe Pueblo reports of the Board have completely shown (a) that in matters of construction the Board has resolved all questions of law in favor of the Settlers as against the Indians and (b) that in findings of fact guided by the above mentioned constructions, the Board has favored the Settlers to the extent of a full eighty per cent of the contested land values, while its compensation awards to the Indians have fluctuated in a manner not explicable through the terms of the Act of 1924 but explicable only by reasonings political or expedient. Specifically (a) the Board has allowed the white settlers to plead the State and Territorial statutes of adverse possession and limitation as well as the statute of limitations contained in the Act of 1924; and has ignored the requirement of the Federal Act that adverse claimants shall prove the payment of taxes. The latter procedure by the Board is especially destructive to Indian interests. And (b) the damages found for the Indians at Tesuque Pueblo were \$100 an acre for land decreed away from them. The damages at Nambe for essentially identical land were only \$30 an acre.



San Ildefonso's Estufa

One of the sacred edifices of the Pueblos, whose religious institutions the Indian Bureau seeks to destroy.

Summary and Statement of Policy

The Indians, the Indian Defense Association, and Messrs. Hanna and Wilson, are now convinced that due process of law must be obtained through appeal to the courts as contemplated by the statute. The full force of the Indians' case, which legally as well as morally is nearly or quite conclusive, is assertable in no other manner. The final extinguishment of Indian rights can be averted, the actual restoration of that minimum of land needed for livelihood can be brought about, in no other way. Hoping to avoid, and determined at least to minimize, the litigations, the Indians and their advisers and attorneys have waited a full year, meantime cooperating heartily, every day and in labored ways, with the Lands Board, as they will continue to do. Personal relations with the Lands Board members have never been so cordial. Now, proceeding with as much conservatism as the law and the facts allow, the second and more important phase of the Pueblo lands contest has been begun. The compensation appeals have been insti-

tuted; the more crucial appeals on title awards will immediately begin. The whole financial burden of these appeals rests on the Indians and their unofficial friends, under the terms of the Act of 1924.

An important meeting was held on October 7th last, between the Indians from 17 Pueblos and Judge R. H. Hanna. Judge Hanna made to the Council of All the Pueblos a report on the year's work and gave an outline of immediate critical steps ahead. His informal report was recorded and a limited number of copies are available in mimeographed form. The statement reduces a complex situation to its simplest terms and it will be illuminating to any interested lawyer or layman as it proved to be to the Indians. Those who read it, especially if they be lawyers, will agree that an extraordinary condition has developed in the administration of the Pueblo Lands Act. Copies may be obtained from the Indian Defense Association.

The Year Ahead

In a report of the Council of All the Pueblos at its October 7th meeting, Judge Richard H. Hanna stated: "We your attorneys and your friends who are back of us, have enlisted in this war for the duration thereof." The Indian Defense Association is enlisted in this war and constructive labor until it is finished.

Events will move swiftly from this date forward. Events before the Lands Board and in the Courts will move swiftly. Already the Supreme Court has handed down a decision (the Candelaria decision) which radically strengthens the Pueblo position in all the underlying contentions which must finally decide the land issues. Events will move swiftly in Congress. Either the Indian Bureau will, or will refuse to, cooperate in seeking an early Congressional vote on the compensation awards. Either it will become apparent that the awards are paper promises alone, or that they are tangible realities.

Either the Pueblo Lands Act will be made to function as Congress intended, or through independent suits outside the Act, an identical result will be gained, without destroying the Act on constitutional grounds if possible, but with the destruction of that Act if need be.

The undertaking to secure religious and cultural liberty and the inviolability of family ties for these Indians will be pressed with increasing vigor in the next Congress. A remarkably favorable situation exists in Congress. The Senate Indian Affairs Committee as a body, has rejected the control of the Indian Bureau, and is going ahead with statesmanship on behalf of Indian welfare. A great education of Congress has proceeded through the year gone by.

The Indian Defense Associations have a united National Program. They are governed locally by autonomous Boards of Directors. They invite members within their respective areas. The officers of the American Indian Defense Association, Inc., are Haven Emerson, M. D., President, John Collier, Executive Secretary and Robert Ingersoll Brown, Treasurer. The treasurer of the Pueblo Legal Aid Fund and the Fund for California and Southwest Indian Work is Max L. Rosenberg, Treasurer of the Central and Northern California Branch.

The Pueblo Indian destiny is inseparable from that of all Indians, and the work of the Indian Defense Association is for all Indians. This issue of American Indian Life is devoted to the earliest, most sustained, most costly and, from the point of view of cultural values, most important of the labors of the Association.

Every contributor and member, if acquainted with the facts incompletely given here, will surely be increasingly at the service of the Indians.

FINANCIAL STATEMENT

October 1, 1926. Pueblo Receipts and Expenditures.

| | |
|--|---------------------|
| Financial statement published Dec. 31st, 1925, showed a balance, exclusive of pledges, of.....\$ | 8,520.09 |
| Paid pledges and new subscriptions, Jan. 1, Oct. 1, 1926 | 1,498.00 |
| Transfer from Ind. Def. Assoc. of Santa Barbara to Ind. Def. Assoc. of C. & N. California..... | 550.00 |
| Total..... | \$ 10,568.09 |

Expenditures exclusively on behalf of Pueblos:

| | |
|--|---------------------|
| Expenses of the Pueblo delegates (bills paid after Jan. 1, 1926).....\$ | 280.05 |
| Publicity expense, publishing and distributing reports, appeals, etc., (bills paid after Jan. 1, 1926)..... | 91.96 |
| I. D. A. field work, travel expense in Pueblo country..... | 341.92 |
| Relief administered directly (food, forage, and medical care)..... | 160.00 |
| Legal work in Pueblo Lands Board matters, Oct. 1, '25 to Oct. 1, '26, including retainers' fees, attorneys' traveling exp. among Pueblos, etc. | 9,640.45 |
| Total..... | \$ 10,514.38 |

Balance on hand October 1, 1926.....\$ 53.71

From October 1, 1926, the Pueblo legal defense burden is being carried by the small reserve fund in the treasury of the Indian Defense Association of Central and Northern California. That fund will be entirely exhausted very shortly. If the Pueblo work is to continue, if the Pueblo Indians are to be saved, the Pueblo Fund for that work must be renewed.

CLIP AND MAIL

For my share in the continuation of the work in defense of the Pueblos, I hereby pledge \$..... to the Pueblo Fund.

Enclosed find my check for \$..... (or) Pledge payable on.....192.....

Signed..... Address.....

(Make checks payable to *Indian Defense Association* and mail to nearest Branch.)

Indian Defense Association of Central and Northern California
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Oct.-Dec., 1926

"Heap Big Wind—No Rain"

In warm, well-furnished Washington offices abundantly fed and carefully dressed white men made a great show of papers and talked glibly of Indian service plans,—for education of the highest type, for medical care of the finest sort, for industrial aid of the most practical kind. In the listening group were three redmen from one of the remote Western reservations. Jovially the white host turned to his red guests, questioning, "Now isn't this great work for your people, great plans for their welfare?"

Far-seeing Indian eyes looked through the white man's papers, through the white man's words, out across the white man's prosperous acres, out to where red people crouched on arid lands, where graves were thick and doctors few. An Indian replied, "Heap big wind. No rain."

Is the Red Race Vanishing?
Who Knows?

In public speeches, in printed documents, in news releases, and indirectly in many other publicity channels, likely to be given great credence by the American public, the Bureau of Indian Affairs is declaring that the Indian population of the United States is steadily increasing. The Bureau statements, varying somewhat in phrasing, are all similar in character to the words of the Assistant Commissioner of Indian Affairs, Mr. Edgar B. Meritt, who said to a number of audiences on his recent Pacific Coast speaking trip, in his unhappy attempt to reply to Congressman James A. Frear's grave charges:

"The truth of the matter is that the Indians in the last 25 years have been steadily increasing in population and are no longer a vanishing race. For example, in 1900 there were 270,544 Indians in the United States and today we have 349,876. The Indians are increasing in population at the rate of about 1,500 per annum, which is the result of the work of the Indian Bureau along educational and health lines."

Good News—If True

But the inquiring mind will find no adequate statistical support for these statements,—they are assertions unsupported by records. In 1921 the Bureau of Indian Affairs ceased to publish any vital statistics. (This renders it difficult to find access even to the data that may be available.) But from what appears in



print, or in record form of some sort, such examples as are set forth here will enable the reader to understand why scientifically minded persons are unable to accept without question the isolated statements of the Indian Bureau, or of writers who base their work on unanalytical reading of the Bureau's statements and reports.

Method or Magic

A statement by the Secretary of the Interior: "Continuing surveys are being conducted on all reservations with accurate records concerning each Indian, showing whether he has built a home, whether he is cultivating a farm or engaged in the livestock industry and the progress he is making toward self-support." ("Then and Now," a review of the work of the Interior Department, 1923-1926, by Hubert Work, Secretary of the Interior. P. 16).

A statement by the Commissioner of Indian Affairs: "I am setting out

below data regarding health conditions among Indians, made to fit within the scope of your inquiry where possible, from data we have on hand which is applicable. It is desired that you understand that the figures collected from the various Indian activities relating to *morbidity, mortality, etc.*, are of necessity estimates as accurate as present conditions will allow." (Extract from a letter to the Chairman, Committee on Indian Health Conditions, Indian Defense Association of Central and Northern California, signed by Commissioner of Indian Affairs, Chas. H. Burke, dated Oct. 22, 1926. The italics are ours.)

An invitation by the Indian Defense Association: The Commissioner of Indian Affairs is earnestly invited to explain to our readers how he is able to keep, for the Secretary of the Interior, such excellent and complete "continuing surveys" on each individual Indian "on all reservations" when for many such individuals he has only an estimate as to whether they are alive or dead.

"Those Figures Are Not Correct"

So said Mr. Edgar B. Meritt, Assistant Commissioner of Indian Affairs before a large public gathering in Oakland on December 1, 1926, in reply to a question as to whether the Census Bureau figures which show a steadily increasing death rate

among the Indians in the registration area since 1921 might be accepted as correct. (See Chart I.)

The Indian Death Rate

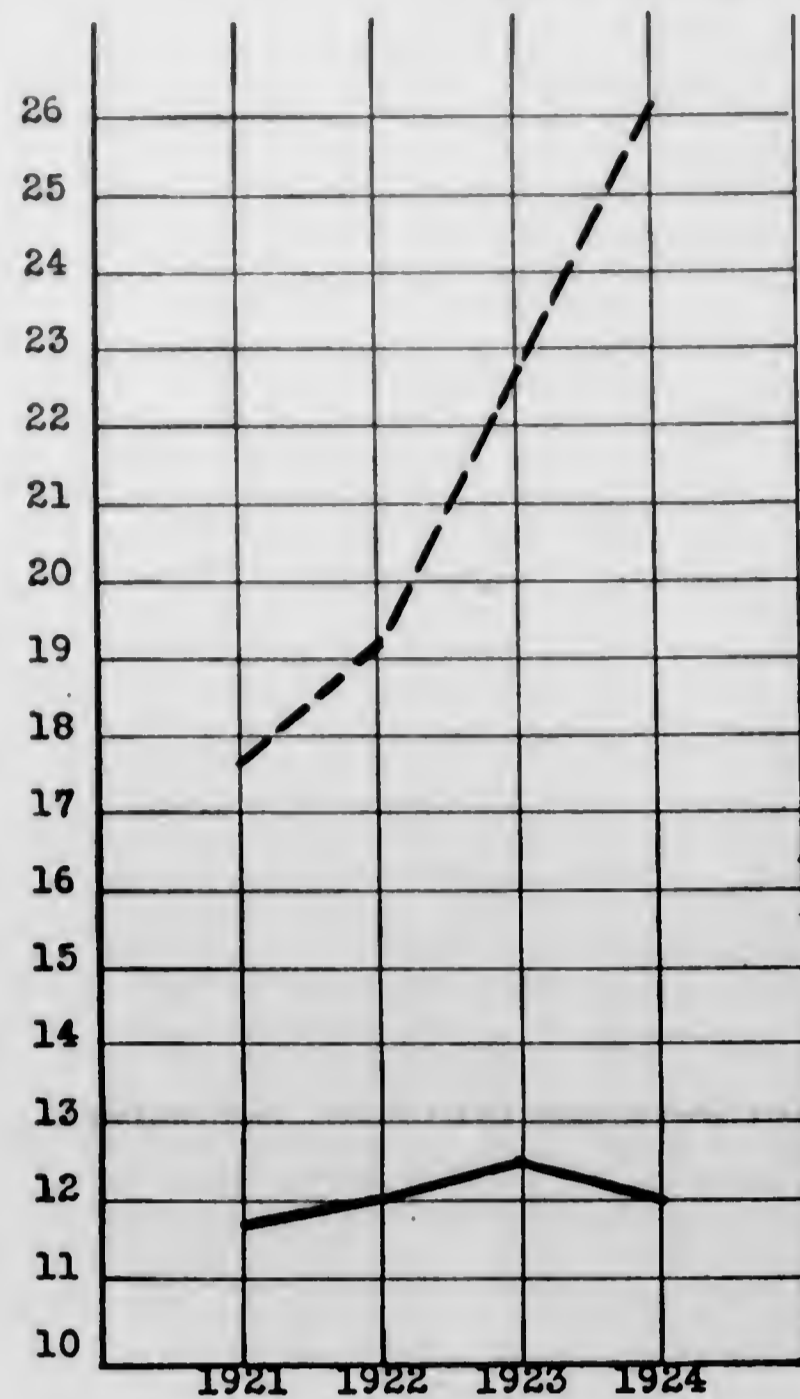


CHART I. Representing the annual death rates per 1,000 population for the total population (—) and for the Indian population (---) as shown by the mortality statistics of the U. S. Bureau of the Census for the registration area since 1921. (1925 figures not yet available.) The registration area does not include such Indian population centers as Arizona, New Mexico, South Dakota and Oklahoma.

But the Indian Bureau Supplies Them

So said Mr. Chas. H. Burke, Commissioner of Indian Affairs, to the Indian Defense Association in a letter dated Dec. 30, 1926, using these words, "This Office sends to the Census Bureau the individual reports of births and deaths from which they compile their figures."

Cooperation—On Paper and in Practice

Commissioner Burke tells us in his letter of December 30 that—"Each jurisdiction has one or more Indian service employees designated as registrars who are required to report all known births and deaths to State Bureaus and to the Census Bureau through this Office on the required forms."

But, as incurable doubting Thomas's are prone to do, we also made inquiry of a number of State Vital Statistics Bureaus. Here are two typical replies. For obvious reasons we do not indicate the sources.

1. "We deeply regret that we have thus far been unable to secure the cooperation of the Indian agents in the matter of registering births and deaths among the Indians."

2. "While many of the agents cooperate by sending us such reports of births and deaths as they receive, these reports are far from complete and we do not feel that they can be utilized as a basis for any statistical studies." (Italics ours.)

That Advertised Increase

From 270,544 Indians in 1900 to 349,876 in 1926. Does that mean that there are 79,332 more Indians living in the United States now than in 1900? Mr. Meritt clearly invited his Oakland audience to so infer. He did not tell them that there had been no Indian count prior to 1900 that could honestly be called anything other than a very rough estimate, so that it may quite safely be assumed that the figure given was a guess. Moreover, as late as 1910 the Indian population in 22 states was not included in the total population figure. By 1915 all but two states had been added to the list, and by 1920 all had come into the fold. But surely the increased total shown on the records by this enlarging of the census scope could not be representative of an actual increase in the population! Or do Indians not exist until the Indian Bureau counts them?

As to the accuracy of the present total a careful analysis of the records in the Annual Reports of the Commissioner of Indian Affairs will show that in many cases the figures represent an "Estimate" not a count. Mr. Burke himself says, "The Navajos

have never had a complete census on account of their nomadic life." And the Navajos are one of the largest tribal groups. Another large Indian group is that known as the "Five Civilized Tribes, 101,506 out of a total of 349,876. The population of this group is still "Based on roll of 1907." With what is common knowledge of the prevalence of tuberculosis among the Five Civilized Tribes and the Navajos an honest skepticism is inevitable, and justifiable.

As a Striking Example

Chart II represents the Indian population of the state of California as it is given in the Annual Reports of the Commissioners of Indian Affairs over a considerable period. It is worthy of study. The very rapid rise of the population curve between 1922 and 1924 tells some kind of a tale, its description being left to the reader. For upon closer inspection the Commissioner's reports show these figures:

| | Total Indian Population | Adults | Minors |
|----------|-------------------------|--------|--------|
| 1924 | 18,702 | 13,928 | 4,774 |
| 1922 | 11,091 | 6,888 | 4,203 |
| Increase | 7,611 | 7,040 | 571 |

Whence came the 7,040 adults? Were they not there before but not counted? Nor can we even accept the increase in the number of minors without doubt. For no less authority than Mr. Burke himself, in a signed letter, giving us certain statistics requested for the odd-numbered years, told us that in 1923 the number of Indian deaths in California exceeded the births by 25. In other words how dependable are Indian Bureau figures for any one year? How can they be taken seriously, covering any considerable period, when error would be piled on error?

Nobody Knows

The truth of the matter is, to use Mr. Meritt's own words, that nobody knows whether the Indian population is increasing or decreasing. The evidence, from State Health Officers, from the U. S. Census Bureau, and from the Indian Bureau itself, shows conclusively that

1. No complete count has ever been made of the Indians.
2. Reports of Indian births and deaths are admittedly very incomplete.
3. For one group, comprising nearly one-third of the total, the 1907 count is still used in 1926.

Why did not Mr. Meritt say to his public "in our opinion," instead of "the truth of the matter is?" Why does not the Indian

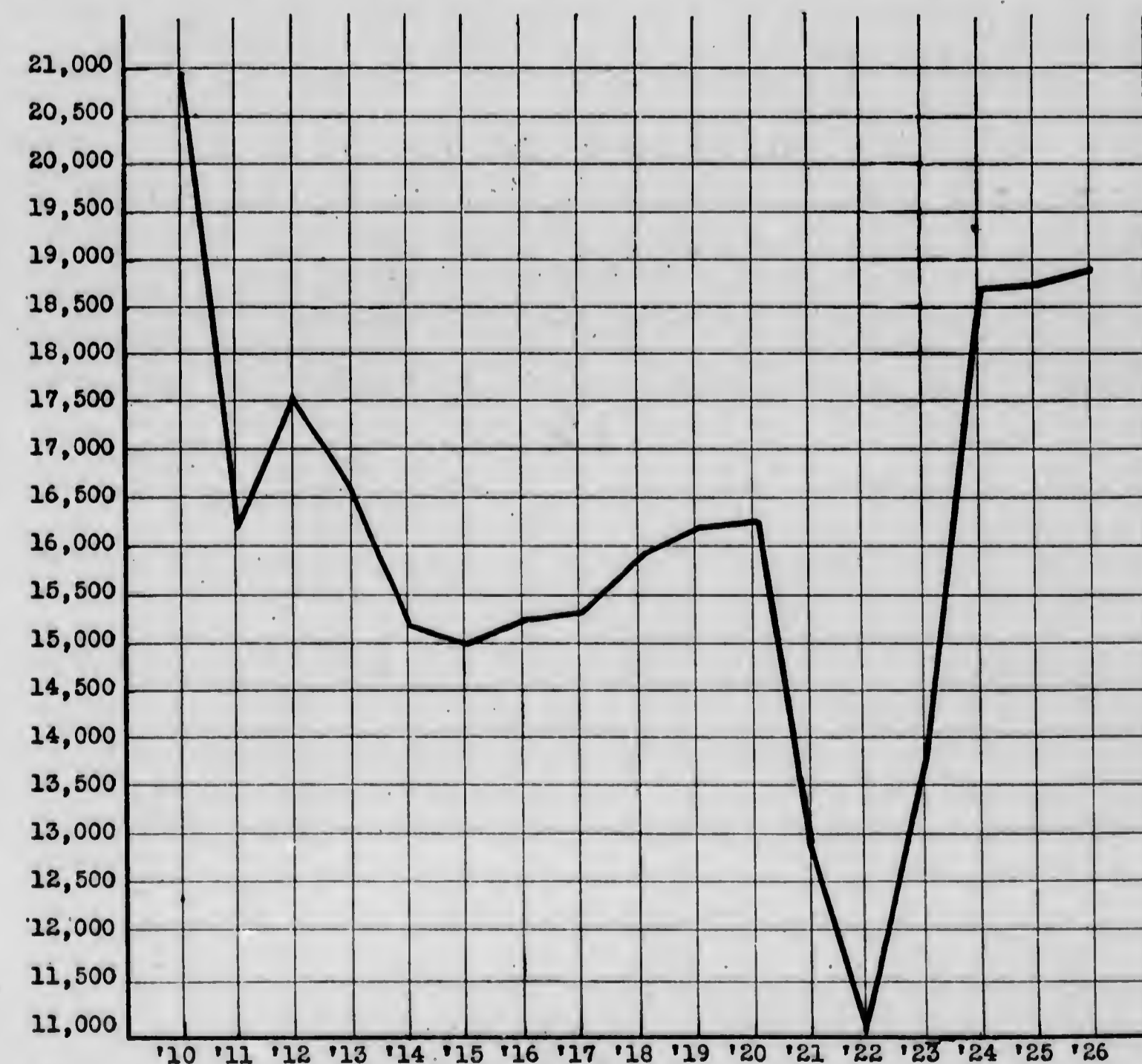


CHART II. Representing the Indian population of California as shown in the Annual Reports of the Commissioners of Indian Affairs from 1910 to date.

Bureau make a greater effort to secure a reliable census of its wards and to keep it corrected annually? No one questions the difficulty of getting a fairly complete register, even though there are 5,002 employees in the Indian service, or one for every 70 Indians. But must a task be left undone because it is difficult? Particularly when it is a task so important? It can hardly be expected that a guardian will be able to look after its wards' welfare with any very great effectiveness so long as it is unable to advise itself of their existence.



TUBERCULOSIS

A Newspaper Item

Oakhurst (Madera Co., Calif.) Nov. 12, '26. The "white plague" is getting the best of another Indian family. Seven children of Mr. and Mrs. Sam Patch have been taken by tuberculosis during one year. The latest victim of the dread disease was Leonard, the 7-year-old son.

Among the Apaches

75% of One Tribe Tuberculous. Quotations from a House investigation into Indian affairs in 1919.

"Mr. Meritt. . . . We have figures that indicate that a large number of Indians have tuberculosis.

"Mr. Hernandez, of New Mexico. I have in mind a small tribe of Indians where about 75 per cent of them, so they claim, have tuberculosis.

"Mr. Meritt. That is probably the most flagrant condition existing in the Indian Service. You refer, of course, to the Jicarilla Reservation. (Apache.)

"Mr. Hernandez. . . . I was trading with them for several years, 20 years ago, and they were a healthy race. What is the cause of that condition in that particular place?

"Mr. Meritt. My impression is that a great many years ago those Indians lacked sufficient food, and they got into a weakened condition, and the disease to which they are most susceptible took hold, and we have never been able to eradicate it."

From the U. S. Census Bureau

Quotation from Mortality Statistics, 1923, Page 16. "For the registration states the higher rate in 1923 (22.5) than in 1922 (19.2) is for the most part due to the increase in deaths from tuberculosis and diseases of the respiratory system."

In that same volume may be found figures which show that of the total number of deaths among the population at large in the registration area 6.8% are due to tuberculosis (all forms), while of the total deaths among the Indians in the same area 22.1%, or more than three times as many, occur from those causes.

At the Pueblo of Zuni

The Indian Bureau plans to convert the boarding school at Black Rock into a school sanatorium for "tubercular Indian children"—"largely from Zuni." When this explanation was made in the hearings before the Subcommittee on Appropriations in charge of the Interior Department appropriations for the fiscal year 1928 the following conversation took place:

"Mr. Cramton (Chairman). Just from Zuni? You do not mean that all these Zuni children are tubercular?"

"Mr. Meritt. No sir.

"Mr. Cramton. Well, how many?"

"Mr. Meritt. There is quite a high percentage of tuberculosis on that reservation."

From the Indian Bureau

Number of known cases of tuberculosis among Indians—4,809. (1926).

Total number of cases of tuberculosis estimated to exist among the Indians—23,209. (1926).

Trachoma—The Sight Destroyer

The appalling prevalence of this highly infectious sight-destroying disease among the Indians has been recognized for some time. The Indian Bureau is to be commended for the

beginning that has been made in attacking this problem, through the special project known as the Southwest Trachoma Campaign, covering a territory comprising Arizona, New Mexico, Southern California and parts of Nevada and Utah, through the assignment of special physicians to other districts, and through the stimulation of their regular physicians to greatly increased activity in this direction. The terrific need for this concerted attack is evidenced by the findings of the past two years as recorded in printed hearings before the Appropriations Committee of the House. We quote some of the figures



TRACHOMA!

| | Number examined | Trachoma found | Percentage |
|-----------------------------------|-----------------|----------------|------------|
| Southwest trachoma campaign..... | 52,541 | 10,882 | 20.7 |
| District special physicians..... | 42,044 | 9,682 | 23.0 |
| Agency and school physicians..... | 79,780 | 15,564 | 19.6 |
| Total | 174,365 | 36,130 | 20.7 |

It is probably true that this total does not represent the actual number of cases as there are some overlappings and some re-examinations in the second year of cases treated the first year. Nevertheless the appalling percentage of cases found remains at about 20 per cent, or one in every five a victim.

The Indian Medical Service

In the early part of 1926 the Indian medical service was reorganized. An experienced Public Health Service Surgeon, Dr. M. C. Guthrie, was appointed to act as Chief Medical Director of the Indian service. This was a most commendable move. There were then created four districts, for the purposes of medical administration. The districts, with the name of the Medical Director, headquarters, etc., are as follows:

District No. 1. Michigan, Wisconsin, Minnesota, Iowa, North and South Dakota. Headquarters: Post-Office Bldg., Minneapolis, Minn. Director, Dr. Emil Krullish, Surgeon, P.H.S.

District No. 2. Montana, Wyoming, Idaho, Utah, Washington, Oregon, California (north of Sacramento). Headquarters: Pendleton, Oregon. Medical Director not yet named.

District No. 3. Arizona, New Mexico, California (South of Sacramento), Colorado. Headquarters: U. S. Indian Agency, Albuquerque, New Mexico. Director, Dr. H. T. Warner, Surgeon, P. H. S.

District No. 4. Oklahoma, Kansas, Nebraska, No. Carolina, Mississippi. Headquarters: Federal Building, Shawnee, Okla. Director, Dr. Walter S. Stephens.

This reorganization is good. It is a gesture in the right direction. But to spread themselves effectively over so vast a territory these men must needs be superhuman. Their progress, their findings (if the public is permitted to read them), and their suggestions as to further improvements in the service will be awaited with vast interest by those upon whose civic conscience the health of the American Indian weighs heavily.

Meanwhile

The Secretary of the Interior, on page 17 of his "Then and Now" gives his reading public the glad news that "United States Public Health Service methods in handling all medical, dental, sanitation and hospital activities have been installed." (Italics ours.) Not "will be," but have been. Yet one comes upon such amazing glimpses as this:

"The Indian Bureau conducts 91 hospitals, sanatoria, sanatorium schools, school infirmaries, etc., ranging in size from a few beds to 120 bed capacity. In no one of these institutions is there an X-ray apparatus and in very few of them do we have any laboratory equipment." (P. 348, Hearings before Mr. Cramton's Subcommittee on Appropriations, Interior Department Appropriation Bill, 1928.)

Or this:

"Every Superintendent of the Five Civilized Tribes in his annual reports has urged that more attention be given to the health matters of these Indians. They have asked for sanatoria, treating stations, physicians, and nurses, again and again. The annual report of the superintendent for 1925 discloses that tuberculosis and trachoma are on the increase. He states that numerous plans for the establishment of a health organization have been submitted without tangible results. . . . There has been a lamentable lack of medical service for these tribes; it is doubtful if any other Indians in the United States have been more neglected in this respect." (P. 21, Annual report of the Board of Indian Commissioners, 1926.) (It should be recalled that these Five Tribes contain nearly one-third of the total Indian population of the United States.)

"A Reproach to Our Government"

And yet again, in the same report, from the pen of Gen. Hugh L. Scott, after he had made an inspection trip through the Northwest, visiting 10 agencies in Montana, Wyoming, North Dakota and Minnesota.

"It is inconceivable to me that Congress would allow such conditions to continue if the facts were fully impressed upon it and I recommend that the Honorable Secretary of the Interior make a special effort to secure the funds he considers necessary to stamp out trachoma in one year and to provide sufficient sanatoria to cover the Indian country. The present conditions are a reproach to our Government and should no longer be allowed to continue.

"Among all the agencies visited it was noted that the vaccination for smallpox and the inoculation for typhoid fever were inadequate. These are preventable diseases, as shown by their elimination from the military service, and are possible only through the neglect of those responsible.

"The people who are on my mind are the superannuated, the lame and the blind, who are unable to earn anything. . . . They have a very insufficient ration given them at many agencies that keeps them undernourished and makes them the prey of every passing disease. I believe that many have died prematurely in the past from these causes. I note that this ration is being made adequate by the issue of horse meat at the Fort Belknap Agency."

Health Conservation

It is sad to think how little time the tremendously overburdened field staff can give to prevention of disease. Contemplation of the picture of 120 full-time physicians for some

The Indian Defense Associations have a united National Program. They are governed locally by autonomous Boards of Directors. They invite members within their respective areas. The officers of the American Indian Defense Association, Inc., are Haven Emerson, M. D., President, John Collier, Executive Secretary and Robert Ingersoll Brown, Treasurer. The treasurer of the Pueblo Legal Aid Fund and the Fund for California and Southwest Indian Work is Max L. Rosenberg, Treasurer of the Central and Northern California Branch.

300,000 Indians, 4,805 of whom are known to have tuberculosis, and 23,209 "estimated" to have the same dread disease, with 22,182 active trachoma cases, not to mention all the other illnesses of which Indians suffer and die, will make it very evident that the task of serving the ill is as much as ought to be expected of the present meager field service. Modern public health programs of prevention await development for the Indian's benefit.

Rapid building up of public health nursing service is anxiously awaited. Mr. Burke reports that there are 11 public health nurses for field work for the whole country. This is small enough under the circumstances, but are all of these "authorized" positions filled. It is known that two in California although created months ago have never been filled. The salary paid is below the standard which any first-class public health nurse sets for herself—and can get in other fields.

The same short-sighted "economy" explains some of the other troubles. Mr. Burke writes, "During the present year the Indian Medical Service has 120 full time authorized positions for physicians, not all of which will be filled constantly due to the difficulties in recruiting a desirable type for Indian medical work." An examination of the salary scale explains much.

Who is Responsible for Lack of Funds?

Viewing with alarm the fact that for the past two years the Indian Bureau has gone before the House Appropriations Committee with requests for reductions in the amount to be appropriated for "Conservation of Health" and particularly the reduction in allowance for general field work where alone prevention can lie we have openly criticized the Indian Bureau on that point. Friends of the Indian Bureau declare these criticisms to be unfair, stating that the fault lies with "the President's Budget," and pointing out that it is unlawful for any official to ask Congress for any sums not approved by the Budget-maker. Our plea then is that the Bureau shall open for inspection the budget which it presented to the President's budget-maker, so that all citizens may know where and by whose hands the tragic pruning is accomplished. How else may the public know that Mr. Meritt did not paint for the President's budget-maker the same optimistic picture that he drew for his Pacific Coast audiences? A growing section of the public is not altogether sure that the old cry of "insufficient funds" explains all the deficiencies of the Indian medical service. A thorough investigation might conceivably reveal ineffective use of the funds that have been available. Such an investigation is sought by Senator King through his Senate Resolution No. 341, now pending and meeting with bitter opposition.

CLIP AND MAIL

For my share in this work of arousing the American people to an understanding of the present straits of the Indian and the necessity for effecting constructive changes in the system of administering his affairs, I hereby pledge \$.....

Enclosed find my check for \$.....(or) Pledge payable on.....192.....

Signed..... Address.....

(Make checks payable to *Indian Defense Association* and mail to nearest Branch.)

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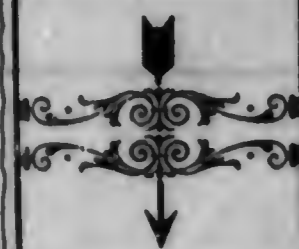
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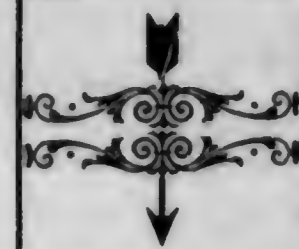
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BULLETIN No. 8
May, 1927

This issue of American Indian Life addresses itself to the members and to the directors of the Indian Defense Bodies—
incidentally to the Indians and their friends everywhere. It is a report and interpretation of
recent events, a discussion of method, and a forecast.

Recd. May 16, 1927

Has Conflict Made Co-operation Impossible?

A friendly critic writes to Dr. Haven Emerson: "It is my opinion that an organization which fails to maintain a working relationship with officials who are trying to render good public service, cannot itself do work to advantage."

This critic knows that the Indian Defense Associations are in conflict with the Indian Bureau on some fundamental issues. Probably, like him, many who cordially believe in the legislative program of the Associations, do not know that the Indian Defense Associations are co-operating with the Indian Bureau in ways more varied and financially more costly than any other Indian Welfare or Indian Rights organization in field, other than the home mission boards of churches.

Never has the Indian Bureau asked for this co-operation. Always it has ended by accepting, sometimes by applauding it.

Cases are here given, which instantly tell much of the present Indian situation.

Joint Victory in the Oil Bill Struggle

Congress in February re-enacted, and President Coolidge signed, the Indian Oil Bill whose great consequences are two-fold. This new law guarantees to the Indian Tribes the whole proceeds of their royalty from gas and oil; and it establishes the tribal ownership of more than 22,000,000 acres of executive order reservation, about three-fifths of the whole Indian area of the United States. Technical details are omitted; this victory is the largest material gain for Indians in our generation.

One year ago, the Indian Bureau and the Indian Defense Associations were in acute conflict over the Indian Oil bill. The Bureau had endorsed and actively promoted a measure dividing the Indian royalties between the tribes and the states where they resided. This same bureau measure constituted a legislative denial of the Indian ownership of executive reservations—a legislative declaration that Indians were but tenants of the land surface, subject to eviction when the executive might so decree.

Bills drawn by the Indian Defense Associations represented the opposite of the Indian Bureau's program. They segregated all Indian oil royalties to the tribes. They vested title in the Indians to their executive reservations.

After two months of public contest, the Indian Bureau, beaten in the Senate Indian Affairs Committee, withdrew from its position. The Bureau then threw its whole energy behind the new



Rainbow and Waterfall of the Pueblos, who represented their people at The Nation Indian Dinner in New York, March 8th.

measures which were the opposite of its own earlier bills. Such joint action promptly obtained the desired legislation from Congress. The President, acting under a misapprehension, vetoed this legislation. Thereafter, through all the past session, perfect team work was done between the Indian Bureau and the Indian Defense Associations. The Indian Oil Bill was again passed and the President signed it.

The Indian Defense effort registered as follows: First, it broke the power of local and corporate interests in their effort to drive the Indian Bureau towards a continued promotion of the Albert B. Fall scheme. Second, it drafted, or took the initiative in drafting the substitute legislation which finally become law. Third, united action by the Indian office, the Defense Associations and

many other Indian welfare agencies insured the reenactment of the 1926 bill and its signature by the President in 1927.

State Responsibility for Indian Health, Education and Social Welfare

In this instance, the co-operation of the Indian Defense bodies has been carried out with the Secretary of the Interior. The Indian Bureau has not co-operated with the Secretary of the Interior.

Beginning in 1923, Secretary Hubert Work announced his policy, that Indian administration should be decentralized into the states, and this announcement he repeated in annual reports, public addresses and news releases for two years. The Swing-Johnson Indian Bill was drafted to incorporate Secretary Work's policy. The Indian Defense Associations drew the bill, and made it applicable exclusively to California. The bill was conservatively drawn, making no changes in the status of Indian property and avoiding any change in the control of non-reservation Indian Boarding Schools, but bringing into action for the Indians such agencies, as the State Board of Health, State Board of Education and State Board of Public Welfare. Federal appropriations for these services were to be transferred to the State under a carefully guarded system of contracts, supervising power being vested in the Secretary of the Interior.

The Indian Defense Associations then secured the introduction of an identical bill for Wisconsin.

These bills were strongly and specifically endorsed by Secretary Work in a letter to the Indian Affairs Committees of the House

and Senate. His endorsement even went beyond the pending measures; he recommended that their principle be applied to all states. (Page 5, printed hearings.)

Further co-operating with the Secretary of the Interior, the Associations drafted the necessary enabling acts to be passed by the State Legislatures, and campaigned in the Legislatures of the two states involved, and the enabling acts are now law.

The Indian Bureau definitely resisted the Swing-Johnson and LaFollette-Cooper bills; the Secretary of the Interior stood fast behind his own endorsement of them.

Then, after a study of the Montana situation, the Indian Defense Associations brought about the introduction of the Wheeler-Evans bill, identical in substance with the California and Wisconsin bills and applying to Montana the principal of these earlier bills. The Montana legislature passed the needed enabling act.

Meantime the Indian Bureau had continued its wearing-down process against the Secretary of the Interior, and Secretary Work in reporting to Congress on the Montana bill has apparently shifted his position.

The printed hearings on these bills can be obtained from the San Francisco office.

The Struggle Over Pueblo Lands

The Pueblo Lands Act of 1924 was endorsed, although without enthusiasm, by the Indian Bureau, after the Bureau's Bursum bill had been defeated. Its terms necessitate the use of independent counsel by the Pueblo tribes. Such independent counsel, and they alone, can prosecute the independent suits for land recovery which are provided for in the act, and they alone can press the appeals for increased compensation which are allowed by the act.

But Congress has provided most inadequately even for that portion of the Pueblo legal service which technically, under the Act of 1924, is supposed to be rendered by the Indian Bureau and the Department of Justice. This Federal provision is excellent in quality but almost immeasurably insufficient in quantity, as events have proved already and as pending events will prove with disheartening effect.

The Indian Defense Associations, immediately on passage of the Act of 1924, saw that the whole material future of the Pueblos was at stake and offered to provide the needed legal aid, and the Pueblos accepted it and the Commissioner of Indian Affairs repeatedly endorsed it.

Victory in the Nambe Appeal

Since the last Pueblo number of American Indian Life, events have crowded in the Lands Board work. Messrs. Hanna and Wilson, attorneys for the Indians, employed and directed by the Indian Defense Associations, have appealed from the award of the Pueblo Lands Board made to the Nambe Pueblo for lands deemed irrecoverable under the act of 1924, for whose loss the Government was held to blame. The Federal Court responded to the appeal and increased the acreage award from \$30.00 to \$65.00. The gain for Nambe Pueblo is about \$7,000; the precedent for the other pueblos will prove to be worth probably a hundred thousand dollars.

The Indian boarding schools are at present crowded by enrollment to 38.8 per cent beyond their physical capacity, as stated by the bureau. This unhygienic herding of Indian children into densely overpacked concentration institutions is costing the Government three and a half times more per capita for Indian education than the per capita cost of the adequately equipped, adequately staffed public day schools of our Western States.

All of them are institutions of spiritual and emotional cruelty. Any institution concentrating children to the number of a thousand and regimenting them, and keeping them away from their homes for consecutive years, is an institution that destroys and torments. Many of the boarding schools are institutions of actual physical horror, and their overcrowding with ever-increasing numbers of child victims is one of the causes which explain the swiftly rising death and disease rates. These schools literally are culture grounds for disease subsequently to be spread in a methodical way throughout the Indian population.

(Indian Defense Association Testimony, King Resolution Hearings, pps. 40, 50)

There is still an appalling situation.

(Scott Leavitt, Chairman, House Indian Affairs Committee. March 2, 1927.)

Intensive service was given at Taos, resulting in the prospective recapture of 1000 irrigated acres for the Pueblo. This irrigated land is contiguous to the Indian farm lands and pasture—its recovery will mean a 50% increase of arable land for the tribe. But the compensation award at Taos, as decreed by the Lands Board, is deemed to be not more than one-half the proper sum, and the appeal from this award, as in the case of Nambe, has already gone to the Federal Courts.

The independent suits affecting Tesuque Pueblo are being filed at the present writing. Through these suits, the legal construction of the act of 1924 will be tested, and a victory on certain moot points of law will mean recovery of land by the Indians several times greater than that which has been decreed by the Pueblo Lands Board under its construction of the act.

Meantime, to the dismay of the special Assistant Attorney General and the Indians alike, the Federal District Court of New Mexico has denied to the Pueblos the right to *intervene* in the suits to quiet title or suits in ejectment which the government is bringing, toward the recovery of that land decreed by the Lands Board to be recaptured for the Indians. This denial by the lower Federal Court of the right to intervene has been appealed to the Federal Circuit Court, and will be carried to the Supreme Court if necessary, inasmuch as the ruling affects not only the Pueblo Indians but all Indian wards in the United States. If necessary, remedial legislation will be sought.

The Pueblo Tribes have, and exercise, the broad right to independent suit, outside of their status as wards. The narrower privilege of intervening to help the Government present the Indian case more completely, has been denied them. If ultimately sustained, this ruling by the District Court would leave all Indian tribes at the mercy of the Department of Justice without any recourse whatever, in various cases arising from time to time.

Broadly, the Pueblo legal aid is purchasing decisive gains for the Indians.

Coordinate Effort in Indian Relief

The California Committee on Indian relief is both a service institution for the California Indians and a demonstration of method for other states. It was promoted by the Indian Defense Associations. Its members, all delegated, represent the Indian Bureau, the California departments of public welfare, education and health, the California Conference of Social Work, the California Federation of Women's Clubs, the Catholic Church and the State Federation of Churches, the Red Cross and the Indian Defense Associations.

The Committee deals with whatever personal or general subject of Indian need is brought to it. It is a clearing-house body, referring the given need to the appropriate agency and facilitating joint action between agencies. Through this Committee, the Indian Bureau, through periodical case conferences attended by its representatives, has been drawn into co-operation with public and private agencies representing in their totality the life of a great state. The chairman of the California Committee is Mrs. Amy S. Braden, executive Secretary of the State Department of Public Welfare, and the Secretary is Mr. R. E. Arne of the Pacific Branch of the American Red Cross.

At the request of the Indian Defense Associations through the New York Office, the Carnegie Foundation has set aside \$5000.00 to be used in some phase of research or demonstration in the field of Indian health. The Association believes that this fund will be best employed if spent under Indian Bureau auspices for work of some co-operative type which might, after the demonstration period is ended, become standardized as a Federal undertaking. The Indian Bureau Officials have not yet decided on a use for this fund which would meet the requirements of experimentation toward new and improved methods capable of standardization. Suggestions from members of the Association will be welcomed on this subject.

INDIAN SURVEY BY THE INSTITUTE FOR GOVERNMENT RESEARCH

A staff of ten investigators, headed by Mr. Lewis Meriam, have been investigating Indian matters throughout the present year. The Institute for Government Research have financed and are directing this survey at the request of the Secretary of the Interior. The report probably will be made to the Secretary of the Interior before December. The Defense Associations have conferred with them at Washington and San Francisco, in Los Angeles and at

But Conflict Must Still Go Forward

The Indian Bureau is one of the most powerful vested interests and lobbies with which the United States Government has to deal.

Until the Indian Bureau joins in seeking the reforms without which the Indians must perish, or until these reforms are accomplished with or without help from the Bureau, conflict must continue.

That conflict will remain an embittered one from the standpoint of the Indian Bureau. Manifold as are the co-operative relations between the Indian Defense Associations and the Bureau, the fundamental and manifest attitude of the Bureau is necessarily one of animosity, of fear and aggression.

The broad program for re-organizing the Indian affairs system and for liberating, while continuing to protect, the Indians, is not restated here. Its elements, however, are briefly given.

First. The actions of the Indian Bureau, or of whatever guardian, in handling Indian property, must be regulated by statute and subjected to review by the federal courts. The Indians must be given constitutional protection—due process of law—in civil and criminal matters; they must realize the provisions of the Bill of Rights; they must be freed from the unlimited personal government of the Indian Bureau and its subordinate agents. The Federal Court jurisdiction must be extended to the Indian in civil and criminal matters. And the ancient congressional policy of granting to Indian tribes a full cultural liberty, must be given renewed effect.

Second. The Federal agencies equipped to help Indians, and the State agencies so equipped, must be given freedom and inducement to render this help. This means a decentralizing of the Indians Bureau control over the educational, health, agricultural and social services.

Third. Enlarged and improved health services must be extended as a *supreme emergency measure*.

What Grounds for Larger Hope

Is there reason to hope for the actual achievement of this program? The answer is wholly in the future. If the pressure on Congress and on the Administration can be maintained and *increased*, the whole program will be realized; and the Indians as a race will be saved. The pressure increases as time passes, even without the expenditure of additional effort, because publicity steadily rolls up and the prestige of the Indian Bureau system decays. Yet the road ahead is long, and the result is not one which can wait on time. The increasing death and disease rate of the Indians, and the wastage of the Indian trust estate, are frightening facts. The assault against Indian social institutions and spiritual life, both through the crushing of tribal institutions and the work of the compulsory boarding schools, is at its intensest.

It would be to wrong the Indians, if victory were made to appear near. The Indian Bureau has a vast strength of passive resistance; and it resists both silently and through a propaganda which accords with the general optimism and political indifference of today.

The Indictment and No Reply

The Indian Bureau fought against the King resolution for a Senate investigation of Indian Affairs. It begged that before that resolution be reported for action, an indictment of the Indian system should be made before the Senate Indian Committee, and

Albuquerque. The files, and all contacts of the Associations, have been placed at their disposal.

Valuable results, critical and constructive, should flow from this investigation. Its supreme value would be to persuade the Administration to take initiative in the legislative reform of Indian affairs. Short of legislative action no broad or enduring reform is possible. The report, and the working papers and the personal testimony of the investigators, can if necessary be made accessible to Congress through request which will undoubtedly be made by the Senate Indian Affairs Committee.

Fourth. The destructive and merciless Indian boarding school system must be brought to an end and modern community day schools, where practicable under State auspices, must be substituted for the boarding schools which are destroying the Indian body and soul alike.

Fifth. Measures must be devised, encouraging and assisting the tribes as bodies corporate to take a limited but increasing measure of responsibility for handling their own properties and directing their own group energies.

The above program has been in part before Congress for two, three and even four years. The Indian Bureau has fought against every plank in the program stated here. It is the minimum program consistent with American honor and with the survival of the Indians. Until the Indian Bureau joins in the program, or until the program is forced into being through action by Congress, the contest must go on and must become more intense and more nation wide. All lesser results, such as are reported in the first part of this bulletin, would ultimately be results secured in vain unless the structural, indispensable improvements here stated were also secured. To secure them is the chief object of the Indian Defense Associations.

Meanwhile, the attitude of the Indian Bureau officials is natural—inevitable. They are not being personally criticized. But the system whose agents they are, is being specifically criticized. Their actions, a product of the situation wherein they find themselves, are being criticized. Their pride in their institution, and their personal pride, is injured. Though not intended this cannot be helped. The stake is hundreds of thousands of lives and souls, and our national honor. The escape for the Indian Bureau officials would be by announcing facts instead of concealing or distorting them; by leading or joining in the effort at reform instead of fighting against it.

that then the Bureau should be allowed to reply into the record. The indictment was made; none reading it can question that it is as detailed, documented and supported as it is terrible. Then the Indian Bureau elected to make no reply—and it made none.

And the Secretary of the Interior followed up the Bureau's non-reply. "The department," he said, "refutes nothing, admits nothing and denies nothing."

And Then the Reply

One week after announcing that it would not reply to the indictment (made at its own request so that the Bureau might refute it), a press dispatch went out from the Bureau. The newspapers generally printed it. The Bureau, through Assistant Commissioner Meritt, repeated the exploded claims about Indian population totals. It repeated the exploded claims about vast increases of Indian wealth. One day later, the Bureau shone with greater glory—this time in a feature release, a full page printed by many newspapers. "The civilization and education of the Indian Race constitute an everlasting monument to the Department of the Interior. Those who have private axes to grind, start outcries about the oppressed, downtrodden Indian. These accusations are without foundation. The Indian race at present is *more affluent, better educated, better housed and fed, and healthier*, than any body of dependents on the world's map."

Cumulative poverty, cumulative morbidity, and the slow penetration of the whole conscious and unconscious mind of the Indians by despair, have brought a climax, of which the statistics showing a 48 per cent increase in the death rate in the registration area in four years give an inadequate picture. The picture is inadequate, because although the death of the soul probably does hasten the death of the body, that result does not ensue immediately, and could there be statistics of the destruction of the Indian soul, they would be more gloomy than the death statistics of the Census Bureau.

(Indian Defense Association Testimony, King Resolution Hearings, p. 63)

Politically these interviews and feature releases accomplished nothing. But their wide display in the press indicated much with reference to the still prevailing American mood concerning Indians and concerning government matters in general.

It is paradoxical but true, that the continuing American prosperity may become the final deciding cause of the total impoverishment of the Indians and of their physical destruction. For behind this prevalent optimistic indifference, registered in politics, the vested interests which constitute the Indian affairs system remain *silently entrenched*. And the Indian Bureau has learned how to exploit this optimism of the public mind. Its method is a propaganda of all being well and ever better—a story of dreamland, the more impregnable because hung in vacant air. It is the gesture of splendid self-reform, repeated with new and improved scenic effects every year since 1923.

The Experience Which Gives Hope

Such are the realities. But they are not new. They have prevailed since 1922 when the Indian Defense work was begun. In the face of them, enormous gains have been registered. Citizenship has been gained for the Indians—a vast gain, even though it does not go beyond the privilege of the ballot employed under potential or actual duress, and even the ballot has not yet been secured in Arizona and New Mexico. The Bursum and Lenroot bill schemes of confiscation of the Pueblo lands have been beaten forever though the whole force of the Indian Bureau was put back of them. The Pueblo Lands Act of 1924 has been secured, and before the end that law will have been equitably operative. The Indian Omnibus Bill of 1923, drafted by the Indian Bureau

and confiscatory on a large scale, has been permanently defeated. Important steps toward the improvement of the Oklahoma probate courts have been forced by publicity. The great Bureau program of destroying the Indian religions through force has been checked and suspended. The Bureau's effort to legislate Indian tribal customs out of existence has been beaten, along with its sustained effort to obtain Congressional sanction for its practise of arbitrarily arresting and imprisoning Indians. The attempted confiscation of Indian water powers has been defeated. The raid against Indian oil royalties and Indian ownership of the executive reservations has been completely turned back on itself, and security of Indian ownership has been established by law. The program of state co-operation for Indian welfare has been drafted into bills, an unanswerable record has been made at Congressional hearings, and three leading states have adopted the requisite enabling legislation.

Other definite results could be listed—dozens of other such results. Most important has been the awakening of great numbers of citizens, and of the Indians themselves, to the situation and its remedy. And in the upper house of Congress, the initiative has conclusively passed to the Indians and their friends.

It is enough to give more hope than inspires most public causes. Enough to justify the greater effort which will be made.

The Indian death rate has risen 48 per cent in the registration area, in four years through 1924, the last year when complete United States census tabulations have been put together. The rate is now approximately double the rate of the general population. The registration area includes 33 States with Indian populations, including your State, Mr. Chairman. The Indian tuberculosis death rate in the registration area is six times the white death rate, according to the United States census. In the country as a whole the Indian tuberculosis death rate based on population comparisons is seven and a half times the white tuberculosis death rate, according to Commissioner Burke of the Indian Bureau. The Indian death rate under 1 year of age is two and five-sevenths times the general population rate, according to the United States census. Commissioner Burke states that the Indian death rate between one and three years is higher than between birth and one year. About 21 per cent of the Indians, or more than 60,000, are suffering from trachoma, which causes blindness, according to Doctor Guthrie, chief of the Indian Bureau medical service.

(Indian Defense Association Testimony, King Resolution Hearings, p. 37)

Here and There in Indian Life

Help in California. California has appropriated the money for two public health nurses who will work among the non-reservation Indians. They will be supervised by the State Board of Health.

Who Will Pay This Time? Arizona has met the conditions laid down in the Lee Ferry Navajo "highway robbery" appropriation of 1926. One hundred thousand dollars of Navajo tribal funds will now be mortgaged to build a tourist bridge across the Grand Canyon. A large hotel is announced to be built on the north rim of the Canyon. \$300,000 will be needed to build the connecting roads to El Tovar southward, and toward Zion Park northward. Will the Indian Bureau and the National Park Service recommend that this \$300,000 be taken from the Navajo fund? It will improve the Navajo reservation as real estate. It will justify the addition of another \$50,000,000, more or less, to the Indian wealth advertised by the Indian Bureau. It will take the Navajo tribe's money need for medical treatment, for stock wells, for sheep breeding. Irony aside, will the Indian Bureau promote or oppose the use of Navajo money for the tourist road to make this Navajo-financed tourist bridge useful to everybody except the Navajos? It promoted the earlier misappropriation.

A Thirty Million Dollar Indian Horsepower Saved. Far the most dramatic Indian struggle in the last Congress was that which finally saved the Indian ownership of the Montana Flathead

water-power. Under existing law, the Federal Power Commission controls the leasing of Indian water powers, and all the rentals, by the terms of existing law, belong to the tribes. The Flatheads own (by treaty) the largest Indian water-power—100,000 of primary horsepower by minimum, and 158,000 by maximum, estimates.

Six days before Congress adjourned, the President transmitted to Congress a recommendation by the Budget Director and the Secretary of the Interior, calling for the insertion by way of amendment of certain fiscal items in the second urgent deficiency appropriation bill. Hidden within these items were two "jokers." One "joker" transferred to the Secretary of the Interior, from the Federal Power Commission, the discretion to lease the Flathead power. The other "joker" stated that the earnings should be distributed between the Indians and the Whites who own land formerly belonging to the Flathead tribe. The House of Representatives accepted and passed the amendment without a question asked.

It is exceedingly difficult to defeat an Administration-endorsed proposal in an urgent deficiency bill. The task fell exclusively to three agencies—the Indian Defense Association, the National Council of American Indians, and the attorney for the Flathead tribe. The Scripps-Howard newspapers and the Christian Science Monitor gave large help. Every member of the Senate was thrice

Figures taken from report of Commissioner of Indian Affairs for 1926:

| Total individual and tribal property— | |
|---------------------------------------|----------------|
| 1922 | \$ 727,746,397 |
| 1923 | 1,010,870,519 |
| 1924 | 1,052,849,047 |
| 1925 | 1,656,046,550 |
| 1926 | 1,693,844,806 |

| Estimated value of oil, gas and other mineral resources— | |
|--|----------------|
| 1922 | Not shown |
| 1923 | \$ 250,000,000 |
| 1924 | 350,000,000 |
| 1925 | 933,947,224 |
| 1926 | 1,033,947,224 |

| Subtracting the "estimate" gives real value— | |
|--|---------------|
| 1922 | Not shown |
| 1923 | \$760,870,519 |
| 1924 | 702,849,047 |
| 1925 | 722,099,326 |
| 1926 | 659,897,582 |

It is very clear that, deducting the estimated value of mineral-bearing lands, these figures show, not an increase but a large decrease in property wealth since 1922. Moreover, this estimate includes vast Indian timber lands that bring in no income to the Indians and this value again is just an estimate. They have acquired no new lands, but owing to the development of oil and other minerals the Department of the Interior and its subordinate, the Indian Bureau, have capitalized this fact and taken all the credit for the apparent increase in the wealth of the Indian community to their own administration, using a method that may at least be characterized as careless and misleading bookkeeping.

Mr. Meritt replied to my letter of March 26 in part, as follows:

"The office must rely upon the best judgment of the superintendents in charge of the reservation having such resources. In 1923, the sum of \$250,000,000 was fixed upon as a conservative estimate, and 1924, \$100,000,000 was added to the 1923 figures in view of the greatly increased activities in the oil fields. In 1925, telegrams were sent to the superintendents of the reservations having oil, gas and other mineral resources, asking for their estimates of the value of such resources in the soil. The figures given in the 1925 report were based on estimates received. The 1925 figures were used for the 1926 report, after adding \$100,000,000 to the estimated value of the oil, gas and other mineral resources on the various reservations."

It will be noted that with a so-called "conservative" estimate of \$250,000,000 in 1923, by a series of additional estimates, and adding now and then \$100,000,000, the figures reach \$1,033,947,224 by 1926! Thus is derived the vaunted per capita wealth of the Indian as computed by his "guardian" the Indian Bureau.

Bureau Not Backward in Taking Credit

When the American Indian was herded off onto Government reservations, he was given lands that were considered at that time to be inaccessible and worthless to the rest of the population. Quite recently some of these lands held by comparatively few Indian tribes in certain parts of the country, have become very valuable, due to the discovery of minerals, chiefly oil. The bureau takes to itself all the credit for this increase in the value of these lands, estimates their potential valuation and distributes the result obtained over a big majority of the Indian tribes by a per capita method that means nothing at all. Even the wealth of the tribes who are supposedly in possession of these lands is based upon an estimated potential value calculated by the bureau, and not upon the income that they actually produce, which in most cases is practically nil.

A detailed investigation of the property values of some of the individual tribes on Government reservations shows an alarming decrease from year to year that contrasts painfully with the much-advertised increase that the Indian Bureau claims credit for. No explanation for these large decreases is vouchsafed by the Federal agency, and no study of the figures they gave throws any light on the matter.

Increasing Wealth Largely a Myth

A short table is appended, giving a few of these figures on property values from the report of the Indian Commissioner, that go to prove that the rapidly increasing total wealth of the American Indian is a myth.

| Agency | 1922 | 1926 | Decrease |
|-----------------|--------------|-------------|----------|
| Fort Apache | \$12,894,485 | \$6,903,592 | 46% |
| Western Navajo | 2,808,791 | 331,070 | 88% |
| Yakima | 18,252,463 | 9,281,122 | 48% |
| Turtle Mountain | 3,385,731 | 1,401,343 | 60% |
| Yankton | 4,552,144 | 2,666,990 | 41% |
| Flathead | 10,605,406 | 6,326,413 | 30% |

What is the meaning of all this? Millions of dollars in land values simply disappear, reducing the per capita wealth of the Indians in the tribes affected. The Indian Bureau makes no accounting for the disposal or disappearance of these lands; nothing is shown in their statistics to account for their disappearance. Surely land cannot disappear of its own accord, leaving no trace behind.

Incidentally, the Flathead lands are burdened with a government mortgage (so-called reimbursable indebtedness) of \$5,004,196, as against the \$6,326,413 of total value shown above or the \$10,534,888 stated by Mr. Meritt in his amended claim given below.

At the present rate of decrease as shown by the figures cited, most of the Indians will be entirely without land in the course of a few years.

The decrease in the per capita wealth of these tribes is correspondingly great. For example, the per capita wealth of the Western Navajo Agency decreased from \$434 in 1922 to \$47 in 1926. The per capita wealth of the Chippewas went from \$959 in 1922 down to \$333 in 1926. In the case of the Sioux Indians, the per capita wealth during the same period decreased from \$1274 to \$733. These figures offer a startling contrast to those so glowingly advertised by the bureau, in which the average per capita wealth of the American Indian is stated to be \$4700. But this is not surprising. The figures of the bureau never check from one year to another.

These figures were submitted to the Indian Bureau. In his letter, already quoted, Mr. Meritt explains as follows:

"Regarding the decreases in the total property values from 1922 to 1926 on the several reservations mentioned in your letter, these decreases in every case are due to reductions in the individual and tribal lands and timber values. The office has recently found that such reductions can be eliminated entirely by the correction of errors in the superintendent's figures for 1926. On the Flathead Reservation, approximately \$814,495 of the decrease is chargeable to the sale of timber on allotted and unallotted lands.

Numerous Errors are Admitted

"Since 1923, due to lack of clerical help, the office has not been able to give proper attention to the checking up of the figures submitted by the various superintendents in their annual statistical reports, and it has only recently been possible to give the statistical branch of the work much attention. Considerable progress has been made toward checking up the statistical reports for the last few years, and already a number of errors and discrepancies have been discovered and corrected and action taken to see that proper figures are furnished for the 1927 report. For the various reservations mentioned in your letter, you should use the following corrected figures in lieu of those given in the reports:

| Agency | Item | 1926 |
|-------------|------------------------|-------------|
| Ft. Apache | Tribal land values | \$9,186,790 |
| W. Navajo | Tribal land values | 1,933,641 |
| Turtle Mtn. | Individual land values | 3,154,000 |
| Yankton | Individual land values | 3,008,360 |
| Yakima | Individual land values | 11,348,095 |
| Flathead | Tribal land values | 550,000 |
| Flathead | Tribal timber values | 3,270,003 |
| Flathead | Individ. timber values | 388,472 |

Very truly yours,

E. B. MERITT, Asst. Com."

Indefensible Records a Smoke Screen

Check Mr. Meritt's figures against those set forth above as printed in the annual report published by the Indian Bureau. The admitted discrepancies and errors amount to millions of dollars. What the errors were is not indicated except as to the case of the Flatheads; there is an explanation to the extent of \$814,495. Even as to this, one wonders whether this is a discrepancy, or just a reason given for a sudden large decrease in wealth.

What is the meaning of all this? Why this hopelessly inconsistent and incompetent bookkeeping? Why all these excessive estimates of "wealth"? Why, based on figures and statistics such as these, does the Indian Bureau, through Mr. Meritt, advertise the per capita wealth of the Indians at the absurdly exaggerated figure of \$4700?

May I suggest that these indefensible records are but a smoke screen that, false to its trust, the guardian is attempting to hide its own incompetence, even to the detriment of its defenseless wards?



"The per capita wealth of the American Indian is nearly twice as great as the per capita wealth of the other citizens of this country. The per capita wealth of the American Indian is approximately \$4,700."

(Statement of Edgar B. Meritt, Assistant Commissioner of Indian Affairs, to the Oakland Forum, The Commonwealth Club of California, and the Chamber of Commerce of Los Angeles.)

Prosperity of the American Indian a Bureau Smoke Screen

Figures Issued by the Commissioner Largely Mythical, Serving Only to Cover Incompetency of the Guardian of Defenseless Wards

By CHARLES de YOUNG ELKUS

There is so much publicity about the "rich Indian" and his constantly increasing wealth, that those who are unfamiliar with actual conditions are apt to be misled by the glittering accounts of Indian prosperity that are spread abroad by the Indian Bureau and its agents. My own experience among the Indians of California and the Navajos and Pueblos of the Southwest has been such as to give me a very different idea of their economic status.

Figures Hard to Reconcile With Facts

Even a cursory inspection of the annual reports of the Commissioner for Indian Affairs is sufficient to show that the "prosperity" of the American Indian and his "increasing wealth" are very often the result of a change in the appraisal of property and not of any real change in value. For example, the total estimated wealth of the Indians in the United States in 1922 was given as \$727,000,000, according to official figures. In 1926, this estimate had jumped to \$1,693,844,000, an increase of \$966,000,000 in four years. On the face of it, these figures seem to confirm the bureau's assertions as to the amazing growth of prosperity of the Indian community as a whole. But a closer examination of the bureau's own figures throws new light on the situation.

According to the annual report, the estimated value of oil, gas and other mineral resources on Indian land amounted to \$1,033,947,224. If

Reprinted from the San Francisco Chronicle of April 22, 1927. The author is chairman of the Indian Affairs section of the Commonwealth Club of California and a director of the Indian Defense Association.

we subtract this "estimate" from the total amount given as the value of individual and tribal property among the Indians, we arrive at the figure \$659,897,582. Comparing this figure with that given for 1922, when no estimates of mineral resources were included in the land values, we find there has actually been a very noticeable decrease of \$68,000,000 in the last four years.

In actual values, taken on the same basis, the Indians were richer in 1922 than in 1926 by \$68,000,000.*

An Explanation That Didn't Explain

In a letter written on March 26 of this year to Edgar B. Meritt, assistant commissioner for Indian Affairs in Washington, I requested an explanation of some puzzling figures found in the reports of the bureau and his help in arriving at an understanding of them. I also requested to know how the estimate of values in oil, gas and other minerals is determined, and upon what this vast increase in the estimates of the last four years is based. I submitted these figures to him and asked for help in solving the riddle.

*NOTE: A result 25 per cent more depressing is obtained by totaling the Bureau's exact classifications of Indian wealth in 1922 and 1926. A net shrinkage of \$85,690,435 is revealed, or 11.6% of the total estate. By similar computation a 15.7% shrinkage is found between 1923 and 1926—nearly 4% each year. No account is taken of the reimbursable indebtedness.

circulated, once with a large poster. Most members of the Senate were interviewed. The following Senators gave unequivocal help: Wheeler, Curtis, Norris, McKellar, Bayard, King, LaFollette, Frazier, Copeland, Cameron. They are mentioned not to honor them, but to show the non-partisan character of Indian issues in Congress. The Republican "whip" and a Republican "old guard" are in the list—both have been faithful to the Indians. The amendment was defeated in the Senate Appropriations Committee and would have been beaten on an effort to restore it on the floor. Not only the chief asset of the Flatheads was saved; the Federal Power Act was saved from being deformed by general legislation inserted into an appropriation bill in the form of jokers.

Albert A. Grouard, attorney for the Flathead tribe, came to Washington and fought this fight at his own expense. The Flathead tribe has \$158,000 in the treasury. The tribe petitioned that its lawyer's fee and expenses be paid from its own money. The Indian Bureau controls the money and has refused to allow a dollar to be paid. The Bureau was promoting the scheme which the tribe was fighting against. The scheme was an outright confiscation of the ward's property. Co-operating with the Indians cannot always mean co-operating with the Indian Bureau.

Compensation for California's Indians. On the initiative of the Indian Defense Association, Commissioner Burke of the Indian Bureau went into conferences which resulted in the formulation of a wholly new court of claims bill. Representative Clarence Lea of California introduced this bill, substituting it for a draft based on the Raker bill of earlier sessions. Till adjournment of Congress, the Secretary of the Interior had not reported on this bill. Meantime, the California legislature has passed an enabling act, amended to meet the suggestions of the Indian Defense Association, vesting in the state authorities if they deem it advantageous, the power to appear before the court of claims on behalf of the Indians. Wisconsin has already undertaken to litigate on behalf of that State's Indians. It is a valuable precedent which California is wisely following. The suggestion of this designation by Congress of the State as *prochein ami* to the Indians came from Commissioner Burke.

But the road to compensation for California's Indians is still a long future road. The Lea bill as now before Congress is essentially a "gratuity appropriation" measure, recognizing a moral obligation and will be useful only if passed by Congress without destructive amendments. It has provisionally replaced both the Raker-Lea and Kahn bills of earlier sessions.

The reimbursable debt against the Indian tribal and allotted lands had reached a total of \$31,000,000 in 1919, according to the Indian Bureau's testimony given that year to the House Indian Committee. Of this total \$8,000,000 had been collected from the Indians before 1919, according to the Indian Bureau testimony. The total has continued to roll up, while at the same time one after another of the irrigation developments created through these reimbursable moneys has proven to be largely or partly a failure.

Congress has adopted sweeping relief measures for white irrigationists indebted to the Government. Identical relief is denied to the Indians. These white irrigationists voluntarily incurred their indebtedness. The Indians did not voluntarily incur their indebtedness. The Indian Bureau has known and confessed the situation for years, but has not moved to secure redress for the Indians. With new charges being piled up through congressional acts, and with the piling up of maintenance charges, the Indian equities are being clouded to extinction. The moral injury is as grave as the economic injury.

(Indian Defense Association Testimony, King Resolution Hearings, p. 39)

Pure Water for the Zunis. The Zuni deep well is being dug at last. Ten years the Indian Bureau delayed, while the Zunis died from enteric diseases. Last fall, Congressman Frear and the Indian Defense Secretary visited Zuni. Thereafter an Indian Defense friend offered to construct the Zuni water supply at her own cost if need be. The Association took the position that this was a government responsibility—that if the well had to be dug with private charity the whole country should know the facts.

Congress itself, by statute, gives to the Secretary of the Interior unlimited discretion in nearly all the important matters affecting Indian property. Hence, unless criminal acts be charged against the guardian, court review of his action is unobtainable. Misfeasance on whatever scale is immune from court review; malfeasance can not be asserted where the law neither prescribes the end to be pursued nor the method of pursuing it; confiscation usually can not be alleged, for the Supreme Court has ruled that the political branch of the Government where the Indians are dealt with, is presumed to be using its discretion for the ward's benefit; injunction, mandamus, and other civil procedures can not be invoked because the bureau's discretion is established in law. So vast is the executive discretion that even the will of an allotted Indian is invalid unless confirmed by the Secretary of the Interior. No statutory controls exist over the sale and lease of properties. A more boundless absolutism under forms of law, a broader legal license to maladministration, could not easily be devised, and, of course, never would be devised by Congress if starting afresh.

(Indian Defense Association Testimony, King Resolution Hearings, p. 42)

Congressman Frear was ready to expose the whole record on the floor. Then the well-digging was begun—at the expense of the government.

The Pueblos Keep Their Own Organization. American Indian Life No. 6 told of the Indian Bureau's effort to destroy the Council of All the New Mexico Pueblos. Subsequently the Council of All the Pueblos met. Present as their guests were Mrs. H. A. Atwood, chairman of Indian Welfare of the General Federation of Women's Clubs; Chauncey S. Goodrich, president of the I. D. A. of Central and Northern California; John Collier, national secretary, of the A. I. D. A., Inc.; Mrs. William F. Barker, chairman of Indian Welfare for the New Mexico Federation of Women's Clubs; Charles Fahy of Santa Fe; and Dudley Cornell representing Messrs. Hanna and Wilson. Charles F. Lummis was an especially welcomed guest.

The entire proceedings were made of record. The Council finally voted to renew its standing invitation to the Indian Bureau to make use of the Council of All the Pueblos; stated that no other All-Pueblo council was needed, by which it was genially conveyed that the Bureau's United States Council of the Pueblos was not needed; and rejected a legislative proposal of the Indian Bureau, offered at the Santa Fe bureau-called meeting, which if endorsed would have been equivalent to an Indian endorsement of the Bureau's Indian court bill which the Pueblos had fought against for the year gone by. The proposal, lifted out of its context and without reference to the existing judicial decisions, had been offered to the Indians as a plan to enlarge their ancient tribal authority. Placed in its context and in the light of the judicial decisions, it proved to have the opposite effect—to subordinate the pueblo tribal institutions partly to the New Mexico state laws and partly to the Indian Bureau.

Zuni pueblo was absent, and Laguna was present but not voting. Thereafter, Laguna circulated a letter repudiating, in effect, the action of the All-Pueblo Council. And the Zuni tribal officers sent letters to the Indian Commissioner asking his advice about the grave problem of how to get rid of the Indian Defense Association. These Zuni communications, the Indian Bureau has photostated and circulated. The Zuni officers are the ones set up by the Indian Bureau in defiance of tribal custom and authority, through the Bureau's renewed coup d'etat of February, 1926, when the tribe was forcibly prevented from petitioning Congress against the Bureau's Indian oil bill. The particular concern of this *de facto* revolutionary government is that Zuni pueblo shall not get its Spanish land grant validated. Non-Indian property interests are at stake. (Ghosts of the Carribean and of Central America!). Laguna pueblo endorsed the Lenroot pueblo land titles bill, which was the Bursum bill made worse, confiscating the Indian titles without a hint at compensation. All the other pueblos fought against that bill, sending a delegation to Washington, and were successful. Zuni's plight is known to all the pueblos. The effort to destroy the Council of All the Pueblos has permanently failed.

Does the Chief Vital Statistician Agree?

Mis-statement, always repeated after the most public and final disproof, has come to be expected from the *non-professional* chiefs of the Indian Bureau. The following, however, from Dr. M. C. Guthrie, chief medical director of the Indian Bureau, excites bewilderment at least. Can Dr. Guthrie have composed the letter which appears in the Journal of the American Medical Association, April 9th, 1927? Dr. Guthrie is a competent scientist.

"The Census Bureau tables are made up of population estimates based on ten year enumerations. The Indian Bureau among its Indian wards attempts to have an accurate census yearly. The foregoing facts are undoubtedly responsible for the variation in figures on births and deaths as reported by the Census Bureau and the Indian Bureau. *The chief statistician for vital statistics of the Bureau of the Census is in agreement with this statement.*" (Italics ours).

The point at issue is the high and fast-rising death-rate of Indians in the 33 registration states, as revealed by the United States Census, when compared to the much lower—sometimes 50 per cent lower—death rate in the same areas as stated by the Indian Bureau. The Indian Bureau cannot challenge the Census Bureau data because it is the Indian Bureau's own data, obtained from the Bureau. Hence Commissioner Burke, of the Bureau, in a letter February 2, 1927, invoked disparities in the Census Bureau and Indian Bureau population totals and claimed that they explained the disparities in death ratios.

The printed hearings on the King Resolution, February 23d, 1927, deal conclusively with this argument. Page 54 and forward. "The Federal Census totals for Indian deaths in the 33 registration states are 17.5 per 1,000 in 1921, 19.2 per 1,000 in 1922, 22.5 per 1,000 in 1923, and 25.9 per 1,000 in 1924. The important fact, of course, is the rapid and regular increase, not the absolute figure. But assuming that the absolute figure is important, what do we find? Taking the last year, 1924, the Census Bureau states an Indian population total of 103,386; the Indian

Bureau, a population total of 109,741. If it be assumed that the Indian Bureau is right and the Census Bureau wrong, we must add to the Census Bureau total 6,355. If we make this addition, we find that it causes a reduction of 1.58 in the Census Bureau figure of Indian mortality for the year in question. The figure would then be 24.32, as against 22.5 in the preceding year, 19.2 in the year before that, and 17.5 in the year before that, 1921."

The above statement is followed in the hearings by a demonstration that the Census Bureau is *not* wrong in its population totals. It is shown that the Indian Bureau's population increase is brought about by adding 41.75 per cent to the California Indian population in a single year, 1923-1924. This fictitious increase accounts for 84 per cent of the whole population increase claimed by the Indian Bureau for the whole registration area. The Census Bureau, says Dr. Guthrie, makes "population estimates," while the Indian Bureau "attempts to have an accurate census yearly." No population on earth has increased 41.75 per cent in one year. The Indian population of the whole country increases, as the census proves, less than one-third of one per cent each year (if at all), and the California Indians appear to be static or diminishing.

However, as shown in the quotation above, the fictitious Indian Bureau population totals could be accepted, could be substituted for the Census Bureau population totals, and the difference in the total and in the yearly increase of Indian mortality would be negligible; the Indian Bureau's claims would equally stand condemned.

Now, seven weeks after the public hearings, six weeks after the hearings were printed and broadcasted, we find Commissioner Burke's irrelevant and exploded statement repeated by the chief medical director of the Indian Bureau in a medical journal. As usual, the previous demolition is ignored; and what miracle of fertility happened to the California Indians in 1923 is not explained. And the chief statistician for vital statistics of the United States Census is quoted as agreeing!

NEWS ITEMS OF ORGANIZATION

Martin Vigil (Rainbow) of Tesuque Pueblo, with his eleven-year-old son, Elias (Waterfall), visited New York for two weeks in March, guests of the Indian Defense Association and of that friend of underprivileged peoples, The Nation. They came on behalf of the pueblo tribes. Martin Vigil sang, and Waterfall danced, at several meetings. At two meetings Frederick Jacobi interpreted the Indian music. The impression created by Martin and Waterfall was as intense and complete as that which has been created by larger pueblo delegations in previous visits East and West. About \$1,000 was realized above all expenses (exclusively in the form of gifts). This sum has been devoted to the legal aid work for the Pueblos.

Salt Lake City and Pasadena have this winter organized Indian Defense Associations, branches of the national body. Both organizations have been active on legislation. The president of the Salt Lake City branch is Fred Richardson and its secretary is Mrs. Mary C. Hogle, 548 E. South Temple Street. The president of the Pasadena branch is Fred W. Hinrich, Jr., its vice president is Miss Ethel Leupp, and its secretary is Miss E. V. Rumsey, 535 Bellefontaine Street. Miss Leupp is a daughter of Francis C. Leupp, commissioner of Indian Affairs under President Roosevelt.

The Association announces with regret the resignation, April 1st, of Alida C. Bowler, executive secretary of the Central and Northern California Branch. Miss Bowler has become director of public relations of the Los Angeles police department. Her continued interest in the Indians is taken for granted. We hope for such co-operation as her time and present employment permit.

Miss Pearl Chase has been elected president of the Santa Barbara Branch. Mr. Fred M. Stein has become treasurer, and Howard S. Gans assistant treasurer, of The American Indian Defense Association, Inc.

The acceptance of membership on the national board by Major George P. Ahern of Washington, D. C., brings valuable technical help to the Indian cause. Major Ahern, former secretary of the War College, is an authority on conservation and especially on forestry. He created the Philippine forestry service under Governor-General Taft. His contact with Indians has been lifelong.

The Wisconsin Congressional delegation remains solidly pro-Indian. The Indian Defense Associations of that State, the State Federation of Women's Clubs, and the State League of Women Voters act together. The State legislature is interested in Indians as heretofore.

The Minnesota Indian Relief Committee, P. W. O'Grady, Chairman, 700 Oneida Building, Minneapolis, and Elizabeth Chute, Secretary, consistently helped in the national legislative work through the last, as the preceding, session of Congress.

The National Council of American Indians registered at every point in the struggle at Washington during the last Congress. Gertrude Bonnin (Zitkala-sa), president, and Captain Bonnin, counsel of the organization, are Sioux Indians. They have made great sacrifices. Their address is 735 Transportation Building, Washington.

The Brotherhood of California Indians goes forward, since its Indian-called convention at Ukiah last November. About 100 delegates came, representing tribes and bands as far north as the Oregon line, east to Nevada and south to Sacramento. The membership and control are exclusively Indian. Its president is Stephen Knight of Ukiah.

Close cooperation was, as usual, maintained between the Indian Defense Associations and the Indian Welfare Division of the General Federation of Women's Clubs. Mrs. H. A. Atwood, of Riverside, California, is chairman of that division.

Ourselves and the Indians:—A Suggestion

A few who sustain the Indian defense work by gifts of money or effort, are controlled by the simple ideal of justice, of honor, or civic constructiveness, or by pity. But most are rather moved by beauty. Hungers in their own lives have been fed through contact with the Indians. Or hungers which feed the soul have been awakened in them by the Indians. Some have discovered a new possibility of heaven on earth through the Indians—an empirical possibility, however faint in probability. They have come on a living golden age: a youth of the world, a childhood as of William Blake which yet is naturalistic, sophisticated and humorous, and these qualities of age are united with the magical youth, have survived with it from the dawn epoch, have enabled it to survive, and it, with such reinforcement of wisdom, might survive across our own limiting day.

"Here a flower is stronger than the winds which work their will

Or the years which wing their way through darkness toward their aim."

All the publicity of Indian defense, nearly all even of intimate conferences about it, have a completely different burden from the above. A marvellous waterfowl being strangled within a net—within a net cast in order to strangle, by some primitive people controlled by a superstitious idea—such would be an imperfect image of the Indian now and for fifty years gone by. All talk or even thought of ruby wings, of the marvellous throb of wings in flight, of amber waterways, of the mystery of migration, the wonders of bird instinct, and why the waterfowl kindles an interest so wild and so native in man's soul—all talk and thought must be put aside, for the net is strangling the bird. Some are moved to act because they hate strangling nets. Some because they hate the thing in man—in themselves—which makes man want to strangle the beautiful, the wild, the self-reliant. Some are moved because the bird has fascinated them. But the task is to remove the net—before the creature's wings are broken, before he is strangled dead.

But the complexities of the situation of the Indian, and of those trying to rescue him, are scarcely hinted by the waterfowl image. A long, many-sided effort is required—mechanism after mechanism, employed for many years. How easily, how unconsciously, the means can become the end, in Indian rescue work as in all social struggle! And the creature there in the net—he must live, and renew his life, even there, within the trap which holds him. His is only an extreme case of the traps which trap us all!

And *he* may even best renew himself, and best become ready for that different freedom in the changed world where he must

IT IS NOT TOO LATE TO ACT.—We shall show that the Indians are rapidly being destroyed. They are not yet destroyed. Under United States guardianship there are still about 225,000 Indians. In a limbo between Federal and State responsibility there are possibly a hundred thousand more. There is still Indian property worth over \$1,000,000,000 held in United States trust for Indians. The horrible disease accumulation among Indians is curable and its increase is preventable. The manhood, morals, religion, sweetness of spirit, decent pride, tribal thrift, traditions and technics of a stern and life-building education, and capacity for the expression of genius on many lines—these remain, among a hundred thousand Indians, undestroyed. Even their faith in the United States Government remains not yet destroyed. These tribes built up their civilization through more than ten thousand years before we seized them. They are now showing that capacity for great endurance which seems to belong to their Mongolid stock. It is not yet too late for Congress to act.

(Indian Defense Association Testimony, King Resolution Hearings, p. 45)

live if permitted to live at all—for the moment, he may best re-establish his life even *within* this peril and anguish from which we are trying to free him. At least he must try. And he is trying. A profound drama, significant at least, perhaps important to the world, is that which the pueblos are now consciously enacting, and the Indians active in the National Council of American Indians, and the Northern California Indians joined in their Brotherhood. Within their limitations—within the intentionally strangling net—they are vivifying their life, becoming conscious in a new and world way of their meanings and sources, and confronting and joining the modern situation in the modern manner.

We, their non-Indian friends, will help them best, and help ourselves much the best, by being faithful—yes, more energetically so—to the means but by remembering that the end is not wholly contained within our political and social service means. And the end is not something which we are creating through or beyond the means. *The end is here.* The Indian's life-value is here and now, or else it is only a fancy of our own thoughts. "Here or nowhere is thine America!" The words of Goethe are applicable to the Indian in his present situation.

Only the hint can be given—it is by ourselves, to ourselves. The space and time limitations are cruel—and haste rides us. Yet we *are* caring about the Indian for reasons not engendered by the means we are using, or ever to be more than remotely implied by these means. Beauty, discovery, our own native need and the human spirit's need: these, and the Indian institutions; and the particular quality and genius of Indian life, and its movement toward new creations whose place, time and direction none can foretell: these are our controlling preoccupation. If we keep them so, we will not grow tired. And thus we can help the Indian in a direct way. For the passion of his life, which has made him seem un-American, is to keep his soul alive—his own soul conceived as a racial soul.

"When will we learn," said Matthew Arnold, a lifelong advocate of Irish home rule, "When will we learn" (addressing England as an Englishman) "that what attaches people to us is the spirit we are of, and not the machinery we employ!"

Woman and War Among the Iroquois

Among the Iroquois, the women, by organized arrangement, held a veto power over going to war. Hence, the women's male delegates invented peaceful methods of getting results, and the prototype of the League of Nations was created—the Six Nations Confederacy.

CONGRESS ALONE CAN ACT. CONGRESS IS RESPONSIBLE.—The Indian's appeal from his administrative guardian lies to Congress alone. Congress, acting with that power toward Indians which the Supreme Court has declared to be "plenary," has through commission and omission brought about the existing practices and conditions. Not until Congress expressly allows them, can Indians even seek refuge in the courts. The Supreme Court used words in the Cherokee v. Georgia case a hundred years ago, which laid the foundation for all subsequent Indian law. The words might be graven on a tomb. "If it be true that the Cherokee Nation have rights, this is not the tribunal in which these rights are to be asserted. If it be true that wrongs have been inflicted, and that still greater are to be apprehended, this is not the tribunal which can redress the past or prevent the future."

The Indian wards look to Congress in their present extreme distress. They can not under the existing system even help themselves until Congress by new statutes allows them. Their only hope is in Congress.

(Indian Defense Association Testimony, King Resolution Hearings, p. 45)

DOCUMENTS ON INDIAN AFFAIRS

The following may be had without cost from the publication office of AMERICAN INDIAN LIFE:

Printed Hearings on the King Resolution for Investigating Indian Affairs.

Printed Hearings on the California, Wisconsin and Montana bills for State participation in Indian health, education, etc.

Reprints of two important House speeches (1927) by Congressman James E. Frear.

An Open Letter to Laguna Pueblo. (Of interest to students of the Indian question.)

A few copies of "The Survey Graphic," January, 1927, with an article by John Collier: "Are We Making Red Slaves," can be obtained from AMERICAN INDIAN LIFE. Price 25 cents.

Ancient Indian Education (and Present, Among Tribes Whose Organization Is Unimpaired)

Encyclopedia Britannica, 11th Ed. "The Indians had their own systems of education through which the young were instructed in their coming labors and obligations, embracing not only the whole round of economic pursuits—hunting, fishing, handicraft, agriculture and house-work—but speech, fine art customs, etiquette, social obligations and tribal lore." (Mason.) Parents, grand-parents, the elders of the tribe, 'priests,' etc., were teachers . . . Among some tribes special 'teachers' of some of the arts existed and with certain of the more developed peoples, such as the Iroquoian and Siouan tribes, both childhood and the period of puberty received special attention. Playthings, toys and children's games were widespread. Imitation of the arts and industries of their elders began early, and with not a few tribes there were 'secret societies,' etc., for children and fraternities of various sorts, giving the children early initiation into social and religious ideas and responsibility in the tribal unit. Corporal punishment was little in vogue, the Iroquois, for example, condemning it as bad for the soul as well as the body . . . As the treatment of the youth at puberty by the Omaha, for example, indicates, there was among some tribes distinct recognition of individuality, and the young Indian acquired his 'totem' or guardian spirit individually and not tribally."

The "psychic exuberance" (Lester F. Ward) of the California Indians went over particularly into esthetic-religious expression. The diarist of Drake's visit to California (1579) describes such a human "earthly paradise" as William Norris painted in his endless dream-tapestries of words; but the Indian element of mystical passion is wanting from Morris. "No race communed so intimately with the lower creation, or believed it to have so big a share of the moral life." Ernest Renan on the early Celts might here have been referring to the Indians. A. L. Kroeber (American Anthropology, 1902, p. 285) discussing the Colorado River Mojaves, dwells on "the high degree to which they have developed their system of dreaming and of individual instead of traditional connection with the supernatural." It was an *earthly* supernatural, insistently kept close to earth, to the living day and the continuing individual experience; quite perfectly a John Ruskin's supernatural rather than a Plotinus's.

The Indian religion, moral art, art of living, and industry, and civil and war discipline, were rooted in one indivisible educational process. Aside

The Indian Defense Associations have a united National Program. They are governed locally by autonomous Boards of Directors. They invite members within their respective areas. The officers of the American Indian Defense Association, Inc., are Haven Emerson, M. D., President, John Collier, Executive Secretary, and Fred M. Stein, Treasurer. The treasurer of the Pueblo Legal Aid Fund and the Fund for California and Southwest Indian Work is Max L. Rosenberg, Treasurer of the Central and Northern California Branch.

CLIP AND MAIL

For my share in this work of arousing the American people to an understanding of the present straits of the Indian and the necessity for effecting constructive changes in the system of administering his affairs, I hereby pledge \$.....

Enclosed find my check for \$..... (or) Pledge payable on.....192.....

Signed.....

Address.....

(Make checks payable to *Indian Defense Association* and mail to nearest Branch.)

from the systematic avoidance of coercion and the use of indirection with the child, from which Whites could learn much, Indian education was distinguished by the uses which it made of the adolescent phases of childhood. See Stanley Hall's "Adolescence;" articles on "Ordeals" and "Puberty Customs" in "Handbook of the American Indians;" and for extended descriptions, "Primitive Secret Societies" by Hutton Webster.

The Cherokee Dawn Which Was Turned to Night

The Cherokees, numbering 22,000, occupied by treaty a 7,000,000 acre domain at the point where Tennessee, Georgia and North Carolina come together. In 1821, the Cherokee written alphabet was invented by Sequoyah, a half-breed or quarter-breed. The first printing press was used in 1827. Mooney, in "Myths of the Cherokee," writes:

"The invention of the alphabet had an immediate and wonderful effect on Cherokee development. On account of the remarkable adaptation of the syllabary to the language, it was only necessary to learn the characters to be able to read at once. No school-houses were built and no teachers were hired, but the whole Cherokee nation became an academy for the study of the system, until, in the course of a few months, without school or expense of time or money, the Cherokees were able to read and write in their own language. An active correspondence began to be carried out between the Eastern and Western divisions, and plans were made for a national press, with a national library and museum to be established at the Capital, New Echota."

Thereupon, the State of Georgia struck, outlawing illegally the Cherokee land ownership. Then Congress, violating the treaty, ordered the Cherokee nation across the Mississippi river. The doom-fraught Supreme Court ruling of Chief Justice Marshall validated the action of Congress. The balance of the terrible story can be read in Mrs. Jackson's "Century of Dishonor," though many realisms which Dante might have used are omitted from her narrative. Shattered in its earlier home, the Cherokee civilization reconstructed itself in Kansas and then was promptly shattered again by another forced upheaval which threw the nation into Indian Territory. And there again reconstructing itself, the Cherokee life finally was crushed by the allotment act and the outlawing of the previously guaranteed Cherokee national and cultural system, by act of Congress.

SUGGESTION OF BOOKS AND ARTICLES

The Indian bibliography is immense. A few titles are suggested here.

- The Indians' Book. Natalie Curtis. (A treasure-house.)
- A Century of Dishonor. Helen Hunt Jackson. (The classic.)
- Handbook of the Indians of California. A. L. Kroeber. Bur. of Ethnology, Washington, 1925.
- The Land of Poco Tiempo. Charles F. Lummis. (The classic of the Southwest.)
- Indian Blankets and Their Makers. George Wharton James. (Authentic, and with valuable appendices.)
- The Zuni Creation Myth, with Introduction, by Frank Cushing. Bureau of Ethnology, Washington. (A high-water mark of our anthropology as literature.)
- An Introduction to the Archaeology of the Southwest. A. V. Kidder. Yale University Press.
- Handbook of American Indians. F. W. Hodge. Bureau of Ethnology, Washington.
- L'Art et la Philosophie des Indiens de l'Amerique du Nord. Hartley Alexander. (Scholarly and suggestive.)
- The Red Atlantis; Navajos of the Painted Desert. Articles on the Pueblos and the Navajos. John Collier, The Survey Graphic, Oct., 1922, and Jan., 1924.
- The American Rythm. Mary Austin. (Indian Poetry—and a profound view.)

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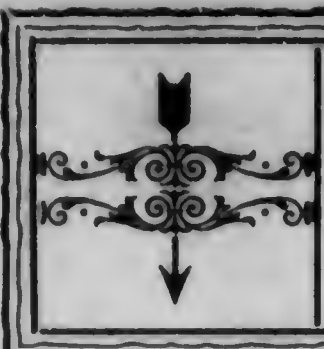
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520 E. South Temple St., Salt Lake City

Indian Defense Association of Oshkosh,
70 Merritt St., Oshkosh, Wisconsin

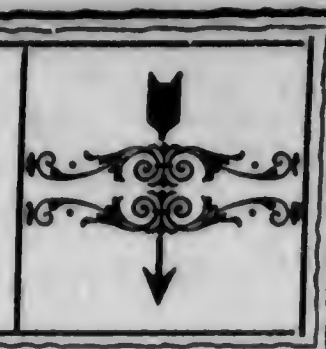
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Presentation of "Manito Masks"

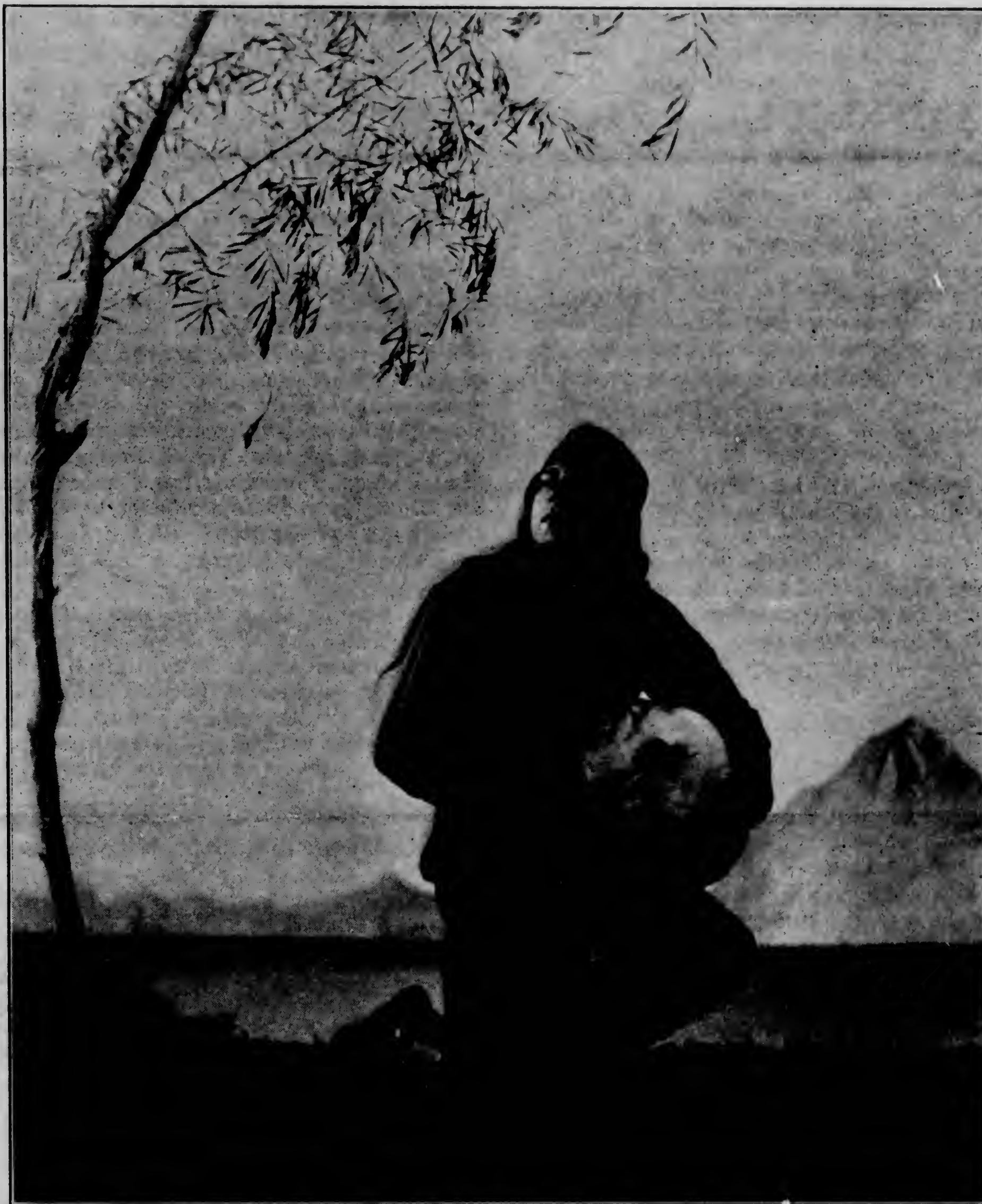
On Saturday evening, August 27th, through the generous hospitality of Mrs. Charles D. Blaney, of Saratoga, California, an outdoor performance was given, under the auspices of the Association, of three of Hartley Alexander's "Manito Masks." The setting was the oak-studded lawn at Mrs. Blaney's residence, "Rancho Bella Vista;" the guests, numbering over 300, came from San Francisco, the Bay cities, the Peninsula and the Santa Clara Valley. The performance was prefaced by a brief explanatory talk by the president of the Association.

The work of Hartley Alexander, philosopher and poet, is familiar to most of the members of the Association. It is sufficient to say of the "Masks" that they seek to give, in a dramatic form comprehensible to a sophisticated modern audience, something of the essence of the spirit of primitive man, expressing, as it does, in symbolic and significant pattern, in dance, and rhythm and color, the eternal verities which he does not comprehend—as who does?—but whose immanence about him he deeply feels. In this attempt to express the struggle toward form of the primitive Indian mind, Alexander has unquestionably succeeded where many before have failed.

The plays on this occasion were staged under the direction of Mrs. Marion Craig Wentworth, who has already presented them at Stanford University, Lake Tahoe and Carmel, as well as in the southern part of the state, where she and the members of the casts reside, and who will direct them again at Santa Barbara this month (September), where the members of the Santa Barbara branch will have an opportunity to see them. Although interpreted by trained actors, and rendered with a fine professional finish, the masks were given with a simplicity and spontaneity that left little to be desired. The whole impression created was of a primitivity stark and virile in expression and yet charged with a rich emotional content.

The flute music incidental to "Carved Woman" and "His-Voice-Is-A-Whisper" was performed by Mr. Henry G. Hill.

Where the entire performance was unqualifiedly a success, it is difficult to single one of the plays for especial praise, or to dis-



Francis Hickson as "Singing Man" in "Carved Woman"

tinguish among the performers. For many of the audience, however, the first play "Carved Woman," had the most telling effect and made the most direct appeal. It had a spare unity that was compelling; its performance was free of the confusion inevitable where there is a doubling up of parts. In it Miss Gilbert and Mr. Farrell were at their best, in roles manifestly sympathetic to them. Mr. Fisher, in the contrasting roles assigned to him in "The Weeper," was impressive, particularly in that of Gamahbe. Of the art of Mr. Hickson, who carried the major histrionic burden in all three masks, much could be said, could words adequately convey the profound sense of veracity provided by his portrayals. The extent to which he has been able to grasp the author's intent and its significance, and intuitively to enter into the core of the man of an earlier culture and then to portray that man for the benefit of an audience of twentieth century

Americans, must be seen to be fully realized. To him, as equally to Mr. Alexander and Mrs. Wentworth, the gratitude of many of the spectators belongs, for creating an illusion that at moments, under the stars and the branching oak trees, attained the power of a vision.

It is much to be hoped that Mrs. Wentworth and the players under her direction, will be encouraged to enlarge their repertoire of such masks and to extend the territory in which they give performances. At all events, an effort will be made to secure dates for public appearance in San Francisco and its vicinity. The program was as follows:

"CARVED WOMAN"

SINGING MAN.....Francis Josef Hickson
CARVED WOMAN.....Esther Gilbert
CONSIDERATE MAN.....Walter Phillip Farrell

Through the Power of Song (which means so much to the Indian) and a carved image made by "His Images Speak", Singing Man, a warrior, talks with the spirit of his beloved and is healed of grief. "His Images Speak" is the Indian poetic name for an artist in sculpture or wood carving. The statue that he carves of the

beloved comes to life through the magic of the song that Singing Man sings.

This is a Northwest Indian legend, not unlike the Greek tale of Orpheus and Eurydice.

"THE WEEPER"

GAHEEGA, The Chief.....Mr. Farrell
UBANI, The Taleteller.....George Fisher
HAGESHTON, The Weeper.....Mr. Hickson
GAMAHBE, Wind Cloud.....Mr. Fisher
TAOEWIN, Wind Woman.....Miss Gilbert

This is another old Indian Saga very like a Greek drama with its chorus of two chieftains and its Nemesis of pursuing fate.

It tells the love tragedy of an Indian who cannot forgive himself for a deed of vengeance committed when he learns of the faith-

Here and There in Indian Life

At Hotavilla and Oraibi, villages of the Hopi Pueblo Indians in Arizona, educational demonstrations of moment to all Indians are being conducted. They are community day schools, operated by the Bureau of Indian Affairs. Judged by any standard, in any place, these schools would be remarkable; their technique and spirit are equally remarkable, and not less remarkable has been the eagerness—the almost tragical eagerness—with which the Hopis have responded to the opportunities.

It is sad to report that still, under a ruling of mediaeval harshness and blindness, the Hopi girls are being deported from their homes, denied the model school opportunities, and confined in the distant boarding schools.

It is the desire of Mr. Myers, the principal of the Oraibi day school, that the Hopis shall join in building a model Hopi home. Miss Pearl Chase, of Santa Barbara, who in addition to being Indian Defense chairman for Santa Barbara is president of the Better Homes in America organization of Santa Barbara, will visit Oraibi. The Santa Barbara Better Homes has captured the national prize for three years running, awarded by the association of which Herbert Hoover is president. Probably the Santa Barbara group will aid Mr. Myers with the modest financing necessary to his project of a model Hopi home.

Worldwide attention has been drawn once more to the physical prowess of Indians. But only those who have traversed the route from San Francisco through Grants Pass, can fully realize the achievement of those Indian runners—Mad Bull, Flying Cloud, Melika, Fighting Stag, Sweek, Falcon, Big White Deer, Rushing Water, Thunder Cloud, Jamon and Chochee. It is a hot road, and the hills and mountains number hundreds—no, thousands, it seems. Most of the way, the runners were forced to tread on sharp gravel. They ran 472 miles.

Melika, the Zuni, is 55 years old, and possibly his was the most remarkable feat. The very best Hopi and Zuni runners could not be entered, because a purse was the reward and entry would have disqualified them from the amateur Marathons. Much credit for the brilliant arrangement and handling of the race is due to Tom P. Brown, publicity director for the Redwood Highway Indian Marathon, and to Mike Kirk and Lorenzo Hubbel of Manuelito, N. M., and Oraibi, Ariz. Mike Kirk has just written some later news:

"You no doubt heard that we also won the last race in New York. Chimony of the Zunis had a walk-a-way; winning by at least a quarter of a mile in the twelve mile race and making it without competition in just 30 seconds slower time than the record. With proper competition we feel he can lower his record five minutes over the same course . . . So do you blame the New York people for acclaiming that the Zunis and Hopis are the real runners and should represent the United States in the coming World Marathon at Amsterdam?"

But the Southwest Indians are not alone. It was Mad Bull, a California Indian, who won the Redwood Highway marathon.

Mrs. Rachel Burer Barker has been chosen executive secretary for the Indian Defense Association of Central and Northern California. Mrs. Barker gave valued help in the legislative struggles at Washington through the last session of Congress. Mrs. Barker came to the Indian work immediately from China, where she had studied conditions while earning her way professionally for the previous six years.

The California Indian Brotherhood, an organization composed entirely of Indians, banded together for the purpose of uniting the various California tribes in one group capable of voicing its needs, formulate its policies and map out a constructive program of action, will hold its annual meeting at Ione on September 24th and 25th. At that time ancient Indian customs will be revived, Indian music and dancing will be featured and there will be addresses by both the Indians and their white friends. The officers of the California Indian Brotherhood are: Stephen Knight, president, Ukiah; John Porter, vice-president, Ione; Everett E. Wilder, secretary, Oakland, and William Williams, treasurer, Ukiah.

lessness of his wife, "Wind Woman—a deed which is justified and forgiven by Indians in council and by all the chieftains. The legend is Omahan in its origin.

"HIS VOICE IS A WHISPER"

LONE WOLF.....Mr. Hickson
LISTENING WOMAN.....Miss Gilbert
A WARRIOR (personating war party).....Mr. Hickson
MUSICIAN.....Mr. Farrell

Transcribed and arranged from an ancient and authentic Chipewewa spirit legend. A chief, "Lone Wolf", has fallen in battle at the moment of victory. His spirit unsubdued by death accompanies the war band back to his village, struggling to make its presence known, especially to "Listening Woman", his wife. The stars which figure in the play are for the most part Indian spirit beings.

A re-echo of the recent discussion in certain Eastern magazines, of the Indian health problem, is heard in "Southwestern Medicine" of August, 1927. Dr. R. J. Stroud, of Tempe, Ariz., writes:

"With regard to habit in eating. Recently there has been a discussion as to why the Indians are a vanishing race. I have asked many of the Indian women why they are not prolific as they used to be. The Indians, while not prolific as they trained, believe it is because of the new kinds of food they are using. Among the McDowell Indians, out of 58 families, there are 30 in the adult child-bearing period; there have been only eleven births in eleven years, and they do not know anything about birth-control; none of these eleven children were healthy and three had congenital faults. Something has changed these Indians from being a prolific race. These Indians attempt to explain it by diet; I have tried to explain it by tuberculosis."

Sister Rose de Lima, of the order of the Sisters of Charity, director of social science and teacher of business law at St. Elizabeth's College, New Jersey, is conducting a research into the Indian question. She is now visiting the New Mexico pueblos. Later, accompanied by the executive secretary of the Association and members of the Indian Defense Board, she will visit the Hopi and Navajo tribes. It is hoped that her schedule may make possible a visit to the Northern California Indians.

Pueblos and Rio Grande Conservancy

Several directing members of the Indian Defense Association have gone to New Mexico for conference with the Pueblo tribal councils, with the officers of the Middle Rio Grande Conservancy District, the attorneys for the Pueblos, Messrs. Hanna and Wilson, and others. The party includes Charles de Y. Elkus and Leo Rabinowitz, of the legal advisory committee of the Association; Miss Pearl Chase, the president, and George Batchelder, the vice-president, of the Santa Barbara Association; James W. Young, of Chicago, a member of the national board; and John Collier, executive secretary.

The Association is hopeful that the Pueblos may be joined in the economic development proposed under the conservancy and drainage plan of the Middle Rio Grande district. The result, however, must be obtained without unnecessarily flooding the Pueblo lands and particularly without working physical injury to Santo Domingo, one of the most perfect of the Pueblos. And any reimbursable debt or water-charge placed against the tribes must be safeguarded in manners as yet unprecedented in Indian affairs. The fiscal details of any plan adopted will equal the engineering details in importance. The Association has proposed as a basis for discussion:

1. All present water-supply shall be guaranteed to the Pueblos free of charge. (The priorities are Indian and their water is now free.)
2. Any indebtedness incurred shall be a lien solely against the newly reclaimed and newly irrigated lands; the existing farmed acreage of the tribes shall remain debt-free.
3. Amortization shall proceed at a rate to be determined by the crop-yield or rental yield of the reclaimed acreage; but in no case shall be more rapid than one-fortieth of the principal each year.

The party will likewise pay close attention to the Pueblo land title work now in progress. For three years the Association has financed and directed the legal aid to the Pueblos in this all-important matter. This is the heaviest financial obligation resting on the Association, and will be carried to the end.

Is the Bursum Indian Raid to be Outdone with Montana Victims?

Early in 1927, there came to Washington certain gentlemen from Montana. They represented the Montana Power Company, as one party; and the white landowners of the Flathead Irrigation district, as the other party.

These gentlemen entered into negotiations with the Indian Bureau and the Interior Department as well as with each other. They reached an agreement with each other and with the Interior Department. The agreement was reduced to writing; and an agent collectively speaking for them all, obtained an undertaking from the Federal Power Commission.

The negotiations, agreement and undertaking dealt with an Indian asset of huge value. This asset, a water-power of more than 100,000 horse-power, admittedly is the exclusive property of the Flathead Indian tribe. It belongs to the 2,800 Flatheads by treaty, and the possession of all revenues from the power are guaranteed to the tribe by the Federal Water Power act of 1920.

The Flatheads were not invited to the conferences. They were not admitted to them. They were not informed of them. They were not parties to the bargain, the agreement, the undertaking, which were, in simplest English:

That with their official Guardian's consent, their property should be confiscated.

Since the day of that agreement, the Flatheads have been struggling desperately to prevent the deed. Members of the Senate have come to their aid. The Indian Defense Associations and the General Federation of Women's Clubs have assisted. The tribe's attorney, to whom the Indian Bureau refuses to allow them to pay either a fee or expenses (though they have a large tribal fund) has remained at Washington seven months, doing absolutely nothing but struggle to prevent the ravishment of the Flathead power. The outcome cannot yet be prophesied—it depends, in fact, on the American people. The American people stopped the Bursum bill raid, promoted by Secretary Fall and the Indian Bureau, against the Pueblo Indian lands. The American people CAN stop the present raid, promoted by the Interior Department, the Indian Bureau and the Federal Power Commission, against a tribe just as worthy as the Pueblos and an Indian property possibly greater in value than the Pueblo lands.

What follows will be libelous unless it can be both substantiated and justified. It will be substantiated and justified.

Certain facts must be grasped in advance of the main narrative.

Preliminary Facts

FIRST. The exclusive ownership, by the Flathead tribe, of the power-site and the power, is conceded by all. And the wording of existing law is laconic. Sec. 17, Federal Water Power Act of 1920: "That all proceeds from (power development on) any Indian reservation shall be placed to the credit of the Indians of such reservation."

SECOND. The Interior Department has expended, with lavish inefficiency, \$5,000,000 on the notorious Flathead irrigation system. Exactly 85 per cent of the developed acreage of this system is now owned or farmed by whites. Seventy-four per cent is owned outright by Whites. (P. 222, House appropriations hearings for 1927.) These whites are liable for the corresponding principal and maintenance charges.

THIRD. The Interior Department has tossed away \$101,000 on a fantastic engineering scheme known as the Newell Tunnel; this money is gone irrecoverably for a useless project. (The fact is established. See the King Resolution hearings.)

FOURTH. The Montana Power Company wants to possess and exploit the Flathead power; a wholly legitimate desire. But the authorizations for the Interior Department's Newell Tunnel project, admittedly impracticable and ruinous, need to be rescinded before the power-site development can be securely authorized in law.

Now our brief narrative may intelligibly proceed.

The several gentlemen came to Washington and conferred with the government bureaus mentioned. They agreed that the Montana Power Company should have the power-site. They agreed that the payment made by the company should be split up between the white irrigationists, the United States Government and the Indians. Payment, be it understood, for a property belonging exclusively to the Indians, whose revenue was and is exclusively theirs under the Federal Water Power act's terms.

Dividing the Spoils

Part of the payment by the company, they agreed, should go to the Federal Power Commission. Part, namely \$101,000, should go to the government to mend the hole in Uncle Sam's budget made by the Newell Tunnel project, which is not an Indian obligation and for which the Indians have no responsibility. Part should go in the form of power-at-cost, furnished to the irrigation district, over 85 per cent White. And the balance, or 75 cents per year per kilowatt hour for the power developed, paid in cash, should be split up between the irrigation district (85 per cent white) and the Indians.

In brief, three-fourths or more of the rental paid by the company (this being the exclusive property of the Flathead tribe) would be parcelled among the several parties to the agreement; and under the operation of the allotment law as administered by the Indian Bureau, the Indian share would be further reduced, the white share further increased, with each year henceforward.

Did they tell Congress of their agreement? They carefully did not.

But one week before Congress adjourned, there came from the President's office an amendment to the Second Urgent Deficiency bill. Urgent deficiency fiscal legislation was needed, said the President's report. The Budget Director had recommended it. The Interior Department had recommended it. The chairman of the House Appropriations Committee sponsored it. And the House adopted it without one question asked. The amendment was predicated on the agreement above described, and provided, though in carefully indefinite language, for the splitting of the Indian revenues with the whites. Incidentally, it provided for the cancellation of the Newell Tunnel authorization, admitted by all to be a needful act; indeed, such repeal was the stated and the only legitimate object of the urgent deficiency amendment. The balance of its contents was a series of "jokers," amending the Federal Water Power act which guarantees to the Indians the exclusive ownership of their power revenues.

The scheme, after a bitter fight, was killed in the Senate. The Appropriations Committee of the Senate knocked it out of the Urgent Deficiency bill.

The Plot Thickens

Does the plot not end here? No, it thickens.

The Montana Power Company has contracted with the Anaconda Copper Company to deliver 25,000 kilowatt-hours and upward at a date two or three years hence. The Company has no present development to provide this power. It urgently needs the Flathead power-site.

It can't have the site without getting enabling legislation first. That is, the Federal Power Commission so construes the matter; the Congressional authorization of the Newell Tunnel project must be rescinded before a license to the Montana Power Company can be issued.

And it can't have the enabling legislation unless it agrees to the split-up of Indian revenues as described above. The white irrigation district demands spoils; the Interior Department, on behalf of Uncle Sam, demands spoils; the Federal Power Commission demands what may be a legitimate payment toward its own expenses. Spoils and expenses, not taken from the Montana

Power Company but exclusively taken from the Flathead Indians. Confronted with what can only be described as a hold-up, the Power Company has yielded. It yielded without any groans, because the Indian pockets were being emptied, not its own. It joined the hold-up crew.

Here we will pass to narrative by quotation. The quoted party is O. C. Merrill, executive secretary of the Federal Power Commission; he is writing to Senator Borah, May 26, 1927. "The Department of the Interior sought to secure in the Urgent Deficiency Bill of the last Congress, amendment in a form corresponding to the tentative arrangements made between the Interior Department and the Rocky Mountain Power Company." (The amendment has been described above, likewise the "arrangements." The Rocky Mountain Power Company is a subsidiary of the Montana Power Company, formed for the sole purpose of acquiring and exploiting the Flathead powers.)

Mr. Merrill continues: "In order that it might have protection against other possible applicants, the Rocky Mountain Power Company has requested a preliminary permit" (note these words; they will be referred to hereafter;) "a preliminary permit under which it proposes to make the investigation and prepare the plans for the proposed power development. If the Commission grants

In contrast with the procedure both ruthless and oblique of the Montana Power Company and the government agencies joined in its "agreement," is the following statement by the Wisconsin Power and Light Company. That company is seeking to lease the Menominee water powers in Wisconsin. Mr. Roy W. Clarke, the company's attorney, declared into the record on June 19th last:

"It would be utterly useless and entirely futile after having gotten the sanction of the Federal Power Commission to expect to go ahead and do anything practical in the matter until the whole matter had been ironed out with the tribe and satisfactory adjustment of all details made and my company has never been in a position where they desired to go ahead with this improvement or to do any preliminary investigation until the Menominee Indians as a tribe were satisfied with the way the project was lined up and I say now that we never expect to set foot on that reservation unless we are satisfied that the tribe is satisfied with the conditions . . .

"That reservation is their home, so recognized by treaty. We would have no right against their wishes to go on that reservation and start developing their water power. We do not propose to do that."

a preliminary permit for this site, the permit will contain provisions that all rights and priorities under it will expire on a given date unless Congress meantime has amended existing legislation so as to permit the issuance of a license on substantially the lines laid out in the tentative agreement between the Interior Department and the power company."

In these colorless words of the Federal Power Commission's secretary, big meanings are contained. First, they admit the fact, previously known but without documentary proof, that the Federal Power Commission was and is a party to the "agreement" for stripping the Indians of their revenues. The dominant factor in that Commission is Secretary Hubert Work of the Interior Department. Its other two members are the Secretary of Agriculture and the Secretary of War. *The agreement reverses the protective terms of the Federal Water Power act, which is the law creating and supposedly controlling the Federal Power Commission.* Yet the Commission informs Senator Borah that it will cancel any permit issued to the Montana Power Company unless said agreement is carried through.

Mr. Merrill Confirms

But Mr. Merrill's letter confirmed worse fears. The Senate Appropriations Committee had killed the pilfering scheme. Would the several parties try to accomplish it anyhow? Mr. Merrill indicated the answer.

The answer was as follows. A preliminary permit can be immediately issued to the Montana Power Company. Into that permit, the predatory agreement can be written, or the agreement can be attached to the permit as a condition. The permit will automatically ripen into a license for fifty years, if, and only if,

Congress is finally driven to authorize the pilfering of the Indians as already described. Meantime, through receiving the permit, the Montana Power Company will be safely in possession of the covered field. Until the company's priority is forfeited through failure of the permit and agreement to be lived up to, there can be no competition for the Flathead power-site.

Thus securely bound in together, for a concerted drive on Congress in December, will be the Whites of the irrigation district; the Indian Bureau; the Interior Department; the Federal Power Commission; and the Montana Power Company. The chairman of the House Appropriations Committee, Louis C. Cramton, should be listed among the phalanx united for this great task of Indian spoliation. It was Mr. Cramton who first revealed the plan of campaign, in a letter of April 12th, addressed to the secretary of the Flathead (white) Water Users' Association, which unhappily strayed into the newspapers. Said Mr. Cramton:

"Acting under the authority given it by the Water Power act, I understand the Power Company has or will grant to the Montana Power Company a preliminary permit under which they will proceed to get the necessary borings and investigations, but final action will not be taken by the Commission . . . until after further action is taken by Congress along the lines proposed in the Deficiency Bill."

And now for a rapid statement of developments. The Flathead tribe raised a great outcry against the proposal here indicated. They demanded that before any preliminary permit was issued their consent should be obtained. The Indian Defense Associations demanded that at least, before the fatal action was completed, publicity should be given to the terms of the "agreement" and all other contents of the permit, and the Flathead tribe should be informed, given time to pass on the question as a tribe, and thereafter be heard under effective conditions, which meant with the help of legal counsel. The Associations demanded likewise that no irrevocable step be taken until Congress should meet in December. Various senators intervened, Senators Wheeler and Frazier being the most persistent of these. To every request, all official parties gave back a non-responsive answer.

Indian Bureau Apologizes

At the forefront was the Indian Bureau. Interior Department and Indian Bureau apologists wrote letters without end. Their burthen was: "Trust the Indian Bureau—the Bureau will protect the Indians!" As for that preliminary permit, it had no importance at all. Mrs. H. A. Atwood, chairman of Indian Welfare for the General Federation of Women's Clubs, thus dealt with the Bureau's protestations, in a letter to each member of the Federal Power Commission.

"In a letter from Mr. E. B. Meritt, Assistant Commissioner of Indian Affairs, he writes: 'FIRST. That any preliminary permit that may be issued will not grant any right in and to such company or corporation to receive a license for development purposes.' To the lay person that is a mere quibbling of words, for Sec. 5 of the Power Act provides as follows:

"Sec. 5. That each preliminary permit issued under this act shall be for the sole purpose of maintaining priority of application for a license under the terms of this act for such periods, not exceeding a total of three years, as in the discretion of the Commission may be necessary for the making examinations and surveys, for the preparing maps, plans, specifications, and estimates, and for making financial arrangements. Each such permit shall set forth the conditions under which priority shall be maintained and a license issued."

And then came an incident which further lifted the veil. The engineers of the Montana Power Company entered the Flathead reservation and started to work. A volley of telegrams brought from the Indian Bureau a denial of any knowledge concerning the matter. The Federal Power Commission likewise knew nothing. Nobody knew anything, but the engineers were there. Finally they retreated from the reservation, and explanation was forthcoming. They had gone there to complete some details of

an extensive survey *already practically finished a year ago.* Whereupon, Senator Burton K. Wheeler's office wrote to O. C. Merrill of the Federal Power Commission.

"In your letter of August 10 you state that the Rocky Mountain (i. e., Montana) Power Company has furnished adequate maps and other information and data upon which to issue a preliminary permit, but that further investigation and more detailed surveys will be necessary before a license can be issued. This language is somewhat confusing . . . for the issuance of a preliminary permit is practically the issuance of an option to the applicant, and bars all competition during the life of this option, and that the Power Commission is obliged to issue a license providing the applicant, in the opinion of the Commission, is able to comply with the terms of such permit.

"If the only purpose of a preliminary permit is to afford the permittee the right to make an examination as to the feasibility and desirability of a given project, then it would appear that there is no reason whatever why such a preliminary permit should now be granted the Rocky Mountain Power Company, for . . . the Company has now stated that the work done by its survey party was unnecessary except as a precautionary measure to verify work already done."

But the Scheme Goes On

The Senator Wheeler statement was a knock-out so far as argument was concerned. Action and results, however, are a different matter. The preliminary permit scheme had a manifest object, namely—to reciprocally bind all parties into the undertaking of rapine which has been described, and to insure the Montana Power Company the possession of the Flathead power. Whether the protests of many Congressmen, of the Indians and the public have given pause to the government departments, events will show.

Another and most revealing gesture was made by the Indian Bureau. It has been stated that the Bureau is compelling the Flathead tribe to wage this struggle without the help of the tribe's attorney. Not one dollar for the attorney's fee or expenses, will the Bureau release—and its control over the Flathead moneys is unreviewable by any court. But niggardly? No, the Bureau is not that. It wired the tribe to choose some Indians; they would be brought to Washington at the tribe's expense, and the Bureau and the Federal Power Commission would give them a hearing. Indians trained neither in law nor in business, and with their attorney denied the right to speak for them. And then all parties to the adventure would proclaim: "Behold! There has been a hearing; the Flathead tribe has been fully taken into our confidence." The Flatheads are not trained in law or business but they are acquainted with strategy, and they have refused to enter the trap. However, they are ultimately impotent, since the Indian Bureau has power arbitrarily to designate a hand-picked group of Indians to represent the tribe.

SUMMARY: AN APPEAL TO PUBLIC DECENCY

This narrative has left out much that would strengthen and darken the impression. Enough has been told to establish that the Indian Bureau and Interior Department are once more plotting to despoil an Indian tribe; that as usual, private white interests will share the spoils; that the Federal Power Commission has joined the undertaking; that the Montana Power Company has submitted to, and intends to profit by, the terms of an outrageous trading agreement according to which the Indian property will be variously dismembered; and that even the Director of the Budget and the President of the United States have been, doubtless through lack of information, involved. That lack of information is excusable no longer, if it be assumed to exist. In the course of a long letter to President Coolidge, July 25th, dealing with the Flathead struggle, the American Indian Defense Association stated:

"It is incredible that departments of the Federal Government, in this day, can be willing to use their vast discretionary powers, and further to stretch to the breaking point the technicalities of existing law, in order, in effect secretly, to despoil our Indian wards of property belonging to them through treaty, through

court rulings and in all moral right. It is now almost conclusively established that the Federal Power Commission and the Interior Department are doing exactly this incredible thing, in cases involving many millions of dollars."

The White House, acknowledging the letter, wrote that it had been referred to the Secretary of the Interior!

Very soon, it will be to Congress that the whole subject will be referred.

The anti-Flathead-Indian agreement, termed by a high official of the Montana Power Company a "contract," is as follows. The Montana Power Company

1. Will pay to the government \$101,000, thus reimbursing the government for unproductive expenditures in that amount on the Newell tunnel;
2. Will sell to the Irrigation District, for pumping, 10,000 K. W. average at one mill per K. W. H.
3. Will sell the Irrigation District, for miscellaneous power purposes, 5,000 additional K. W.'s average at two and one-half mills per K. W. H.
4. Will pay to the Federal Power Commission a rental charge of 25 cents per year per horsepower;
5. Will pay to the government for distribution between the Indians and the Irrigation District, 75 cents per year per average kilowatt output.

SUGGESTIONS OF BOOKS AND ARTICLES

Manito Masks. Hartley Alexander.

By the Same Author:

For an American Indian Theatre (Theatre Arts Mo., March 1926).
The American Indian as Philosopher (The Nation, April 14, 1926).

The American Indians and Their Music. Frances Densmore.

Dance of the Sprouting Corn (Theatre Arts Mo., July, 1924);
The Hopi Snake Dance (Theatre Arts Mo., December, 1924). By D. H. Lawrence. Recently published with other material under the title of Mornings in Mexico.

The Jackson Barnett Case

Jackson Barnett, Creek Indian, aged 78 years, illiterate and feeble-minded, is not to be stripped of his property through action by the Indian Bureau.

So Judge Knox, of the Federal Court, Southern District of New York, has ruled. The American Baptist Home Mission Society must return its share of Barnett's estate, with interest. It follows that Annie Laurie Lowe (now Mrs. Barnett) must return the share which was donated to her, or what is recoverable of it. Each party had received \$550,000.

Judge Knox reviews "the amazing set of facts" at length, in his decision. He exhaustively shows that the gift to the Lowe woman and to the Home Mission Society were two details of a single act—were predicated on one another. He states that M. L. Mott, "an old acquaintance of (Commissioner) Burke," received \$15,000 for helping the scheme along. He describes the "kidnapping" of the old Indian by the "adventuress," and minutely describes their subsequent trip to Washington and the procedures which took place at the Indian Bureau. He states: "There is no evidence that (Commissioner) Burke gave Barnett an explanation of what was in prospect or what the result would be." The prospect and result, immediately achieved, were the splitting of his estate between the Lowe woman and the American Baptist Home Mission Society.

In the outcome, Judge Knox decides that the Interior Department had no authority to give away Barnett's estate, and that the gift "was not Barnett's own act or deed;" and that Barnett acted without knowledge of what he was doing, under the sundry influences which Judge Knox specifies, among which influences were "officials of the Government."

If anything can force a Senate investigation of Indian affairs, this Jackson Barnett case, along with the Flathead Power case, described in this issue, should be enough. They illustrate two of the many causes for the four per cent annual shrinkage of the total Indian estate—shrinkage due to actions by the official Guardian, not actions by the Indians.

"Bloodthirsty Ancient Indians"

The Smithsonian Institution will soon publish a volume by J. N. B. Hewitt, of the Bureau of Ethnology, dealing with the League of the Iroquois. Without doubt, the League of the Iroquois will be remembered a million years from now if men still inhabit the earth. It will silently destroy, as the times go on, such popular errors as are renewed, for example, in Woodward's "George Washington," recently published: that bloodshed ("murder" is Woodward's term) was the ancient ideal of the Indians.

The Smithsonian has released an advance statement, here quoted in full.

"The League of the Iroquois, astonishing organization of a primitive people to put an end for all time to the shedding of human blood, forms the subject of a lifetime research by a Smithsonian ethnologist, who leaves Washington May 5 for a final summer of field work preparatory to issuing his results. Mr. J. N. B. Hewitt, of the Bureau of American Ethnology under the Smithsonian, began gathering texts on the League among the Iroquois of New York State and Canada in 1898. In the intervening years his authority on the subject has become such that recently three chiefs of the Onondaga came to ask Mr. Hewitt about the principles of the League.

"The Federation of the Five Nations was consummated about 1570 between the Mohawk, the Onondaga, the Oneida, the Cayuga and the Seneca. It was the conception of Deganawida, lawgiver, statesman, and prophet. Appalled by the relentless feuds which turned the Iriquoian country into a "highway of blood," he sought for a means of insuring peace between all known tribes of men. The solution he found was a constitutional form of government based on three sets of "double" principles—health and peace, righteousness and justice, authority and harmony between man and man and man and nature.

"The founder and his associates meant this plan to apply not only to the Iroquois peoples, but to serve as a model for all men. The humanity and statesmanship of this conception would do honor to a contemporary nation. The Iroquois Indians were in the stone age when Deganawida conceived it.

"To give body to the plan must have seemed at the beginning a hopeless task. It meant not only a new spiritual conception but an entire revolution in the methods, scope, and forms of government extant among the Iroquois. Deganawida succeeded by a long period of proselyting among the tribes. His chief aids were, first, Djigensasen, a chieftainess of the Neutral nation (or tribe), then very powerful, warlike, though neutral in the wars between the Hurons and the Iroquois, and Hiawatha. This Hiawatha was not the hero of Longfellow's poem, but a tribal chief and a practicing cannibal, whom Deganawida won to his side.

"Typical of the practical steps by which the League achieved its purpose of peace was the setting of a legal tender price on human life so that the death of a man, whether by accident or design, would cease to bring in its train an endless series of revenge deaths. A male life was paid for by 20 strings of wampum, a female life by 30, and there the matter ended.

"The government of the League was in the hands of a Council of Chiefs representing the constituent clans of the tribes, each of whom was elected by the women of his clan. As proof of how literally the founder statesman conceived the purpose of government to be the attainment of good, or peace, it is only necessary to state that the Chief of the Council could not go to war while he held the Chiefship.

"The ordinances of the League constitution required that the number of the chiefs in the Federal council should be kept intact. Consequently, the rituals for the Council of Condoling and Installation of Chief lay at the heart of the integrity of the Iroquois federation. It is on these rituals that Mr. Hewitt, under the direction of the Bureau of American Ethnology, has devoted so many years, and which he now wishes to collate and verify for a final translation."

The Indian Defense Associations have a united National Program. They are governed locally by autonomous Boards of Directors. They invite members within their respective areas. The officers of the American Indian Defense Association, Inc., are Haven Emerson, M. D., President, John Collier, Executive Secretary, and Fred M. Stein, Treasurer. The treasurer of the Pueblo Legal Aid Fund and the Fund for California and Southwest Indian Work is Max L. Rosenberg, Treasurer of the Central and Northern California Branch.

CLIP AND MAIL

For my share in this work of arousing the American people to an understanding of the present straits of the Indian and the necessity for effecting constructive changes in the system of administering his affairs, I hereby pledge \$.....

Enclosed find my check for \$..... (or) Pledge payable on.....192.....

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Branches of the
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THE PROPOSED
Indian Welfare Legislative Program
— OF —

THE INDIAN DEFENSE ASSOCIATION OF SOUTHERN CALIFORNIA.
THE INDIAN DEFENSE ASSOCIATION OF SANTA BARBARA.
THE INDIAN DEFENSE ASSOCIATION OF CENTRAL AND NORTHERN CALIFORNIA.

Branches of The American Indian Defense Association, Inc.

Practically all that the Government does with relation to the Indians, is centered in the Bureau of Indian Affairs of the Department of the Interior. In this fact, we find the underlying cause of most of the admitted defects of administration and shortcomings in the educational and health service as well as in property conservation and development.

For purposes of this statement, the Governmental activity for Indians may be classified as follows:

1. Assistance and instruction in agriculture, rural industry and rural living.
2. Education (schools.)
3. Medical service and the promotion of health.
4. The custody of person and property.

A study of the history and present functions of the Department of the Interior clearly evidences that the main purpose in its creation, and the guiding motive in its maintenance, was and is foreign to the task above indicated; the task, namely, of building up the life of the Indians and of promoting the beneficent use of their property while conserving it.

The Indian Service was originally in the War Department and was transferred to the Interior Department in 1849.

The Interior Department then, as now, had as its determining function, the supervision and regulation of the processes through which the Federal Government has disposed of the natural resources of the Public Domain. It is the transfer agent through whose hands property worth billions of dollars has passed from the Public Domain into private ownership.

Hence the Interior Department has not worked out an effective system of human service, or developed the use of public properties which it held as a more or less temporary custodian.

This statement is not made in criticism either of the Department of the Interior or of the Congressional policy which formerly held good toward the whole Public Domain and still holds good toward the public lands over which the Interior Department is trustee. Without being a criticism, the statement of fact is an explanation. It makes plain the reason why Interior Department influences have never been successfully applied to reorganize the Indian Service toward conserving the Indians, developing their powers, saving their health or beneficently exploiting their property.

The property, not the person of the Indian has inevitably been foremost in the Interior Department's consideration; and the *holding or transfer* of this property has taken precedence over any concern about the *development* of the property as an estate held in permanent trust.

The aspect here stated has been recognized by successive Administrations, from the first Roosevelt administration down to the proposals of

departmental reorganization of the Harding administration. The establishment of the National forests, of reforestation and of the effort to make our National forests self-supporting, will be remembered by most citizens. When Roosevelt decided that the Western timber lands remaining in public ownership must be conserved, and that the Appalachian reserve must be created, he sweepingly placed the control of these forests under the Department of Agriculture, transferring the jurisdiction out from the Department of the Interior.

While the human well-being of the Indian is linked with this property, it is held that Indian policy should be guided by considerations of service primarily and by property considerations secondarily.

Coming now to the subdivisions of the Government's work for the Indians as listed above:

1. ASSISTANCE AND INSTRUCTION IN AGRICULTURE, RURAL INDUSTRY AND RURAL LIVING.

The Indian problem mainly is a rural life problem. The Indian may have special additional needs, but primarily he faces what the rural community faces everywhere and requires what it requires. Foremost among these requirements can be mentioned the following:

Instruction in farming, stock-breeding, care of timber, etc.

Instruction and help in agricultural organization—organization for purchase, for production, for marketing.

A practicable system of rural credit.

Improved community living—which means junior and adult recreation, the carrying of persuasive influences into the rural home, the building up of a sentiment of pride and hopefulness within the rural community; in brief, all that is entailed in community organization.

Meeting the rural life needs of the Indian would be solving more than half of all his problems. Unless these needs can be met, a solution of his problem cannot even be approached.

We propose that the Department of the Federal Government responsible for rural life betterment shall be made responsible for this part of the Indian's need. *That Department is the Department of Agriculture.*

Had the Department of Agriculture existed, with its present activities, seventy-five years ago, the rural life phase of the Indian task would have been transferred to it and not to the Department of the Interior. (The Indian Bureau was transferred from the War Department in 1849.)

The Department of Agriculture, as we now know it, is comparatively modern. Mention has been made of its work of forest conservation, beginning in the early years of Roosevelt's presidency. But beginning about 1906, the Department of Agriculture has grown into a comprehensive institution for the improvement not only of rural economics, but of rural social life, including education and health.

Starting with the work of the Country Life Commission under President Roosevelt, the Department of Agriculture has achieved, through the Taft administration and on into the Wilson administration, and to the present, a huge co-operative rural development. The Department's work was predicated on a sharing of the tax burden between the federal, state and local units of Government; on a co-operative enterprise, wherein the federal Government joined with the State Departments of Agriculture and the State Boards of Health and of Education.

To avoid the evils of paternalism, the Department of Agriculture has adopted two principles which are wanting in the present Indian affairs system and which are essential. They are:

(a) the expenditure of federal tax money is not intended to carry the whole burden of rural-life work, but is conditioned on a readiness of the states and local communities to bear an ever-increasing part of the fiscal burden.

(b) Similarly, the output of effort by the Department of Agriculture is designed to awaken local enterprise, and the continuance of Federal activity is made dependant on an ever-increasing growth of local activity, including the voluntary group effort of co-operative societies, corn and wheat clubs, farm bureaus, women's auxiliaries, etc.

The natural outcome of the methods here stated, is also the outcome that has been aimed at with conscious philosophy and sustained experimentation. It is the outcome most needed for Indians; i. e., that the methods in each community are adapted to the peculiar situation—economic, social, racial, etc.—of the community in question. Means are adjusted to ends, and there is no stereotyped activity, and no dogma except the two propositions (a) that rural life shall prosper and (b) that an organized American individualism shall be increasingly realized among the farmers who constitute one-half of the population of our country.

The Department of Agriculture reaches into every state of the Union. It has a technical overhead adequate to deal with all rural life needs, of Indian as well as of other communities. (For example, technical agricultural specialists, animal industry, irrigation investigations, agricultural economics, community organization, forest tending, timber sale, grazing, reforestation, etc.) This universally extended overhead service has brought into being such a variety of types of rural self-help that a thick volume would be required to describe them. (As for example, the work with the Negroes in the South, the work with Appalachian Highlanders, and with the semi-rural communities of West Virginia; the very different enterprises seen in the Massachusetts towns; the corn belt type of farm service, and the wholly different service rendered in the far West.)

THE ADMINISTRATION OF THE INDIANS AS RURAL COMMUNITIES is a task for the Department of Agriculture. The Indian Bureau could not have developed within itself the abounding resources of the Agricultural Department and of the co-ordinate State Departments, even if it had tried. This great enterprise of rural life improvement, which, viewed as a Governmental enterprise, has no rival in any other country, has been built up cumulatively as a result of the economic and social necessities of 50,000,000 farmers and of a Nation whose economic balance was at stake. It is proposed to give to the Indians the advantage of that which probably would never have been created for their needs alone.

But in addition it must be said that the Department of the Interior, through its Bureau of Indian Affairs, has not systematically attempted any such achievement as is here sketched. Various Indian Service jobs duplicate the jobs held in the Agricultural Department, such as forest rangers and farm advisers. But without elaborating here on the known fact that the farm advisers, for example, are rarely acquainted with agricultural science, and still more rarely with the modern technics of rural organization, it is enough to remark that the Indian as

a rural being has been managed through a *formula*. This formula took its rise when the Indians were controlled by the War Department and the Indian problem was one of reducing Indian tribes to subjection. It has become embodied in statutes but still more in the administrative technique and mental attitude of the Indian service. The formula calls for "individualizing" the Indians and their land-holdings. The method has been to suspend the operation of tribal institutions, to dissolve the tribal relations, and to efface the Indian's racial memory, which in practice has entailed the destruction of the parent-child relationship. This negative formula, whose application has presented a gigantic chapter of tragedy, has not been accompanied by any compensating policy of organizing that which, under the formula, has been progressively disorganized and pulverized. The reference here is to a long, though continuing historical record, no item of which originated with existing officials of recent administrations. But the old policies dominate the Indian Service, and insistently operate, not as experimental ideas, but as dogmas or axioms, in the minds of the Indian Bureau and Department of the Interior personnel.

Hence it came about that when the National Bureau of Municipal Research made its analysis of the Indian Bureau for President Taft and for a Joint Committee of Congress and prepared the report which was suppressed, it was possible for the Research Bureau to describe the whole Indian field service—its methods and its consequences—by describing just one field agency. Since that date (1915) a diversification has been permitted in a few noteworthy cases (specifically, the Northern Blackfeet and the Jicarialla Apache reservations). But whatever be the disposition of the chiefs of the service, it has not proved feasible within the Indian Service as now constituted to effect the needed diversification or to bring into play the modern methods which are making rural communities self-supporting, happy and proud.

The considerations of economy are as challenging as the considerations of efficient service. The Department of Agriculture's overhead could be swiftly made available for the rural service needed by the 340,000 Indians on the approximately 128,000 square miles of Indian land. As the Department of Agriculture's work put the Indian communities on their feet, not only would tens of thousands of our Nation's wards be lifted from the poverty line into productive well-being, but the miscellaneous costs of Indian service would shrink.

2. EDUCATION.

Rural life organization includes education in the narrower sense of that term. Throughout America, the rural school gradually is becoming an institution where the child is educated for rural life, and where the entire family, the adult population, and the significant interests of the community, meet as in a market place.

We propose that the jurisdiction over Indian schooling shall be transferred to the Department of Agriculture. In the measure that this schooling can be most economically and effectively carried out under State and County Boards of Education, the Department of Agriculture, already in co-operation with these local school systems, will know when and how to recommend that Congress make the transfer.

A description of the Indian Bureau's system of schooling is not needed here. It is a system which has been worked out in accordance with that formula stated above as the formula of "individualizing" the Indian. In the school system this has meant cutting the Indian off from his traditions, building a wall between the Indian child and the Indian parent, and fitting the child to live neither in his home community nor out in the white man's world. Broadly speaking, the Indian schooling system has been a failure educationally; and from the point of view of health, it has been understood for many years that the boarding-school system was a disaster to the Indians.

The Indian school needs to be as varied in type as does the Indian agricultural education and organization. There is an abysmal difference between, for example, such tribes as the Arizona Hopis, the California bands and the Plains Indians—a difference in inheritance, in emotional attitudes and in physical environment. These differing tribes have different kinds of problems facing them, and different destinies, save that they are all rural communities. The uniform pattern of school work, which not only is scarcely avoidable in the great boarding schools but is compulsory in the day schools operated by the Indian Bureau, can never meet effectually the need of any particular Indian group.

The procedure of the Department of Agriculture is to adapt its means to its ends, and this procedure would hold good of the schools. The ideal of the Department of Agriculture is to evoke self-activity among those whom it serves and to build them up on the basis of what they are, and this would be a guiding principle in the Indian schools if it were administering them.

3. MEDICAL SERVICE AND PROMOTION OF HEALTH.

Again, it is not needful to describe the present medical service of the Indian Bureau or to quote the statistics of disease among Indians, beyond stating what is admitted practically by all parties—that the Indian Bureau's Medical Service is under-paid, inadequate in quantity, under-supplied with materials, and disheartened under the cumulative results of the neglect of diseases and of disease prevention across many years. The high disease rate of the Indians is known from the incomplete vital statistics of the Indian Bureau as well as from intensive studies made by the State Boards of Health, the United States Public Health Service and others. More than 30,000 cases of infectious trachoma, for example, and an abnormal tuberculous and infant mortality rate.

It should be apparent on the face of the situation, that the Medical Service of the United States Government for Indians should be placed under that department financed for the doing of medical work—the United States Public Health Service. It, like the Department of Agriculture, maintains professional standards and uses methods appropriate to the results sought in a given community. Like the Department of Agriculture, it systematically co-operates with the other departments of the Federal Government and with the State Boards of Health.

Should it prove more feasible from the legislative standpoint, satisfactory results could be obtained through placing the Indian Health Service under the Department of Agriculture, with the certainty that this Department would promptly enlist the United States Public Health Service and the State Boards of Health. However, the transfer to the United States Public Health Service has been recommended by the House of Representatives Committee on Indian Affairs, by the Board of Indian Commissioners, and by numerous Indian Welfare Agencies, and we join in the recommendation.

4. CUSTODY OF THE PERSON AND PROPERTY OF INDIANS.

We propose that the jurisdiction over Indian property and person shall be transferred to the Department of Agriculture.

The upbuilding of the Indian's productive life is inseparable from the administration of the Indian lands. For example, the Department of Agriculture could not work effectively on the reservations unless the leasing of Indian farm-lands and grazing-lands and the issuance of timber permits were under its control.

Further, there exist Indian tribal and personal funds exceeding \$60,000,000, which should be used as a working capital to put the Indians as groups and individuals on their feet industrially. The initiative regarding the employment of this capital should be with the department charged with the economic improvement of the Indians. Further, the question of allotting Indian lands, and the question of granting fee-simple patents to allotted lands, is involved with a knowledge of and responsibility for the training and organization of the Indians in the use or ownership of "individualized" bodies of land. Here, again, the initiative should rest with the Department of Agriculture. Insofar as the system of reimbursable loans be continued, this once more is a subject involved with the agricultural progress of the Indians—with their need for implements or stock, their capacity as tribes to utilize irrigation systems, etc., etc. Initiative with regard to the reimbursable loan expenditure, if it be continued, should rest with the Department of Agriculture.

There is a comprehensive reason why the Indian estate should be lodged with the Department of Agriculture as trustee. That reason is implied in the above statement regarding the national forests. The Department of Agriculture expects and is expected to be the permanent trustee of national domain entrusted to it. It expects and is expected to seek the beneficent development of the properties which it has charge of, treating them as a permanent national estate. It is not expected by Congress or by the public in the different states to serve as a transfer agent or temporary depository of lands.

It is merely a statement of historical fact, drawn from the Department of the Interior's own reports, when we state that the Indian lands have passed out of National and Indian ownership into private ownership at a speed comparable to that of the public lands. The methods through which the transfers have been effected include the following:

Acts of Congress throwing Indian reservations into the public lands to be given to homesteaders.

Executive orders reducing the area of the reservations.

Allotment under trust to Indians, with subsequent sale or lease of the trust-allotted lands by or with the consent of the Interior Department.

Fee-simple allotment with the consequent rapid loss of their lands by the Indians.

Lease of the unallotted tribal lands.

In New Mexico, encroachment on Indian lands by the Whites.

The piling up of indebtedness against Indian tribes and individuals through the reimbursable loan method should be mentioned. It precludes the foreclosure which may efface the whole Indian equity in many allotted and unallotted areas.

If there be criticism in the above statement it is not personal to present officials, but refers to the policies of the Department of the Interior and of Congress, which in turn have expressed the wishes of electorates. However, the department which has thus served as an alienating agency for the Indian lands, and whose point of view and political situation has been necessarily dominated by that condition, is not a department which can reasonably be expected to apply promptly a new policy of conservation and development to the remnant of the Indian estate.

It is in view of all the above considerations that we propose the transfer to the Department of Agriculture of jurisdiction over the Indian property and person in addition to the jurisdiction over educational and industrial services.

CORRELATIVE PROPOSALS.

There are other measures which must be adopted, protecting Indians in their person and property, regardless of the department where any particular activity is lodged. Among them are the following, briefly stated:

1. Statutory guarantee to the Indians of constitutional rights, including liberty of conscience, freedom of speech, the right of parental guardianship and due process of law.

2. Abridgement of the power to outlaw any white person from the reservations without court review on grounds of fact or of reasonableness. This entails the repeal of some archaic statutes and the amendment of others, and it is a step toward bringing to an end the Indian Bureau's censorship over the facts of Indian administration.

3. Statutory protection of the Indian's rights to executive order reservations (22,000,000 acres in area).

4. No future sale or lease of Indian properties, personal or tribal, except with the consent, as appropriate, of (a) the Indians involved, or (b) Congress.

5. Requirement by statute that there shall be public advertising and competitive bidding in the sale or lease of Indian properties by the Government.

6. The Indians, individual and tribal, to be given by statute an effective voice in the disposal of individual and tribal funds.

7. The allotment laws to be amended with the effect of requiring consent of Congress before there shall be (a) new allotments or (b) further fee-simple patenting of lands already allotted.

8. The Indian, individual and tribal, to be given the protection of a court review, when asked, over the trustee's and guardian's acts.

9. Indians as tribes, or otherwise, to be permitted to incorporate and to hold lands corporately.

10. A statute authorizing Indians in their tribal capacity or as individuals to prosecute property claims against the Government.

11. Statutory requirement of publicity for all financial facts of the Indian administration and for all departmental regulations affecting the Indian person or property.

12. The Indians to be admitted to the use of credit facilities such as are now available to all other farmers, stockmen, etc.; to the end, incidentally of terminating the system of reimbursable loans to Indian tribes and individuals. Immediate requirements that Indians shall be given a notice of six months or longer of the Government's intention to demand payment of reimbursable loans. (This does not mean that the Government should "call" all of the reimbursable loans. Most of the tribal loans especially have been made not at the request of the Indians; and tribal indebtedness to the amount of millions has been established through a retroactive law of Congress (1914) which made all past gratuity expenditures on irrigation a lien on the tribal property. The result needed is, that Indians who incur indebtedness should incur it knowing what they are doing, with the expectation of paying, and not on the initiative of persons who incur a mortgage against the Indian with no responsibility for paying it.)

N. B.—The above statement deals with the general legislative program. It does not cover the special case of Oklahoma; and it does not mention the existing undertakings and projects of the Indian Defense Associations, such as those dealing with the Navajos, the Pueblos and the California Indians.

A THOROUGH VS. A PEACEMEAL PROGRAM

Nothing less than a thorough reorganization of Indian affairs can save the Indian from extermination as a race.

Peacemeal or local results will not stay the process decisively, nor will they be permanent even as peacemeal or local results.

The chief obstacle in the way of helping the Indian, is the fatalism about the subject in the public mind, due largely to the repeated inconclusive struggles for peacemeal and local results in past years.

There is now such an awakened public opinion about Indian affairs as has not existed for forty years. This favorable moment demands the putting forward of a reform plan that will be conclusive if adopted.

The effort to change the existing situation in any fundamental particular will elicit, as such effort already has elicited, all the opposition that can be thrown against a conclusive, adequate plan of reform.

But the advancing of a conclusive and efficient plan which at the same time is conservative, economical and immediately practicable, will bring to the support of the Indian Welfare movement a vast public opinion that is now inactive because it sees no hope of improving conditions.

Political strategy no less than the essential facts of the situation call for such a fundamental effort at reform as is here outlined.

THE PUEBLO INDIANS AND CONSTITUTIONAL GOVERNMENT

The letter reproduced below was sent by various New Mexico Pueblos in response to a letter, also reproduced below, addressed to them by the Superintendent of the Northern Pueblos of New Mexico.

The thoughtful reader will recognize that some fundamental problems of human society and government are involved in the issue dealt with in the Pueblo letter.

The very practical motives which are behind the attempted revolution in Pueblo government, are described in pamphlets that have been issued by the Indian Defense bodies.

On receiving the letter from the Indian Bureau Superintendent, the different Pueblos counseled with various of their white friends. They were not in doubt as to the "yes" or "no" of their reply, nor as to the reasons governing their reply, but they recognized that it would not be easy to state in a way intelligible to the public at large the considerations which controlled them.

The Indians were provided with two memoranda prepared by ~~their~~ friends intimately acquainted with their modes of living, and at a formally called meeting of the Northern Pueblos the following letter was adopted and signed. It was subsequently given prolonged consideration at an all Pueblo council held at Santa Dominga Pueblo, attended by the delegates from the several Pueblos.

The letters follow:

"Department of the Interior
U.S. Indian Field Service
Northern Pueblos of New Mexico,

Circular No.17

Santa Fe N.M. July 21 '24

To the Governors and Councils of the Northern Pueblos:

Dear Sirs:

At a meeting of the All-Pueblo Progressive Indian Council, May 27, 1924, a resolution was unanimously passed, favoring the election of Governors and Officers of the Pueblos under a plan which would be reasonable and just; in other words, it was contemplated that a general election should be held in each Pueblo on a set day, and that the Indians would assemble and vote for a Governor and other Officers.

It is not the policy of the Indian Office to attempt to force any change in form of government in the Pueblos, and whatever is done along lines suggested must meet with the approval of present and established government now in force.

You are requested to discuss this matter with your people, and to make a report to me at an early date. It seems that the plan has been in vogue at the Pueblo Laguna for sometime, and has been very successful.

Very respectfully,

C. J. Crandall,
Superintendent. "

CJC:CF

Mr. C. J. Crandall,
Superintendent, Northern Pueblos,
Santa Fe, N.M.

August 18, 1924.

Dear Sir and Friend:

We acknowledge receipt of your letter, transmitting the resolutions of the so-called Progressive Council. You invite us to reply with reference to their statement that they wish a "just and reasonable" form of government adopted in the Pueblos. We understand from your letter, that they wish a system of government by which the adult population of each Pueblo would choose officers on election day, these officers being wholly independent of the clans, clan chiefs, caciques etc., and being free to make and enforce such laws as they willed, subject only to the regulation of the Bureau of Indian Affairs.

We admit the propriety of raising at any time any question whatever regarding the Pueblo forms of government etc. It is proper, even though as in the present case the number raising the question and making the proposal for a revolution in Pueblo government are fewer than fifty persons in a population of about eight thousand. These figures take no account of Laguna Pueblo. We do not understand that Laguna, which has given up the old Indian ways--which has abandoned the old customs, religion and ideals of the Pueblos--is seeking to make the other Pueblos into its likeness, and we are not informed that the Lagunas are members of the so-called Progressive Council. However, although the proposal for a revolution in Pueblo government proceeds from a minority of less than one per cent of the population, we are glad to consider the proposal and are appreciative of the spirit of your letter.

As it is desirable to so frame our answer that White Americans will find it convincing, we have asked the help of White advisers. But we first briefly state, that the Pueblos are living together happily, peacefully, morally and industriously under their present system of government, and have no wish to change it. At least they have no wish to throw away their traditions hundreds or thousands of years old, and hastily adopt a scheme of revolution.

And then we must state, before giving our view in detail about the theoretical merits of the case, that we know, as our White neighbors and yourself know, that the present proposal which you ask us about was drafted by the attorney for the White settler interests seeking to defeat the Pueblos in the pending land questions. We understand, as doubtless you do, that the so-called Progressive Council is a gathering together of a discontented few, many of whom are discontented rather with the Indian Bureau than with their Pueblo officials. We know that the majority of this so-called Council consists of one faction of one Pueblo--a faction which has long sought to grasp power while at the same time objecting to the payment of taxes--objecting, that is, to the doing of the community work which is the Pueblo's form of taxation. We know that Miss Clara D. True, Mr. A. B. Renehan, and certain others, who have assisted in drawing together these discontented and few Indians, are not at all interested in the efficient government of the Pueblos, but are, as they have openly and notoriously been, interested in a victory by the Settlers over the Indians in the land contest. That is their right and we have no objection. But that object will be served if the Pueblos can be split into factions, divided from one another, and paralyzed so that they cannot act as communities and corporations before the Pueblo Land Board. In brief, the proposition which you transmit to us comes from a quarter not auspicious.

And now we will give our opinion on the subject briefly, just as if the Progressives had made their proposal in good faith.

The Pueblos are not communities that assembled hurriedly a few days ago. They have existed for thousands of years, and during that time they have devised institutions which have been tried by the trials of ages. As is well known to us, our institutions were further developed and improved under the influence of Spain, which was our faithful guardian for three hundred years. Among our institutions, is our method of choosing officers and of prescribing the duties and limiting the powers of our officers. The Pueblo tradition, and system of law, is not written as with White societies, but is not less ancient and not less complicated. It is a constitutional system, not less completely than the governmental system of the United States is constitutional. Our unwritten Constitution, and the institutions we maintain for living according to that Constitution, is perhaps dearer to us than the American Constitution is to Americans, for this Constitution of ours deals not merely with property, and with certain guaranteed liberties, but with our life of worship, our system of relationships within the family and between families, within the clan and between clans. It contains all of that which makes our life deep, and simple, and fearless, and tolerant. It contains that which makes us Indians.

As this letter may become public, we wish here to add, what is known to yourself: That the allegations made by the so-called Progressives are untrue. As you know, we are all Christians--those few men who proclaim themselves Christian Progressives are no more Christian nor different Christian than we, and we cannot make out how they are more progressive than we, except that they are following after White men who are against us on the land question and that they won't pay their taxes. We protest against a great fraud which is being put over on the public, when these men sign a statement prepared by White men that they are Christian Indians being persecuted by us heathen or pagan Indians. We protest against the Indian Bureau having circulated this fraud under the Government postal exemption. But we do not blame you, our local Superintendent, for any of this, and we thank you for calling the subject to our attention.

Respectfully,

TAOS: Antonio C. Romero, Gov.; John D. Archuleta;
Juan Jose Archuleta; Santiago Lucira.

PICURIS: Manuel Vargas, Gov.;

SAN JUAN: Ambrosio Martinez, Gov.; Santiago Archuleta;
Sotero Ortiz, Chairman All-Pueblo Council.

SANTA CLARA: Santiago Narango; Victoriano Sisneros.

SAN ILDEFONSO: Bernardo Sanchez; Sotera Montoya, 1st
Fiscal; Juan Estava Robal; Juan B. Gonzales.

NAMBE and POJOAQUE: Marcos Tapia; Lauto Vigil.

TESUQUE: Juan de J. Pino; Martin Vigil; Julio Abeta;
Marce Vigil.

COCHITI: Louis Ortiz, Gov.; Jose Alcario Montoya;
Marcial Quintana; Juan Estevan Chalan;
Lorenzo Herrera; Joe Trujillo;
Santiago Cardero.

SANTO DOMINGO: Roque Garcia, Gov.; Victor Neito;
Julian Larvato; Santiago Pena.

We, the undersigned delegates to the Santo Domingo (All-Pueblo Council) meeting held this 18th day of August, 1924, hereby publicly declare that we heartily endorse the action taken by the delegates of the Northern Pueblos in protesting against changing our form of government which the so-called Progressive All-Pueblo Council propose to do.

SANDIA: Luciano Lujan, Lt. Gov.;;
Juan Abeita, Principal Mayor; Lorenzo Chaves.

SAN FELIPE: Jose Domingo Valencia; Jose Lazaro Sanchez;
Harvey Townsend; Santiago Esquibel;

SANTANA: San Lorenzo Tenorio, Lt. Gov.;;
Nasurio Trujillo; Manual Sanchez;
Jose Maria Augustine.

ISLETA: Lulo Lucero, Gov.;;
Jose Padilla, Head Principal; Antonio Abeita.

SIA: Julian Melina, Gov.;;
Crescenerio Taribio, Captain of War;
Gregorio Shija.

A STATEMENT BY THE EXECUTIVE COMMITTEE
of the
INDIAN DEFENSE ASSOCIATION OF CENTRAL AND NORTHERN CALIFORNIA.

February 3, 1927.

(Relative to legislation designed to make some measure of restitution to California Indians for lands of which they were deprived without compensation.)

- I. This Committee believes that the Kahn bill, H. R. 9497, offers the most direct, the most effective and the most logical method yet proposed for making some measure of restitution to the California Indian with a minimum of delay.
- II. The Committee has been advised by sincere friends, inside and outside of Congress, that there is practically no hope of securing favorable action by Congress for such a straight gratuity appropriation for several years to come, if ever. These friends assert that for some years Congress has been led to think of the California Indian problem in terms of the 18 Lost Treaties and recovery under Court of Claims procedure, and that it would be very difficult, if not impossible, to persuade them to abandon those habits of thought and adopt this new point of view which might seem to them to establish a dangerous Congressional precedent.

Whether or not this position be a logical one, in view of all the circumstances in the case, is immaterial. If it is a fact, it must be reckoned with as such and a feasible method of achieving the desired ends shaped accordingly.

- III. The Committee consistently opposed the old Raker-Lea bill, (H. R. 8036, 69th Congress, 1st session) for several reasons, chief among them being:
1. A grave doubt as to whether under the terms of that bill as drawn the Court of Claims, proceeding as a judicial body, could find that the Indians had any "legal or equitable" claim based upon treaties that never became law because never ratified.
 2. The complete uncertainty that a sufficient valuation would be allowed on the lands so that the total gross award would be large enough to provide a substantial net award after the offsets (government expenditures for the benefit of California Indians) were deducted.
 3. Doubt as to the justice of ordering the California Indians to pay in the form of these "offsets" the entire cost of the educational, health, relief, industrial and administrative services on their behalf in the intervening years, while gratuity appropriations for like purposes have been continuously made for Indian tribes in other states where treaties were made and ratified and the Indians were in possession of treaty lands and other assets.
 4. Doubt as to the justice of basing the full California Indian claims solely on the provisions of the 18 Lost Treaties to which only a fraction of the total Indian population of the state were signatory, and then dividing the award made, which would seem to belong unequivocally to the descendants of the tribes signatory to the treaties, among all the Indians of California.

IV. The Committee has very carefully considered the new Lea bill, H. R. 15969, and is satisfied that it is a great improvement over the old Court of Claims bill, primarily for these two reasons:

1. It arbitrarily fixes the price to be allowed per acre at \$2.50, thus seeming to insure a reasonably large gross award.
2. It places the responsibility for the preparation and presentation of the claims in the hands of the Attorney General of the State of California. This new provision is cordially approved. It at once relieves the Indians themselves of the necessity of financing any of the work in advance of the suit. The costs would supposedly be advanced by either the state or federal government, reimbursement to be made out of the award.

In the opinion of this Committee the advance of costs should be made by the federal government, the state doing its part by authorizing its Attorney General to direct the action.

V. The Committee has been advised by Mr. Collier that there is no possibility of action in the 69th Congress. The Committee is willing and anxious to do all in its power to get together with all interested parties before the convening of the 70th Congress next December in an attempt to agree upon a bill which can be endorsed cordially by all.

But before the members of this Committee can give their support to the new Lea Court of Claims bill, or to any similar measure, they must have more complete and authoritative information along certain lines than is as yet in their hands. The issue is too vital to the Indian to warrant proceeding on assumptions only. Especially is it felt that the following points must be cleared up:

1. The extent of the acreage upon which recovery will be based.
(Nothing but general statements are in hand, without indication as to the source, or any explanation of the basis for the estimate.)
2. The total amount of the offsets that the government will claim, with a description of just what these offsets include and how they were arrived at.
3. The question as to whether the wording is such as to insure beyond any reasonable doubt that the Court of Claims can find that a legal and equitable claim exists.
(So far this has not been conclusively demonstrated, with citation of authorities.)

The attorneys on this Committee suggest that the best way to effect this is to devise a wording that will base the claim both upon the right of occupancy of which the Indians were deprived without compensation and upon the Lost Treaties, the measure of compensation for all of these lost rights being declared to be the lands, goods, and services which the 18 Lost Treaties proposed should be given to them and which the signing bands signified their willingness to accept, but which they failed to receive because of the Senate's refusal to ratify. In other words our suggestion is that the claim, to be perfectly certain of validity, be based on both the right of occupancy and the Lost Treaties, but that, for practical purposes, the recovery be limited specifically and arbitrarily to the Lost Treaty provisions.

Recd. March 3, 1927

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INDIAN DEFENSE ASSOCIATION OF CENTRAL AND NORTHERN CALIFORNIA.

February 3, 1927.

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Whether or not this position be a logical one, in view of all the circumstances in the case, is immaterial. If it is a fact, it must be reckoned with as such and a feasible method of achieving the desired ends shaped accordingly.

- III. The Committee consistently opposed the old Raker-Lea bill, (H. R. 8036, 69th Congress, 1st session) for several reasons, chief among them being:

1. A grave doubt as to whether under the terms of that bill as drawn the Court of Claims, proceeding as a judicial body, could find that the Indians had any "legal or equitable" claim based upon treaties that never became law because never ratified.
2. The complete uncertainty that a sufficient valuation would be allowed on the lands so that the total gross award would be large enough to provide a substantial net award after the offsets (government expenditures for the benefit of California Indians) were deducted.
3. Doubt as to the justice of ordering the California Indians to pay in the form of these "offsets" the entire cost of the educational, health, relief, industrial and administrative services on their behalf in the intervening years, while gratuity appropriations for like purposes have been continuously made for Indian tribes in other states where treaties were made and ratified and the Indians were in possession of treaty lands and other assets.
4. Doubt as to the justice of basing the full California Indian claims solely on the provisions of the 18 Lost Treaties to which only a fraction of the total Indian population of the state were signatory, and then dividing the award made, which would seem to belong unequivocally to the descendants of the tribes signatory to the treaties, among all the Indians of California.

IV. The Committee has very carefully considered the new Lea bill, H. R. 15969, and is satisfied that it is a great improvement over the old Court of Claims bill, primarily for these two reasons:

1. It arbitrarily fixes the price to be allowed per acre at \$2.50, thus seeming to insure a reasonably large gross award.
2. It places the responsibility for the preparation and presentation of the claims in the hands of the Attorney General of the State of California. This new provision is cordially approved. It at once relieves the Indians themselves of the necessity of financing any of the work in advance of the suit. The costs would supposedly be advanced by either the state or federal government, reimbursement to be made out of the award.

In the opinion of this Committee the advance of costs should be made by the federal government, the state doing its part by authorizing its Attorney General to direct the action.

V. The Committee has been advised by Mr. Collier that there is no possibility of action in the 69th Congress. The Committee is willing and anxious to do all in its power to get together with all interested parties before the convening of the 70th Congress next December in an attempt to agree upon a bill which can be endorsed cordially by all.

But before the members of this Committee can give their support to the new Lea Court of Claims bill, or to any similar measure, they must have more complete and authoritative information along certain lines than is as yet in their hands. The issue is too vital to the Indian to warrant proceeding on assumptions only. Especially is it felt that the following points must be cleared up:

1. The extent of the acreage upon which recovery will be based.

(Nothing but general statements are in hand, without indication as to the source, or any explanation of the basis for the estimate.)

2. The total amount of the offsets that the government will claim, with a description of just what these offsets include and how they were arrived at.

3. The question as to whether the wording is such as to insure beyond any reasonable doubt that the Court of Claims can find that a legal and equitable claim exists. (So far this has not been conclusively demonstrated, with citation of authorities.)

The attorneys on this Committee suggest that the best way to effect this is to devise a wording that will base the claim both upon the right of occupancy of which the Indians were deprived without compensation and upon the Lost Treaties, the measure of compensation for all of these lost rights being declared to be the lands, goods, and services which the 18 Lost Treaties proposed should be given to them and which the signing bands signified their willingness to accept, but which they failed to receive because of the Senate's refusal to ratify. In other words our suggestion is that the claim, to be perfectly certain of validity, be based on both the right of occupancy and the Lost Treaties, but that, for practical purposes, the recovery be limited specifically and arbitrarily to the Lost Treaty provisions.

RELIGIOUS LIBERTY FOR AMERICAN INDIANS

(Bulletin of The Indian Defense Association of Central and Northern California - A Branch of the American Indian Defense Association, Inc.)

June 1, 1924.

1. The Persecution of Indian Religions.
2. The Defense of the Persecution.
3. The United States Indian Bureau vs. the Department of Anthropology of Mexico.
4. Charles F. Lummis to Secretary of the Interior Hubert Work.

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1. The Persecution of Indian Religions.

(Note: The following is taken in part from an article by John Collier to appear in the July Sunset Magazine. It may be freely quoted.)

The years' old persecution of Indian religions by the United States Government has approached its' climax. It has become a religious persecution known as such.

This religious persecution is a development of the long established official warfare against Indian culture. The destruction of Indian tribal culture is the historical policy of the Bureau of Indian Affairs. This policy has become a fanaticism in recent years especially since 1921. The Indian Bureau has realized that if it can crush or tear the Indian religion out of the tribal life, the tribe will helplessly fall to pieces. The Indian's aboriginal manhood will wither, his dignity, assertiveness and moral hardihood will vanish and he will become what the official policy requires -- a hanger-on to the fringes of White society, a submissive pawn in the hands of his official guardian, occasionally a day-laborer clad in jeans but chiefly a pensioner existing meagerly on rations, or on the proceeds of the sale or lease of his lands to White men -- rations administered through the Indian Bureau, and moneys controlled by the Indian Bureau to the amount already of over forty million dollars.

The tribal and personal life of the Indian is involved at every point with his religion. His religion is its organizing framework. Tear out the religion and all else goes.

The Pueblos -- where the persecution centers at this moment -- are self-supporting and hold tenaciously to their ancestral lands. Kill their religion and they will sink to dependency.

Let us now trace the development of this persecution, beginning in 1921. The Taos and Zuni situations must be seen against the background of a policy which has been cumulatively developed under the present administration of Indian Affairs.

I am going to quote from a series of regulations and orders of the Commissioner of Indian Affairs. To realize the practical meaning and effect of these documents the reader must bear in mind two facts. First, the Indian Bureau "regulations" have the force of statute law insofar as they do not conflict with previous statutes of Congress. These regulations are carried into effect by the local Superintendents in the field. "Indian Offenses" referred to in the order below, are punishable by fine or imprisonment. The trials for "Indian Offenses" are conducted without the customary judicial safeguards -- without juries, without lawyers, the accuser and judge being one, and that one being the Indian Superintendent or some other local employee of the Indian Bureau. Indians are "Americanized" by being subjected to forms of judicial penal procedure unknown to Indian custom and discarded by the White race milleniums ago.

Second, the Indian religions and especially the Pueblo and Navajo religions are always encountered in two aspects. They are systems of belief about the invisible world; and they are rhythmic, dramatic, singing rituals. The fountainhead of every world religion has been a place of mystic communing with the Invisibles and with the Dead, and also a place of song and dance. Symbolic pantomime, mystic signs, and a kind of emotional ecstasy are the very soul of religion in its great original moments, in its strange and profound beginnings in the childhood of races. This is altogether true of the Indian religions. Where the word "superstition" is used in Indian Bureau documents, it refers to the otherworld beliefs of the Indians. Where the word "dance" is used, it refers to any and every prayer, invocation, hymn or ceremony.

The first order of Commissioner Burke is Circular 1665, dated April 26, 1921, addressed to Superintendents. "It is not the policy of the Indian Office to denounce all forms of Indian dancing (i.e. religious expression.) It is rather its purpose to be somewhat tolerant of pleasure.....The dance, however, under most primitive and pagan conditions, is apt to be harmful, and when found to be so among the Indians, we should control it by educational processes as far as possible but, if necessary, by punitive measures.

"The sun-dance and all other similar dances and so-called religious ceremonies are considered 'Indian Offenses' under existing regulations, and corrective penalties are provided. I regard such restrictions as applicable to any dance which involves....the reckless giving away of property....frequent or prolonged periods of celebration....in fact, any disorderly or plainly excessive performance that promotes superstitious cruelty, licentiousness, idleness, danger to health, and shiftless indifference to family welfare. In all such instances the regulations should be enforced."

"In all such instances," says the Commissioner, "the regulations should be enforced." What instances? Who will decide that an Indian religious expression promotes idleness, excessive generosity, indifference to family welfare, and superstition? On the local Superintendents, the accusers and judges of the Indians, is laid this duty by the Commissioner. The present Superintendent of the Northern Pueblos of New Mexico, Mr. C. J. Crandall, a genial and conscientious worker in the material sphere of his duties, has stated in print his mental approach to the Indian religions. "The whole question embodied in this (pueblo) petition, was simply that the Pueblos want to retain their old customs and to practice their ancient pagan rites as they have done for ages. I am not nor was I favorable to any such petition.... Until the old customs and Indian practices are broken up among this people we cannot hope for any great amount of progress. The secret dance, from which the Whites are excluded, is perhaps one of the greatest evils. What goes on at this time I will not attempt to say, but I firmly believe that it is little less than a ribald system of debauchery."

Mr. Crandall "firmly believes" that these religious expressions are a "ribald system of debauchery." He believes, but he does not specify for he cannot. At Santo Domingo pueblo on May 5th there gathered seventy-four delegates from fifteen Pueblos. They quoted the statement which is quoted above and they said, in an appeal to the American people:

"We denounce as untrue, shamefully untrue and without any basis in fact or appearance, and contrary to the abundant testimony of White scholars who have recorded our religious customs, this statement. And we point out that the Commissioner's order (the order quoted above in this article), put out to be interpreted and enforced by the Superintendents, is an instrument of religious persecution."

But Circular 1665 was not enough. Therefore on February 14, 1923, Commissioner Burke issued a "Supplement" to Circular 1665. Addressing the Superintendents, he quotes a series of recommendations made by certain missionary bodies, stating "The main features of the recommendations may be heartily endorsed." Three of the recommendations follow:

"That the Indian dances be limited to one in each month in the daylight hours of one day in the midweek, and at one center of each district: the months of March, April, June, July and August being excepted. (No dances in these months.)

"That none take part in the dances or be present who are under 50 years of age.

"That a careful propaganda be undertaken to educate public opinion against the dance."

Will the Reader sit back and gasp for a moment? Let him remind himself that the "dances" are any and all collective religious expressions of the Indians. Let him take in the fact that the Indian holy days and holy seasons have been fixed since thousands of years ago, as changeless as Easter or Christmas or any Jewish or Christian time of sacred rejoicing or mourning. The Indian holy places are as fixed as Rome, Mecca or Jerusalem. Let him be informed that planting-time, blossom-time and harvest-time are the immutable dates for Indian rituals far older than Christianity. (Let him scan the above recommendations and pause at the last. The Indian religions are to be persecuted. Therefore a careful official Indian Bureau propaganda is to be undertaken to "educate" public opinion in the United States against them. This propaganda has been edifying to scholars, the public and the Indians alike. For example, an Arizona newspaper was led to publish a news report to the effect that the Hopi Indians were in rebellion against being compelled to "perform" the Snake Dance. What invisible agent, unless it were the Indian Bureau itself, was "compelling" them, the newspaper omitted to say. Thereupon the clipping was photographed and broadcasted by the Indian Bureau. More sinister have been the rumors, never specific or localized to any place or tribe, of obscenity, of tortures inflicted by the Indians on heretics who had abandoned the ancient creed, and salacious montrosities. And it has to be admitted that some of the missionaries have assisted in this "propaganda" and campaign of slander; but this article is concerned with religious persecution carried out by the Government, not with the incidental jealousies and prejudices of unofficial missionaries.

"Of course," says Commissioner Burke, in his Supplement to Circular 1665, "we must give tact, persuasion, and appeal to the Indian's good sense a chance to win ahead of peremptory orders. We must go about this work with some patience and charity." The storm will only rumble for a year, he says in effect; then unless the Indian religions have vanished into nowhere, after a year the storm will break. "More arbitrary methods" will be used. And on February 24th, 1923, in this spirit of patience and charity, the Commissioner broadcasted a "Message to All Indians." He said:

"I could issue an order against these useless and harmful performances, but I would much rather have you give them up of your own free will, and, therefore, I ask you now in this letter to do so. If at the end of one year the reports which I receive show that you are doing as requested, I shall be glad, for I shall know that you are making progress....But if the reports show that you reject this plea, then some other course will have to be taken."

And now we come to the present moment. The Indians silently "rejected the plea" of Commissioner Burke made a year ago. Reports showed that they were not "making progress" in the apostasy of their gods and their modes of communion with God. Now "more arbitrary methods", "peremptory orders" are due. They have arrived. The rumbling storm has broken, and to repress "Indian Offenses" the Indian Bureau's machinery of inquisition is being dragged out for the war against religious liberty.

First the Taos case. On April 18th Commissioner Burke accompanied by Secretary of the Interior Hubert Work and the local Indian Superintendent reached Taos. The incident and its sequel can best be told through quoting from a letter, prepared and translated through

"Your order demands that we shall immediately suspend the religious training of our children who have been temporarily transferred from the Indian Bureau school to the religious schooling of our tribe.

"We want our children to be taught in the Government school. When our children are transferred for a year -- which is our religious rule -- for their religious training, we are glad to have them remain in the Government school for an additional year." (Indian Bureau regulations require that boys attend school to twenty-one years and girls to eighteen. The regulation is not fulfilled by the Indian Bureau for as many as one out of a hundred children. Among the Navajos alone, 6,000 children receive no schooling at all because no schools have been provided. At Taos from two to six boys in a school population of nearly 200 are withdrawn for priestly education, by the immemorial tribal rule.)

The Pueblo's letter continues: "It has always been clearly understood that the child's years in school are not to be decreased through the religious instruction, and we repeat it here in order to make plain that the issue is solely our right to maintain our own religion.

"This religion of ours is many thousand years old among our people and is more important to each one of us than money, horses, land or anything else in the world. It teaches us about God and the earth and our duty to God, to earth, and to one another. The White people have a Bible which is printed. We have a Bible which is not printed, but is passed on by memory from the old to the young, and it contains our knowledge of God, our forms of prayer and our rules of life."

It must be said here that the following traits are known by all observers to be the outstanding characters of Pueblo life: Kindness to children, to women and to the old; mutual aid in all things; public service to the community rendered without pay; faithfulness to family life; truth-telling and honest dealing; tolerance and freedom from hate; freedom from fear and worry; and complete absence of sexual indecency. These are the moral excellencies lying all over the surface of Pueblo life. Deeper down lies the mystic religious experience which all take part in. It is mystic in the sense of being indefinable and boundless, a mystical or cosmical ecstasy brought about through the "dance" and expressed to God or the Gods through the "dance." It is mystic likewise in being secret -- occult, hidden, hidden like the Masonic lore. Yet it is not "secret" to anthropologists. The most persecuted of the Pueblos, Zuni, has yielded up nearly or quite all of its sacred secrets, and they have been recorded in authoritative books especially by Frank Cushing. Like the Navajo "secrets" recorded by other students, these Pueblo "secrets" are innocent though often strange and often profoundly beautiful. The passing on of these moral teachings, attitudes of reverence, ceremonial mysteries and ancient fathomless divinations about the Universe and God, is the first rule and duty of the Pueblo religions and the education of the future priests is itself the most immutable ritual of the tribal religion, a requirement of its God as it is likewise a necessity for the perpetuation of its unwritten Bible.

White persons can hardly understand the completeness with which Pueblo morals, Pueblo human relations, loyalties and the very mode of existence of the Pueblos, including the industrial activities are entwined with the religion and dependent on it. You can scorch a California redwood tree with fire and even char all its branches, but it will live and send out branches again. But cut its roots around the trunk and it will die. The Pueblos have been horribly scorched and mutilated by the White man, especially by the intentional Indian Bureau procedure, but still they live and send out new growths. Now the religious persecution undertakes to cut off the roots. The Indians know, and the Indian Bureau knows, that this act will mean death to the tree.

So the Pueblo letter continues: "This fundamental requirement (of the withdrawal temporarily of a few boys for priestly training) has never been disobeyed, and if it were disobeyed we should have broken our most solemn religious rule and our religion would soon die out from the souls of our people. And we know that then our tribe would fall to pieces, and disputes and wrongdoings would begin, and all that is precious to our life would dry up, and we, and our ancestors who live through us would pass away from this earth."

Superintendent Crandall, under date of May 7th, in the presence of his superior officers, gave his order. After two weeks, he repeated it, and the written order was delivered to the Indians. (In their letter the Pueblo officers quote the guarantees of religious liberty which they received in the Treaty of Guadalupe Hidalgo and in the compact between the United States and the People of New Mexico. "The treaty does not say 'White People' when it guarantees religious liberty, but 'inhabitants'. When you, Mr. Commissioner, addressed us here on Good Friday, we understood you to refer to us as 'half-animals', but still we are inhabitants and we think we should be protected by the Treaty and the Constitution.

"We understood that even the Congress of the United States does not have the power to revoke these guarantees of our religious freedom, and we do not see how the Commissioner of Indian Affairs can have that power."

But alas, the Indians know well that the Indian Bureau is in practical effect above the law. Pledging themselves to offer no violent resistance, they now stand face to face with imprisonment, with the forcible removal of their children to some distant inaccessible place, and action by the United States marshal with troops if he needs them to violently stop this ritual of priestly training which has never been suspended for one year in the five thousand years gone by. But it is not only the Indians who face this immediate shameful outrage. It is every American citizen who believes in that liberty of religious conscience for all men, for which White ancestors have burned at the stake and died on the wheel of Roman, of Mediaeval Catholic or of old-time Protestant inquisition.

What to do? This question rests before the Administration at Washington. First the Secretary of the Interior and then the President must overrule or else actively or passively affirm the outrage. Let the reader address himself to these officials and to his representatives in Congress. There is no time to lose.

The persecutions at Zuni Pueblo, and other examples of religious oppression affecting the whole Indian population of the United States can only be referred to in this article because the space is exhausted. At Zuni the withdrawal of children from the Government school for even four days for their sacred initiation has been outlawed. This oppression is not threatened but is actually going on now. At Zuni the ancient hierachical system has been overthrown with the help of Indian Bureau authority. The tribal system of choosing officials has been nullified and a dictatorship has been established. The subversion of the Zuni system of government, religion and life was formally begun last December and is progressing at this writing. The case was laid before the Secretary of the Interior, and Albert B. Fall's ex-secretary, one Inspector Safford, was sent nominally to investigate. The minutes of his "investigation" were kept secret by the Indian Bureau but the writer has a copy of them. When they are published, along with the suppressed facts established by unanimous testimony, there will be indignation and shame among Americans and possibly some dismay in the Indian Bureau. The "investigator" presented himself as a new agent of coercion arriving from Highest-Up to establish firmly the illegal dictatorship previously perpetrated. Yet even he could devise no evidence, no allegation even, against the probity and competence of the high-priests and the duly chosen, now displaced, officials. Another Indian Bureau inspector, however, supplied the deficiency, hinting in a newspaper interview that the tribal authorities were said to have been venal! The "careful propaganda" of the Indian Bureau against the Indian religion

Zuni Pueblo is one of America's unique treasures. Older than the oldest Giant Sequoia, and in its wealth of ritual art more lovely than the Bridal Veil Falls of Yosemite, and a moral community where no murder has been committed within the memory of men, it is undergoing at this moment suffocation, mutilation and irreparable destruction. Years ago, Zuni opened its very soul to the White man, and when he visits Zuni he is taken in warmly as if to his Brother's home. And here the scourge of religious persecution has chosen to fall first and most actively. The Zunis have just one word standing for politician, Indian Bureau, Congress and Officialdom. That word is "Washington." "You can't beat Washington," they say, "Washington always comes back." Washington has Inspectors, it has Jails, it has the Military. Washington can snatch children from their homes (the Zunis adore their children) to imprison them in far-away places for years. "Washington" is lawless power, it is terror to the Zunis.

The Reader will help decide whether Washington, or only the Indian Bureau, is or shall be allowed to continue as the religious persecutor of the Indians.

A STORM OF CRITICISM, EVIDENTLY UNEXPECTED BY THE INDIAN BUREAU, HAS BEEN ROUSED BY THE INCIDENT AT TAOS PUEBLO, AND HAS RESULTED IN A CAREFULLY NON-COMMITTAL DENIAL OF THE FACTS BY THE AUTHORITIES. THE FACTS ARE AS FOLLOWS:

1. Before the visit of the authorities to Taos, Commissioner Burke, according to his own statement, had written to the Pueblo officials denying their request of authority to transfer their boys for religious training and fixing the (to Taos) arbitrary and impossible period of ten days after which time the boys must cease their training.

2. The Indians unanimously testify that the "courteous request" given verbally when the authorities visited the Pueblo on April 18th, was in fact a peremptory order: they were ordered to deliver the boys by the following Monday. The Indians have issued a signed statement which is obtainable through the Indian Defense Association's office.

3. Friends of the Pueblos presented to the Superintendent of the Northern Pueblos the seriousness of the order which had been given. But thereafter, on May 5th, the Superintendent re-visited Taos, and repeated the "courteous request" to the Pueblo officials, stating, they testify, that he had received a confirmatory instruction in writing from Commissioner Burke subsequently to the latter's visit to Taos.

4. Under date of May 7th the mandate was sent in writing to the Pueblo officials.

Under the various above mentioned conditions the Pueblo officials were told of Indians who had been jailed for conduct similar to their own; that they were defying the laws of the United States; that their children would be removed entirely from their homes and from the Pueblo; that drastic measures would be used.

To the above it must be added:

THE RELIGIOUS OPPRESSION AT ZUNI PUEBLO CONTINUES UNABATED.

Under sufficient pressure, the Indian Bureau will suspend its action at Taos, or Zuni, or any one place; and will wait till public attention turns elsewhere. Then the persecution will be resumed, with greater caution perhaps but increased vigor. Meantime the policy of religious outlawry hangs over, or is being put into effect on every reservation in the United States.

FRIENDS OF AMERICAN IDEALS WILL NOT BE CONTENT WITH AN OFFICIAL GESTURE OF BOWING TO THE STORM. THEY WILL DEMAND A CHANGED POLICY MADE EFFECTIVE IN ACTION. THEY WILL NOT ASK A FICTITIOUS CONCESSION FROM ADMINISTRATIVE BUREAU CHIEFS. THEY WILL DEMAND FROM THE PRESIDENT AND FROM CONGRESS A SECURE GRANT OF RELIGIOUS LIBERTY TO THE INDIANS.

II

The Defense of the Persecution

The motive and the public justification of acts are not always identical.

The motive of the religious persecution of Indians is as follows: The Indian Bureau seeks to destroy the Indian cultures, and the Indian religions are part of them; and the Indian Bureau seeks the political support of Christian missionary bodies. The missionaries -- some of them -- welcome the Government's aid in compelling Indian children to take their religious instruction; and they welcome the effort of the Government to crush the Indian religions because a religious competitor is thus removed. Many of the missionaries do not welcome it.

Now for the excuse for the persecution.

It is charged that the Indian religions call the Indian "back to the blanket" keep the Indian in an Indian frame of mind. Answer: Even if the "blanket" and the Indian frame of mind were national pests, **the pest should be removed through some other method than religious persecution.** But they are not "pests". The "blanket" has many advantages which our machine-driven and shut-in life sighs for. The Indian frame of mind is not a pest, but carries many virtues which we desire in vain for our White fellow citizens. It is not hostile to education, or incompatible with modern progress. The archaic Indian tribe could be reached as a whole -- all its members -- with modern social education, during the time when our Government schools are failing to educate the children torn away from their homes for that maladjusting experience called "education" by the Indian Bureau.

Then it is charged, or hinted, that some Indian religious activities involve immorality or lead to it; or involve cruelty or lead to it. Answer: The Indian Bureau has Indians in its employ among all the tribes. Frequently these pay-roll Indians are men who have abandoned the old faith. On the reservations the Indian Bureau possesses the powers of inquisition. Yet even under these conditions, the Bureau has not produced evidence in support of these widely-rumored charges or hints.

Certainly among hundreds of thousands of Indians there must be cases of immorality and of cruelty. The Indians religions pervade the whole community life. Therefore it is statistically inevitable that wrongdoings **must occur at the time and place of religious observances.** Where such wrongdoings are proved to exist there is reason for punitive action. Where such wrongdoings are proved to exist in a Christian congregation there is reason for punitive action. In neither one case nor the other is there reason for prohibiting or persecuting the religion as such. What living man would dare advance such an argument for the Governmental prohibition of the Christian denominations?

Those who know the facts as to Indian religious morality are the anthropologists who have spent years in the disinterested and minute recording of the Indian religions. These men of science are unanimous in testifying to the innocence, the gentleness and moral purity of the Indian religions. To them the following reply is made by "Indian Truth", the organ of the Indian Rights Association: That the Indian religions have indecent features " which the casual observer (scientist or otherwise) does not see."

The stool pigeons of the Indian Bureau see these indecencies: and the "Indian Judges" who are accusers, prosecutors, jury and judge of the Indian worshipper guilty of an "Indian Offense. "

III

The United States Bureau of Indian Affairs and the Department
of Anthropology of Mexico

While the United States Indian Bureau proceeds to destroy the Indian tribal cultures, even at the expense of violating religious liberty, a neighboring Government is seeking a different end by a different method. The following is from the Manchester Guardian of May 2, 1924:

"Dr. Manuel Gamio, chief of the Department of Anthropology of the Mexican Government, is engaged in a practical experiment with the Indian inhabitants of the valley surrounding the dead city of Tetihuacan by which he hopes to restore at least part of the civilization and cultura of their ancestors." (The New Mexico and Arizona Pueblos are alive, still with all their culture and civilization.) "Dr. Gamio wants to restore at least the arts of the dead city, particularly its pottery and weaving. For this purpose he has opened a school at its very gates, and here he is trying to revive the old instinct of a decadent people for the arts which the Spanish conquest killed.

"Dr. Gamio believes that the continuing unrest characteristic of Mexico and Central and South America is due to the failure of the descendants of the Spanish invaders to make allowance for the great difference between the cultures of the governors and the governed. He aims at a harmonious reconciliation of the two in a system retaining the best features of each."

IV

Charles F. Lummis to Secretary of the Interior Hubert Work:

An open letter

May 19, 1924.

Dr. Hubert Work,
Secretary of the Interior,
Washington, D. C.

My dear Mr. Secretary:

I have today received and read with profound interest your circular "Memorandum for the press for immediate release, May 14, 1924:" and tho my sickness prevents me from entering into this matter with the activity and the thoroughness such a cause has a right to demand of me, I must send you at once my very emphatic protest against the whole attitude, coloration, and spirit in which the case has been presented to your consideration. It will be easy for you to satisfy yourself, not only in the scientific departments of the Government in Washington, but among scholars elsewhere, and in the records of your own Department (e.g. the Warner's Ranch Commission) as to my knowledge, and my character. President Roosevelt several times stamped his approval of my sentiment as to Indian rights, and my sanity and practical efficiency, by reversing the department. My books, dealing with the Pueblo Indians are standard; and no serious statement in any of them has ever been reasonably disputed. I think you will find this to be admitted by scientists and critics.

They pay little compliment to your intelligence who presume that you will accept their statement that the Cacique is "pagar dictator and absolute ruler of the Taos pueblo in New Mexico"--or of any other pueblo anywhere. He may be a pagan -- but his ethics and his morals are incomparably superior to those of them that would destroy his patriotic effort to continue the imemorial and beautiful creeds of his people. He is not a dictator, nor absolute ruler. No Cacique in the Indian organization of any tribe in the three Americas was ever that. He is the religious head of the pueblo; and ex officio, and because he lives up to the high standards and holy obligations of his place, he sways as powerful an influence as a dearly beloved and consecrated Methodist minister did in a little New England community when

They do little credit to your intelligence also in asking you to accept what they might quite pardonably think to put over on the facile Press, about "keeping two Indian children out of school for a year and a half in defiance of the laws of Congress and the States covering compulsory school attendance." One would infer that no "American" children in all the length and breadth of this fair land were ever kept out of school for eighteen months on any pretext! Of course, tens of thousands of "American" children are now "sequestered" from school for so long a period, for various permissive reasons -- the need of the parents, an extra educational opportunity for the child -- or perhaps, Mr. Secretary, even a chance to make five hundred dollars a week in the "Movies." Do you fancy, Sir, that these people who now address you would ask you, if you had the power, to force Jackie Coogan to cease his present "defiance of the laws of Congress and the States covering compulsory school attendance?"

I have quoted the word "American," Mr. Secretary, for reasons you will readily grasp. It is the name we modestly arrogate to those whose personal or ancestral tenures of that small portion of America known as the United States has for its extreme limits three hundred years. We do not think of Canadians or Mexicans or Brazilians or Peruvians as "Americans"--tho they feel entitled to that appellation. As a matter of fact, the only "one hundred percent Americans" are the Indians. And I wish to remind you, Mr. Secretary, that when our Saxon ancestors were savage cave-men -- and before Columbus's grandparents were born -- and while the cultured "Pagans" of Greece and Rome who gave us the highest standards of art and literature that we have today were persecuting Christians -- then already, the quiet people of Taos were living as Coronado found them in 1541, and in all essentials as I first knew them forty years ago, a life dominated by Reverence, Faith, Justice.

And may I remind you, as to this "Pagan" business, that for three hundred years, in Taos itself, a Christian Church has been perfectly well able to get along with the Cacique and his paganism and has never found it necessary to destroy the noble tenets of the ancient creed in order to implant the Gospel that we ourselves pretend to follow?

Again your petitioners refer to "the recent request of the Governor and Council of the Taos pueblo at the instigation of their Cacique or King." The Governor and Council are also "rulers," tho not "absolute." To call the Cacique a "king" is as ignorant in fact, and as impudent to Science -- and therefore to you, a high official of this Government, who it is assumed have at least a passing knowledge of what Science has long ago established with a regard to the culture and organization of the American Indians. People who speak of the Cacique as "pagan dictator and absolute ruler and king" throw themselves out of any intelligent court. No Indian tribe in any of the three Americas ever had a "king" or anything remotely resembling a king. As if further to prove their absolute unfitness to plead in a case of which they are so inexcusably ignorant, your petitioners speak of the pueblo "form of government which provides for a Cacique or supreme ruler of each pueblo with dictator powers through a Governor and Council." As I have said, the Cacique is not a supreme ruler, nor with dictatorial powers, and he doesn't rule through Governor and Council. He has nothing to do with the essential things which are committed to their control. Their respective duties are as well defined -- and infinitely better respected -- as the delimitation of authority between the legislative and executive branches of our own Government.

It is the talk of demagogues to say "Friends of the Indians who wish them schooled and educated to become American citizens have appealed.....demanding that the pueblo officials and the Cacique be brought under the mandates of the law. Others who wish the Indians to remain as they are without change of custom or further civic enlightenment are lending material support to the Indians and have asked Secretary Work not to take any action in the matter."

They may indeed be "friends of the Indian" who make the former appeal -- the kind who provoke the old prayer, "Good God, deliver me from my friends." And by what authority does a circular from your office characterize these as "friends of the Indian" and segregate those who wish the Indians to retain their rights as "others" (s.e. than friends)? All friends of the Indians probably wish them schooled, and fitted to become American citizens; but their real friends do not wish them to be schooled out of the art and poetry and tradition of their ancient American birthright. Their real friends wish them to be sufficiently educated to protect themselves against the greed, the stupidity, and the intolerance of the class of "Americans" now pursuing them. But we do not wish them made as irreverent, as greedy, as unreliable, as commercial; we do not wish them to lose the clean, simple, high, reverent ideals which they have kept unsullied for two milleniums, nor the arts -- and above all the art-feeling -- which they have developed through the slow centuries. The Government, at the instance of such unimaginative bigots as are now petitioning you, Mr. Secretary, has largely destroyed already the wonderful aboriginal arts of the ancient Americans. It has taken the Navajos, who had learned in three centuries under the Wicked Spanish to weave the best blankets in the world, and has made their blankets as shoddy as our own, and has educated the Navajo boys as plumbers and linotype operators to go back to the desert reservation without a bathtub or a printing press on it. It has taken the girls from the making of pottery that graced the most fastidious museums in the world, and taught them to make crazy-quilts and crocheting.

And I want to say in all solemnity, Mr. Secretary, that if we shall indeed stamp out and trample under foot the ancient culture of the Pueblos, "Pagan" tho we may call it -- we shall have committed a crime against scholarship and civilization and the future shall hold us blood-guilty. Homer was a "Pagan" and Virgil was a "Pagan" and the mythology of Greece and Rome was "pagan" -- but we have not found it necessary to eradicate them from our minds and leave our intellectual fields denuded of flowers and filled only with material turnips amid which we may root.

And I respectfully submit to you, Mr. Secretary, that two boys out of the historic old citadel of an Ancient American civilization could be spared from the kind of common school that this paternal Government would give them, for eighteen months, to learn a reverence and a devotion our schools never taught anyone, and still have ample time to acquire what knowledge of the three R's might be necessary in their young lives to keep them from being a serious menace to the Government of this country.

Very respectfully yours,

CHAS. F. LUMMIS
Los Angeles, California.

Oct. 27, 1924.

To the Members of the Indian Defense Association of Central and Northern California, and to the Directors of the several Indian Defense Associations and of the American Indian Defense Association, Inc.

On Oct. 22nd a meeting of this Board of Directors was held for the exclusive purpose of discussing phases of the legislative program for Indians. The discussion centered largely around the idea, which has been slowly maturing, and which has been submitted to varied criticism, of proposing a transfer to the Department of Agriculture of jurisdiction of the property of the Indians and chief responsibility for the Indian Service.

It was voted to submit this proposal, favorably recommended, to such of the Directors as were not present and to the membership, and simultaneously to the affiliated organizations, and Mr. Woehlke and Mr. Collier were instructed to prepare the summary enclosed herewith.

Concluding the statement, is a much briefer statement of other legislative, appropriative, etc., measures, some of which are implied in the proposal of transfer to the Department of Agriculture and some of which are desirable independently of any such transfer.

You are urged to give immediate thought to the enclosed memorandum and to act upon it as may seem advisable to you, with as little delay as possible. The session of Congress draws near.

Respectfully,

Ira D. Vayhinge
Organizing Secretary.

IDV.B

MEMORANDUM ON LEGISLATIVE PROGRAM

SUBMITTED WITH RECOMMENDATION BY THE BOARD
OF DIRECTORS OF THE INDIAN DEFENSE ASSOCIA-
TION OF CENTRAL AND NORTHERN CALIFORNIA.

The one way to approach the solution of the Indian Problem, the one way to bring about a lasting improvement in the condition of the Nation's ward, the American Indian, is through a reorganization of the Bureau of Indian Affairs.

It is obvious that any effort to improve the condition of the Indians must be made exceedingly difficult and costly, can be frustrated entirely or, if it succeeds temporarily, can be nullified, by the active opposition and disapproval of the Bureau which has almost autocratic control over the Indians. This is not an empty assumption.

The efforts of Presidents Taft and Roosevelt came to naught when they ran counter to the quiet resistance and passive hostility of the Indian Bureau responsible to an Interior Department not equipped with interest or with standards of service. Specifically, the Taft program of health service betterment and of the reorganization of business methods in the Indian Service was quietly suffocated; the Roosevelt program of utilizing for the Indian all available Federal services, fully formulated by Roosevelt's Indian Commissioner, Leupp, was abolished when Roosevelt went out of office.

A more recent illustration is the experience of General Hugh M. Scott when, as member of the Board of Indian Commissioners, he recommended for more than ten years that a certain simple action be taken to prevent the killing of more Southern Paiutes by settlers. The Indian Bureau pigeonholed or contemptuously disregarded his recommendations until the predicted bloodshed did occur and the club of public sentiment pounded the Interior Department into belated action.

Conceding the necessity of the Indian Bureau's reorganization, how can such reorganization be brought about most effectively?

By transferring the Indian Bureau from the Department of the Interior to the Department of Agriculture. In 1849, control over the Indians was transferred from the War Department to the Department of the Interior by a short, concise Act of Congress. A simple enactment by Congress will be sufficient in 1925 to transfer the Indian Bureau to the Department of Agriculture.

Why should such a transfer be made?

Because the atmosphere of the Interior Department is permeated with politics and inimical to constructive effort. It is no secret, for instance, that Stephen K. Mather, director of the National Parks Service, a man who has unselfishly devoted many years of his life and many thousands of dollars of his fortune to the upbuilding of these national playgrounds, suffered a breakdown in the uncongenial atmosphere of this Department while its destinies were in the hands of Albert Fall. T

The primary function of the Interior Department was and is the supervision and regulation of the processes through which the Federal Government gave away the natural resources of half a continent. It was the transfer agent for property worth hundreds of billions. As a logical result it became at its best the Department which could more or less legitimately extend favors to the faithful and their friends, which could reward the ins and punish the outs; at its worst it became the tool of grafters and corruptionists seeking to enrich themselves at the expense of the Nation. No constructive policy designed

to conserve the natural resources ever originated in the Interior Department. When Roosevelt decided that the Western timber lands remaining in public ownership must be saved from the grabbers, he developed the control of these forests under the Department of Agriculture.

And the Agricultural Department conserved them. Today even the lumbermen concede the wisdom of making it, and not the Department of the Interior, trustee over the forests.

Is the conservation of trees most important than the conservation of a race whose treatment in America by Americans parallels the persecution of the Armenians by the Turks?

The Interior Department's primary concern is the transfer of property. The activities of the Department of Agriculture, on the other hand, are primarily constructive and conservational. The Interior Department disposes of, gives away; the Agricultural Department retains, develops, builds up and puts to the highest possible use that which is given into its custody. It is the task of the Department of Agriculture to educate the rural population in better living and better production - exactly the task which confronts the Indian Bureau and in which this Bureau has utterly failed.

The Department of Agriculture through its various divisions, the Forest Service, the Bureau of Animal Industry, the Farm Markets Service, through its county farm agents, etc., etc., is far better equipped to perform the function of educating the Indian and making him able to support himself on his own land than the present Indian Bureau is or ever will be. The entire machinery of the Agricultural Department can be put to work on the Indian reservations from which it is now rigidly excluded. It can do the job twice as efficiently, and at a smaller cost than the present Indian Bureau because it needs merely to extend its existing organization to cover the reservations.

A chief need of the Indian Service is the bringing into action of state and county departments, in co-operation with the Federal Service. The whole policy, structure, and method of work, of the Department of Agriculture has been developed as a co-operative system sustaining and assisting the local branches of Government in doing their work of rural education, agricultural organization, etc.

Possibly the most incongruous fact about the policy--or practice--of the Indian Bureau, is its effort to apply uniform methods to hundreds of varied situations. The same mechanical routine--even the same educational curriculum--is used for tribes situated as differently as the North Carolina Cherokees, the Plains Indians, the ancient agricultural Pueblos and the shepherding Navajos. In contrast, the Department of Agriculture in its vast educational and community organization work has proved that it is able to accommodate its means to its ends. It does the thing that a given rural population socially and economically needs to have done. For example, the Department of Agriculture's methods are strikingly different as between the farm service for the Negro populations in states like Alabama and the farm service of the Wheat Belt. These again are different from the system that has developed in West Virginia through co-operation with the state authorities, and different again from the California farm bureau system. In brief the Department of Agriculture tries to serve its constituents, is interested in getting results, and measures and honestly reports its own successes and failures; and the opposite of all that is here said has been true of the Indian Bureau from the beginning and is equally true today.

Considering that every factor favors such action and no valid reasons against it can be advanced, the Indian Defense Association of Central and Northern California should call upon its co-operating bodies to join in a determined effort to put the necessary legislation before the next session of Congress. The lamented death of Secretary of Agriculture Wallace does not alter the situation, save that

momentarily it may increase the difficulty of politically effecting the program. Secretaries of Interior and of Agriculture come and go, but the contrasting traditions, spirits and methods of working of the two departments grow more marked as the years pass.

However, the mere transfer from one department to the other will not suffice. The transfer should be accompanied by legislation giving the Secretary of Agriculture full authority to reorganize the Bureau turned over to him. And, in justice to the Indian, legislation should be passed giving him constitutional rights, namely:

Habeas corpus; no seizure and search without warrant; right to legal counsel; jury trial when demanded; free speech, free assemblage and liberty of conscience; right of parental guardianship; and due process of law.

Further provision as follows:

1. Statutory protection of the Indians' rights to executive order reservations (22,000,000 acres in area).

2. No sale or lease of Indian properties, personal or tribal, without the consent, as appropriate, of (a) the Indians involved or (b) Congress.

3. Statutory requirement of public advertising and competitive bidding in the sale or lease of Indian properties.

4. Consent of Congress before there shall be (a) new allotment, or (b) further fee-simple patenting of allotted lands.

5. The Indians, individual and tribal, to be given by statute an effective voice in the disposal of individual and tribal moneys or credits.

6. The Indian, individual and tribal, to be given the protection of a court review, when asked, over the trustee's and guardian's acts.

7. The penal codes enacted by the Department of the Interior to be abolished and a penal code enacted by Congress to be substituted.

8. The Indians as tribes to be permitted to incorporate and to hold land corporately.

9. The "gag" laws affecting the non-Indians on reservations to be repealed in some instances, amended in others.

10. The jurisdiction over Indian medical service to be transferred to the United States Public Health Service.

11. Civil service re-classification and changed appropriations, abolishing useless positions, increasing the salaries for useful position, and making possible a staff-and-line organization and a career of orderly advancement in the service.

12. Statutory requirement of publicity for all financial facts of the Indian administration and for all departmental regulations affecting Indian person or property.

13. Introduction of the principle of grants-in-aid, as already established with relation to industrial training, agricultural education, etc.; this as a necessary step toward the placing upon the States an increased responsibility for the Indians without a surrender of the regulative power of the Federal Government.

14. The Indians to be admitted to the use of credit facilities such as are available to all other farmers, stockmen, etc.; to the end, incidentally, of doing away with the dishonest and enslaving system of reimbursable loans to Indians.

N.B.--The above statement does not outline the manifold constructive policy, educational, economic, etc. which would be attainable after the Department of Agriculture had received jurisdiction over the Indians and the Indian estate. Also it does not mention the existing undertakings and proposals for special groups, such as Oklahoma, the Navajos, the Pueblos and the California Indians.

INDIAN DEFENSE ASSOCIATION OF CENTRAL AND NORTHERN CALIFORNIA

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*Objects: TO SECURE FOR ALL INDIANS THE RIGHT TO LAND,
TO LEGAL PROTECTION, HEALTH PROTECTION, MODERN
EDUCATION AND LIBERTY OF CONSCIENCE*



Nov. 3, 1924

Dr. C. Hart Merriam,
Lagunitas, Calif.

My dear Dr. Merriam:

I thought you were in Washington. When in Santa Barbara day before yesterday I got your letter of Oct. 19th from Mr. Hoffman (to Mr Hoffman.)

I write to ask if you cannot make a special effort to attend the Board meeting of this Association, Wednesday, Nov. 6th at 12:30. You will be made a member of the Board at that meeting. The meeting will be held at the Shanghai Low Restaurant, 532 Grant Street.

An equally urgent request is the following: the Commonwealth Club Indian Affairs Committee have written you through Prof. Kroeber, asking you to attend their meeting Friday evening of this week at 7:45 P.M. at the Commonwealth Club rooms. This meeting will consider how the proposed re-survey of the California Indians from all points of view can best be plotted out and assigned. Without exception you are the most important counselor whom they could have.

I hope this will reach you this evening. If you are still at Lagunitas, I may be able to run out for a talk with you. But it is most desirable that you attend the meetings mentioned above.

Sincerely yours,

JC.B

John Collier

*My home telephone number is
Mill Valley 458.*

*This Association is
coordinate with
The Santa Barbara
Association.*

THE NORTHERN CALIFORNIA INDIAN ASSOCIATION

SAN JOSE, CAL.

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THE CALIFORNIA INDIAN LAND SITUATION, 1914

When the United States, in 1848, became the legal owner of California under the treaty of Guadalupe Hidalgo, we became the possessors of an extensive territory, fairly swarming with Indians. How many Indians there were at that time, we do not know. People well qualified to estimate, place the possible number of Indians in California at the beginning of the 19th century, all the way from 150,000 to 750,000. The smaller number may be more nearly correct. The policy adopted by the National Government towards its new wards, was, at the start, the same as elsewhere in the United States. A Commission of distinguished citizens, composed of Hon. George W. Barbour, Hon. Redick McKee and Hon. O. M. Wozencraft, was sent out from Washington to make treaties with the California Indians.

This Commission traveled about with a military escort and made treaties with all Indians west of the Sierra Nevada Mountains. Two treaties were made by the whole Commission. The Commission then separated, each member taking a different part of the State. Four treaties were made by Redick McKee, four by George W. Barbour and eight by O. M. Wozencraft. John C. Fremont, E. D. Keyes, George Stoneman and other army officers afterward well known, are among the witnesses who signed these treaties. The earliest treaty in point of time is dated March 19, 1851. The latest is dated January 7, 1852. On behalf of the Indians these eighteen treaties were signed by 422 chiefs, representing 186 bands or tribes. The Commissioners believed that they had made treaties with about ninety per cent of the Indians of California, and in this they could not have been far out of the way. All Indians in the State were represented, except the upper Achomawi, or Pit River Indians, the Paiutes and Washoes, east of the Sierras, the Indians along the Colorado River, and certain Mission Indians between San Francisco and Los Angeles. These altogether could not have amounted to fifteen per cent of the Indian population of California at that time, and were probably much less than fifteen per cent.

The treaties were all definite and simple. In each treaty the Indians accepted the sovereignty of the United States, agreed to keep peace with whites and other Indians, ceded to the United States their title to their lands and agreed to accept reservations, which reservations were specifically laid out by metes and bounds in the treaties. On its part the United States agreed to reserve for Indian use forever the specified reservations; to pay for the lands ceded by the Indians, in goods, not cash, as the California Indians were too unsophisticated to demand money; and to furnish apparently in further payment, schools, school teachers, farmers, blacksmiths, etc., on a large scale. The goods promised in the treaties consisted of thousands of beeves, thousands of sacks of flour, thousands of blankets, clothing, tools, work animals, cloth, iron, steel; and miscellaneous articles. These articles promised in the treaties would be worth more than one million dollars today and were doubtless worth more than that sum in 1852 in California. The reservations as laid out contained about 7,000,000 acres of land. If the provisions of the treaties had been fully carried out as to education, some two hundred farmers and artisans and five hundred school teachers would have been required.

These 18 treaties were sent on to Washington at once and the Indians awaited their fulfilment. They are waiting yet. The treaties were never ratified by the Senate of the United States, as was then the requirement, and the treaties themselves, with accompanying papers rested in the secret archives of the Senate for more than fifty-two years. The National Government has never negotiated any other treaty or agreement to take the place of these treaties which failed of ratification, except in two or three minor instances. Although the Government has never legally acquired the Indian rights of occupancy, the Government has nevertheless appropriated absolutely the lands of the Indians and has taken every other advantage which could have been derived from the treaties and has retained the reservations besides. For all this the Government has made no payment whatever, nor did it for many years make any very serious attempt to provide the Indians with lands.

During the period extending from the occupation of California in 1846 to the passage of the Dawes Act in 1887, there was no way in which an Indian could acquire land from the public domain, without great difficulty and expense. He was neither a citizen nor an alien and he could not take up land. Under the Indian allotment act and subsequent to 1890, about 1,800 Indian allotments were selected in California. In most parts of the State, there was little public land left, which was fit for settlement, the Indian allotment act having come too late to help the greater part of the California Indians. The work of Helen Hunt Jackson aroused great interest and the greater number of Indians in Southern California were given reservations, though they were usually of the most barren and worthless kind. The Indians north of Tehachapi received no benefit.

In 1903 the Northern California Indian Association began its movement to secure land for the landless Indians of California. At that time the land situation of the California Indians was estimated about as follows:

| | |
|--|--------|
| On reservations, So. Calif..... | 3,500 |
| On reservations, No. Calif. | 1,700 |
| On allotments, So. Calif. | 250 |
| On allotments, No. Calif. | 2,800 |
| On land owned by churches, societies, etc. and by themselves | 1,100 |
| Estimated to be landless | 8,000 |
| | <hr/> |
| | 17,350 |

It was estimated that about 2,000 could be given homes from the public domain. The above estimates proved inadequate in some respects. There were some 2,000

more Indians in the State than we had estimated and fewer Indians had land of their own than was supposed. Still as it proved possible to take care of 4,200 from the public domain and within the National Forests, the number for whom land must be purchased was not increased.

In 1905 Congress acted to the extent of ordering an investigation, the report of which was published in March, 1906. Our allegations as to conditions in California were more than sustained. The progressive occupation of the country by white people had gradually crowded the Indians out of every inch of territory and often out of every means of livelihood. A continuous series of evictions had forced the Indians into little settlements called rancherias, to which they had no title, where they were living in great misery and squalor, awaiting the next summons to move on. These rancherias were badly overcrowded, the sanitary conditions bad and the moral conditions usually worse. The Indians saw no avenue of escape. They were pariahs in their own land, and the rancherias were mere collections of misery and despair. They could not have gardens, or decent dwellings, for that meant eviction, nor could they have animals. They could not hope to acquire homes of their own.

Congress acted promptly upon the report and appropriated \$100,000 for the purchase of lands for the landless California Indians and in 1908 made a further appropriation of \$50,000 more. Certain sums were also appropriated for improvements, fencing, water, etc. The work of giving the Indians lands has been going on for several years, and the appropriations are now exhausted. 3,600 Indians were found within the National Forests, of whom 600 had allotments, made before the forests were established. In 1910 Congress passed an Act under which it is possible to allot to Indians their own homes within the National Forests. This work is not completed, but will be finished within a few months. About 3,000 Indians will thus be provided for. It was necessary to use a considerable portion of the appropriation in Southern California in bettering conditions there. Altogether north and south forty-five tracts have been purchased and nearly all of the landless Indians have been provided with homes. The present land situation in California is about as follows.

| | |
|---|--------|
| On reservations, No. California | 1,944 |
| On reservations, So. California | 3,416 |
| On allotments, No. Calif. (Old) | 2,800 |
| On allotments, So. Calif. (Old) | 250 |
| On allotments, No. Calif. (New) | 400 |
| On allotments, So. Calif. (New) | 238 |
| On National Forests | 3,000 |
| On newly purchased lands | 4,800 |
| Allotments arranged for | 600 |
| On land owned by Indians | 300 |
| On land owned by churches, societies, etc. | 250 |
| Not yet taken care of..... | 1,841 |
| | <hr/> |
| | 19,838 |

Of these 1841 Indians not yet provided with land, a small portion can probably be given allotments from the public domain. We estimate that \$20,000 more for land alone will be sufficient, on the basis of former purchases, to take care of those for whom land should be purchased. Fencing, surveying, irrigation, etc., and administrative expenses, if these last be considered, may take \$10,000 more. It should be understood that we have not advocated, at the present time, giving the Indians large holdings of land. We have not aimed to make the Indians wealthy, or to give them even land to make them self supporting. They are and have been self supporting always. That is, they have received no rations or other help from the Government, or any one else. They have at all times been near the starvation

line, and often below it, but such as their support was, it was their own. We have preferred not to interfere with their independence in any way, but to secure them homes where they will be absolutely safe from eviction, and where they can continue to earn their living in the future, as in the past. For this reason we have scattered the Indians as much as possible among the white people and have bought their new homes where they have friends and employment. The lands purchased have been the best lands in the neighborhood which were suitable for Indian use and which could be bought with the funds available. In probably every case, more land would have been bought had the Congressional appropriation been larger. In most cases the Indians themselves selected the land. In all cases they were consulted. It was necessary to have village sites, wood, water, garden, pasture and hay land, or as many of these as possible. Irrigation systems were often necessary. To date about 9,000 Indians have been given homes without the establishment of reservations, without additional employees, and with practically no expense for permanent maintenance.

The effect of the purchases already made has been very satisfactory. The Indians who have received land are free from the old ever present fear of eviction. They feel themselves no longer vagrants, but human beings. They see and feel that their period of oppression has about passed. The expenditures would be justified on these grounds alone, were there no others. The effect upon the white neighbors of the Indians has also been most salutary. The prejudice against Indians and Indian education and even against Indians voting has much declined, since the Indians are land owners. In three or four cases the Indians have not yet been able to receive full benefits from the purchased lands, but in nearly all cases their situation is infinitely better. The Indians have usually built fairly good houses, better than they ever dared own before. Often the Indian houses are as comfortable and attractive as those of white neighbors. A great many of the Indians have gardens. Some of the prettiest gardens in California are Indian gardens on these purchased lands. The Indians are also already accumulating livestock, and their horses, cattle, hogs, etc., are as good as those of their neighbors. The Indians have not learned neatness or sanitation all at once without teachers, but sanitary conditions are much better among them. There has been a great increase in the number of Indian children in school and a fourfold increase in the number of white people working among Indians for religious and educational uplift. People can now afford to work for Indians since they are no longer nomads.

In many cases, the Indians have been in possession of their new lands but a short time. In no case have they had their lands very long.


It is not to be expected that full results will be shown within such a short space of time, favorable as they now appear.

The land already purchased is mostly where the pressure upon Indians was greatest. The Indians who have as yet received no land are fully as deserving and needy. There is no reason why they should not also receive homes. They are fully as much entitled to homes as those Indians who have already received them. It is our earnest hope that the present Congress will make an appropriation which will provide for the comparatively small number of Indians in California who still remain homeless.

THE NORTHERN CALIFORNIA INDIAN ASSOCIATION.

Mrs. J. Fred Smith, President,
Campbell, Santa Clara Co., Calif.

Miss Cornelia Taber,
Corresponding Secretary,
Saratoga, Santa Clara Co., Calif.

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Indian Defense Association of Santa Barbara

1925

Indian Defense Association of Santa Barbara

P. O. Box 141

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Reeds - Delivered June 11, 1924

June 10, 1924

Mr. C. Hart Merriman,
Lagunita, Calif.

Dear Friend:

Last year by your assistance we were able to pass the Pueblo Lands Bill, which gave the Pueblo Indians the right to go into the Federal Courts and sue for title of lands. This will save the Pueblos and is the big thing we have been working for. We were also able to stop the allotment of the Palm Springs reservation, and until this date the Indian Commissioner has not dared to allot this land.

This year the new issue that confronts us, and which we must strain every effort to defeat, is the order denying to the Pueblo Indians the right of religious liberty and the performance of their traditional ceremonies, which are their culture and their life. Should we fail in this, it means the complete annihilation of these people.

Will you not help us again with your interest and membership? Blanks are enclosed. Please fill them out and return with your remittance, to

S. L. Hoffman, Secretary,
P.O. Box 141,
Santa Barbara, Calif.

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**June 24,
1929.**

Dear Mr. Merriam:-

Enclosed find renewal card for your contribution to the Indian Defense Association.

We will appreciate your interest and support during this crucial time, when under the new administration there seems great opportunity for improving the conditions of the American Indians.

Yours very truly,

Oliver Hart Bronson

President,

George S. Edwards, Treasurer.

Over 2.50 sent June 27, 1929

Indian Defense Association of Santa Barbara

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SANTA BARBARA, CALIFORNIA

OBJECTS: To secure for all Indians, the right to land.
to legal protection, health protection, modern education
and liberty of conscience.



NOTICE OF ANNUAL MEETING

You are cordially invited to attend the Annual Meeting of the Indian Defense Association of Santa Barbara at Recreation Center, January 16th, at 8 o'clock.

Election of Directors will be followed by brief reports and discussion of the year's activities, and a short but interesting entertainment program.

A printed statement of "The Proposed Indian Welfare Legislative Program" of the American Indian Defense Association, Inc., is enclosed. The Directors request your careful consideration of this program, which many believe outlines the only method of securing a thorough reorganization of Indian affairs, which seems necessary to save the Indian race.

Both financial and moral support are needed to continue the helpful and constructive work already started and to increase the growing public interest in our Indian problems.

Membership application cards are enclosed with the hope that you will make a contribution toward the work of the Association during the current year and secure at least one new member before February 1st.

Mabel C. Washburn
Secretary

Note: If you desire any of your friends to receive a copy of the Legislative Program, please send their names and addresses to the Secretary, P. O. Box 274.

Recd. Jan. 17, 1925

INDIAN DEFENSE ASSOCIATION OF SANTA BARBARA

LEGISLATIVE BULLETIN #1

JULY 1, 1926.

THIS SESSION OF CONGRESS

This has been the most fruitful session for a long time. Our Executive Secretary, John Collier, has spent the winter in Washington and has worked there untiringly since January. The following is a brief summary of the outstanding matters of interest.

GRAND CANYON BRIDGE

In 1914, Congress through a retro-active law made all the expenditures on reclamation, irrigation and drainage, of the decades gone by, which had been gratuitously provided by Congress, into reimbursible debts against the Indians, a mortgage against the tribal and allotted lands. Many of the expenditures had been really useless to the Indians, being designed for white benefit.

The unjustified \$100,000 reimbursible charge against the Navajo tribal fund for the Grand Canyon Bridge was selected by the A.I.D.A.Inc., as a test case - as an example of the most vicious type of misappropriation. It came before Congress as one item in the urgent deficiency appropriation bill of more than \$425,000,000; hence the defeat of this particular item was almost impossible; but a nation-wide protest was aroused and the Senate and House debate is recognized as having been a turning point in this phase of Indian matters. In the face of universal and uncontroverted denunciation by leading senators, the Indian Bureau clung to its endorsement of this "highway robbery", as Senator Cameron had termed it; and Commissioner Burke as late as April 10th made an elaborate defense of it.

The principles involved were two. Should Indian funds be used or mortgaged for the exclusive benefit of whites; and should Indian funds be used or mortgaged without the consent of and against the protest of the Indians in question? It can be stated confidently that no outrage like that of the Colorado bridge (Grand Canyon) misappropriation will recur in succeeding congresses. Congressional opinion has crystalized definitely on the subject.

It is probable that Indian welfare bodies and Indians will unite in asking Congress to repeal the retroactive statute of 1914 mentioned above, which is financially disastrous to the Indians, and morally unjustifiable, and which would probably be unconstitutional if any lands save Indian lands were in question.

CIVIL RIGHTS FOR INDIANS.

The 1924 grant of citizenship to Indians has not yet improved their status except in the one item that they can now vote. (In New Mexico and, practically speaking, Arizona, they cannot vote.) Indians are still forbidden due process of law in matters affecting their property. Even the subject of their mental competence is in the hands of their bureaucratic master with no court review. Their wills are valid only when validated by the Indian Bureau, and may be destroyed by it before or after the testator's death.

In order to test the attitude and power of the Indian Bureau in the above matters, bills drafted in consultation with the A.I.D.A., Inc., were introduced by Senator Wheeler and Representative Frear. The Indian Bureau instantly and sweepingly vetoed these bills in all their parts, although without arguing the

merits of the questions. This action, as was understood in advance, sufficed to control the decisions of the House Committee on Indian Affairs. Personal civil rights then crowded out this phase of Indian property rights for the present session. The Indian Bureau has always denied process of law to Indians in civil and criminal matters. The Commissioner of Indian Affairs makes the regulations which, save in the matter of eight crimes named by federal statute, constitute the penal code for Indian life. No code of procedure binds the judicial agencies. None of the elements of due process of law are required or provided. The enforcement of this code is in the hands of the Commissioner or any of his subordinates; among these subordinates being the notorious \$10 a month "judges" - Indians hired and fired by the local Indian Bureau superintendent.

The citizenship act of 1924 created a trouble in the mind of the Indian Bureau. Possibly these citizen Indians were entitled to constitutional rights. In that case, perhaps an Indian might institute suit for false arrest or imprisonment or even kidnapping? As a matter of fact, such suit was threatened in New Mexico last summer, and a number of incidents caused the Bureau to draft a bill, H.R.7826, which if constitutionally upheld, would have clothed the Bureau with congressional authority for continuing all the practices above told.

At the end of prolonged hearings, H.R.7826 was amended but not in such fashion as to make it acceptable. Meantime Congressman Frear introduced a bill which had been drawn by the A.I.D.A. Inc. in cooperation with the Indian Rights Association and which was endorsed by the organized Indians, the federated women, etc. This bill went to the Judiciary Committee and one hearing was held. The Indian Bureau opposed it on the sole publicly stated ground that to give the Indians due process of law would cost money. The Indian Bureau opposition sufficed to prevent action on the Frear Bill in the House; hence action in the Senate was useless.

PRELIMINARY SUCCESS

What success is indicated by the above record of apparent failures in the matter of Indian Civil rights?

1. The complete blocking of the Bureau's bill, H.R.7826.
2. The fact which has been understood from the beginning, that the Senate Indian Affairs Committee never would report such a bill and that the Senate would instantly tear it to shreds were it reported.
3. The fact which has been understood from the beginning, that the House, if H.R.7826 were reported, would similarly tear the measure to tatters.
4. The tremendous expression of public opinion indicating that the American people expect the Indians to be given civil rights and are going to demand it.
5. The splendid unity of the Indians themselves, although under great pressure from the Bureau, their owner, in opposing the Bureau's measure and exposing it.
6. And finally and most important, the Indian Bureau has been "smoked out". It has been forced into an open position of denying and denouncing and actively refusing to permit the grant of elementary civil and human rights to our Indians.

INDIAN OIL LEASING AND EXECUTIVE RESERVATIONS.

The struggle on this subject has been the outstanding Indian event in this Congress, and the victory is by far the most clearcut and important in Indian affairs of many years.

The Hayden-Bratton Bill endorsed by the Bureau gave 37½% of the oil revenue from three-fifths of the Indian land in the entire country to the States, with an ineffectual proviso that the money should be used for Indian welfare.

It presumed the absolute ownership by the United States Government of the oil and the earth out of which it came; thus presuming the absence of Indian ownership; thus declaring that the Indian executive reservations are nothing but public lands; thus inevitably pre-determining a future ruling by the Supreme Court to the above effect; thus preparing the way for an expropriation of the Indians from more than 22,000,000 acres of coveted land; thus leaving with the executive, i.e. the Indian Bureau, the power to declare Indians trespassers and herd them off their land like cattle whenever sufficient pressure of covetous interests was brought to bear.

In the beginning, the entire atmosphere indicated that the passage of the bill was ensured, and the lobby of oil interests were 100% confident.

A frontal attack was made on this measure, through publicity, through a very dramatic Forum meeting in Washington, and at the House and Senate hearings. Immediately countering the Hayden-Bratton bills (endorsed by the Indian Bureau) Senator Cameron and Representative Frear introduced bills segregating all the royalties to the Indians and safeguarding the Indian title.

Feeling and debate ran high but finally the House Indian Affairs Committee reported the Hayden Bill, rectified in the detail of the disposal of royalties. Then the Senate Committee reported the Cameron bill.

Then the House Indian Affairs Committee renewed its consideration and, with an almost unanimous vote, decided to change the Hayden bill as reported by itself, conforming it in all essentials to the Cameron bill as reported in the Senate.

Having found that they could get nothing unless they took the Cameron and the amended Hayden Bill, the oil interests threw their strength behind these measures, while the Indian Bureau has become at least quiescent. The Senate after an instructive debate passed the Cameron bill, June 8th. The House passed it on June 16th, and according to press reports President Coolidge vetoed it on July 2nd.

In spite of this fact one must feel that the action of the Congress indicates a strategical outcome of highest significance, as in a prolonged and public debate, and through extended hearings where every technical issue was threshed out, the Indian Bureau system was completely defeated. Indian affairs history contains no precedent for this.

PERMITTING THE STATES TO HELP THEIR
INDIANS

The Johnson-Swing bill from California, drafted by the Indian Defense Association of Central and Northern California, in cooperation with the Commonwealth Club of California, was introduced February 3. An identical measure affecting Wisconsin was introduced by LaFollette and Cooper.

After two months, Interior Department endorsement was obtained for these bills. After another seven weeks, the Comptroller General's endorsement was obtained. It can be stated that the Indian Bureau was heartily reluctant, but its overt action was necessarily controlled by the Secretary of the Interior's endorsement.

The importance of these bills equals that of any measures that have come before Congress affecting Indians. They will be a main Indian issue before the next Congress and almost certainly will become law. They transfer to California and Wisconsin, as the experimental beginning of a general policy, the control over Indian education, health, social welfare and all personal service and needful distinction between guardianship over property and the wide field of personal and human services. The reform of the property guardianship is left to other bills.

TOWARD THE NEXT CONGRESS.

The foregoing recital leaves much untold. Hundreds of bills affecting Indians were introduced at the session now terminating, and probably 75 will have become law. Such is the record of every Congress. The difference at present is in the fact that initiative in Indian legislation - in all the large questions - has passed from the Indian Bureau, which has been a systematic misleader of Congress, to the friends of the Indians in and out of Congress, and in no small measure, to the Indians themselves. The momentary defeats here narrated have contributed to the destruction of Indian Bureau prestige, quite as largely as have the victories.

Representative Frear has demanded a Congressional investigation of the Indian Bureau which was not obtainable in this session, but the demand will be renewed as soon as Congress meets in December and there is every reason to believe that it will be promptly obtained. This investigation will make possible such an exposure of the existing situation as will startle the whole American public into full realization of the need for changes going to the root of the Indian system.

Financial help is more needed than ever before. There is no reduction of activity between sessions of Congress. The field of activity is the reservations rather than Congress. In the months ahead, not only must work be pressed untiringly to obtain the facts for use in December, and to assist the organization of Indians for their mutual aid, but organization work throughout the country must be pressed forward. Publicity must be continued without diminution. The legal service to the New Mexico Pueblos must be kept up, for upon that depends in greater or less measure, the material and spiritual future of these tribes.

Indian Defense Association of Santa Barbara

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P. O. BOX 274

SANTA BARBARA, CALIFORNIA

OBJECTS: To secure for all Indians, the right to land,
to legal protection, health protection, modern education
and liberty of conscience.



*Recd. July 13, 1925
Ans. July 19. cam*

Pueblos

Within easy vacation distance of Santa Barbara, the most ancient civilization on earth is struggling for existence against forces deliberately seeking its destruction.

This civilization of the Pueblo tribes of our Southwestern desert is different from our own as that of Tibet. Yet its hospitality extends to every White American--would extend to you if you visited that beautiful desert country.

It is a civilization great with poetic and human beauty and with moral beauty. The Pueblos are the oldest republican institutions among mankind. They are as communities profoundly religious, but with a joyous religion.

They hold their land under titles older than any other real estate titles in the United States. They received from Spain, from Mexico, from the United States and from Abraham Lincoln as President, guarantees of land tenure, of religious and cultural liberty--of the right to exist permanently as self-supporting communities under our own national guardianship.

Have you taken note of the great drama which is being played out among these Indians? Until two years ago it had all the qualities of a tragedy. It is the drama of these little civilizations at bay against a dominant Race which has seized their lands, and against an official Indian Bureau whose policies, reversing the spirit of our pledges to these tribes, have been designed "to break up the Pueblos," to "break up the tribal relations," to artificially and forcibly White-man-ize these ancient and charming peoples regardless of the physical and moral havoc entailed.

When the Indian Defense Associations began their effort at aid two years ago, the seizure of Pueblo lands by settlers had left some Pueblos with less than one acre per capita of the land they had reclaimed from the desert before Columbus sailed. Now through a very sustained and intense effort by the Associations, Congress has passed a law making it possible for these tribes to recover their seized lands or compensation in the form of lands of equal value. More than 4,000 land contests are involved, before the Lands Board and

Courts. The Indian Defence Associations, through attorneys approved by the Commissioner of Indian Affairs, have undertaken to assist the tribes in making their presentation to the Board and the Courts, on which their future existence depends. The Indians, inconceivably impoverished through the loss of their lands, are entirely unable to finance this legal aid. Therefore the Indian Defence Associations have assumed that burden.

There is now hope for the Pueblos. Their death-warrant will be cancelled--if the Indian Defence Associations are able to maintain their efforts over the next two years. The land situation is only a part of that drama which involves thousands of lives and a whole civilization. The Pueblos assert their right to choose their own forms for worshipping God. The official effort to deny them this liberty has been suspended as a result of nation-wide publicity given by the Defense Associations. The Pueblos assert the right of parents and children to live together--the right of Indians to a family life. It has been the policy and practise to deny them this right which is the foundation of all social stability and all moral life.

The Pueblos plead for health, service and for medical aid. Last summer in the Zuni tribe, numbering 2,000 souls, deaths occurred at the rate of thirty-five a week for many weeks, from pneumonia and enteric diseases due to absence of medical aid in a time of plague and to the further failure of their guardian, the Government, to provide them with uncontaminated and palatable drinking water.

The fate of the Pueblos is tied up with the fate of all the Indians under United States guardianship. The Indian Defense Associations are seeking the revision of our official Indian policy and the reorganization of the Indian. The program is simple and comprehensive and will be sent to you on request. Success with that program means life for more than three hundred thousand Indians who are now immediately or ultimately doomed. It means the end of a national shame acknowledged by all.

A letter cannot give the whole picture or tell the reasons why, for your own personal sake as well as for humanity, you should join in the effort to cancel the death-warrant to the Indian race. You are invited to join the membership of the Indian Defense Association of Santa Barbara.

Sincerely,

MABEL C. WASHBURN,
Secretary.

Indian Defense Association of Santa Barbara

P. O. BOX 274

SANTA BARBARA, CALIFORNIA

OBJECTS: TO SECURE FOR ALL INDIANS, THE RIGHT TO LAND, TO LEGAL PROTECTION, HEALTH PROTECTION, MODERN EDUCATION AND LIBERTY OF CONSCIENCE.



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The Board of Directors appreciate your support of the Association.

Marked success has crowned our determined efforts for Indian welfare during the past months. Certain important work, vital to the interests of the American Indians which is already under way, can only be completed if support is continued. In the Senate our friends are urging a Congressional investigation of the Indian Bureau's administration and policies, our representatives are preventing whenever possible, further general attacks on the personal liberty and property of these wards of our Government.

You will be interested to know that the 1927 budget of this branch is \$6000, allocated as follows:

To National work, \$4000; State work, \$1600; Local expenses, \$400. Half of this sum has already been pledged, so we have \$3000 to raise. By indicating now, on the attached blank, your pledge for the year, you will greatly assist your officers.

All Contributors to the Association will receive from time to time the publications of the American Indian Defense Association, Inc., and occasionally a short bulletin from the Secretary outlining the activities and accomplishments in the National and State work.

We trust that like us you are eager to have other friends inform themselves concerning Indian affairs. Will you please list below the names and addresses of those whom you think should be on our mailing list. When the next Bulletin is sent them they will be given an opportunity to let us know if they wish to have further printed material.

The informal luncheon meetings of the Executive Committee will be held, as usual, at El Paseo on the first Tuesday of each month until June, at 12:30 o'clock. As a member you are cordially invited to attend and share in the discussions. Please notify the Secretary, Miss Washburn, 3547-W, the day before the luncheon that you expect to be present.

We hope that you will meet with us occasionally and that you will promptly mail the attached blank.

Respectfully,

Pearl Chase, President

Mabel C. Washburn, Secretary

INDIAN DEFENSE ASSOCIATION OF SANTA BARBARA

I suggest that the following be placed on the mailing list of the INDIAN DEFENSE ASSOCIATION:

Name

Address

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Indian Help Associations

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Indian Help Associations

From John Collier

NATIONAL POPULAR GOVERNMENT LEAGUE
637 Munsey Building, Washington, D.C.

Bulletin No. 134
February 8, 1930

By Judson King
Director

"LOUIE'S COME! LOUIE'S COME!"

Congressman Cramton and the Montana Power Company

Gentlemen of the House of Representatives:

On December 20 last you were entertained by a torrid attack upon myself from the floor of the House by the gentleman from Michigan, Mr. Louis C. Cramton, his purpose being to demonstrate that he is not a political friend of the Montana Power Company, is not aiding them to grab the Flathead Power site, and, incidentally, discredit me.

Through ten columns of the Congressional Record he answered a fourteen line reference to himself in a bulletin of the National Popular Government League, "High Spots in the Power War," issued December 14, which I wrote. The reference is printed as an appendix hereto. Absence from the city and other duties precluded an answer until now.

The gentleman is to be congratulated upon his perspicacity. A Power Trust tag is not a political asset, since the time when the Federal Trade Commission's investigation revealed the huge sums spent by it on propagandizing school children, secretly buying college professors, and buncing farmers and the public at large. It will be still less an asset when the Caraway Senate Committee gets at work on the present Power Lobby.

His liberal use of epithets is germane only as indicating to the writer - perhaps to some others - that his casual shot struck closer to a larger store of hidden dynamite than he had heretofore suspected.

It will take something more than oratorical gestures at the Power Lobby, spoken before women's clubs, Chambers of Commerce, over the radio, and in the House, to offset the cold facts of official record here presented and other facts the gentleman may have upon request or occasion.

CRAMTON, BURKE, AND MERITT

I am content for the gentleman to link his name and fame with those of Messrs. Burke and Meritt, discharged and discredited chiefs of the Indian Bureau, of Jackson Barnett, Navajo bridge, and other fames. For eight years Mr. Cramton was in effect co-partner with them in an administration of Indian affairs which became a national disgrace and forced an investigation on demand of some of the most distinguished citizens and organizations of the nation. He knew what was going on. Few members of Congress have traveled so widely at the public expense during the past eight years - sometimes in a private car - investigating Indian reservations, reclamation projects, and so forth, as himself. He held

the pursestrings of the Bureau. It is an open question if he is not more responsible than Burke and Meritt for the tragic Indian conditions which Senator Frazier's investigating committee and other official inquiries have disclosed. And what is Mr. Cramton's attitude today? Praise of Burke and Meritt as faithful public servants and vituperation of men and women whose self sacrificing work in behalf of humanity, red and white, is overturning the old Indian Bureau regime. The gentleman may be sincere but his ethical standards seem to belong to the 12th century.

SECRETARY F. E. BONNER

The gentleman also might have spoken in like flattering fashion of his cordial relations with F. E. Bonner, present executive secretary of the Federal Power Commission, whose reprehensible official acts are about to undergo scrutiny by Senator Couzen's investigating committee. It is common knowledge that M. O. Leighton, lobbyist and representative in Washington of the Electric Bond and Share Company, is a frequent and welcome visitor at Mr. Bonner's office. I surmise that what this wing of the Power Trust does not know about the inside workings of the Power Commission could be written on a small piece of paper.

WHAT DO CRAMTON'S ACTIONS SAY?

The immediate and local point at issue is this. Do Mr. Cramton's official acts, past and present, indicate that he has aided the Montana Power Company, which is controlled by the Electric Bond and Share Company of New York, in its efforts to capture the gigantic Flathead power site in Montana on terms grossly detrimental to the public interests and tantamount to defrauding the Indians who own the site and who are his wards?

He asserts they do not and yells "lie." I charge they do. I charge further that he abused the confidence of his colleagues and falsified his record by adroitly taking advantage of a perfectly palpable typographical error in my bulletin by which he easily proves I had misrepresented his official conduct in 1928 when the whole context shows I was criticizing his official acts of 1927. When the facts regarding these acts are placed in evidence his defense falls.

The wider issue raised by the situation is whether Mr. Cramton has become a pro-power trust man. As chairman of the Sub-committee of the House Appropriations Committee controlling the expenditures of the Department of the Interior, including the Indian Bureau, he is already in a key position to exercise and does exercise tremendous inside pressure as to the administration of and legislation concerning this largest department of the executive branch of the government. Its importance grows in respect to the power question when it is remembered that the present Secretary of the Department of the Interior is now Chairman of the Federal Power Commission.

Further, Mr. Cramton is next in line of succession to the chairmanship of the House Appropriations Committee, where he will have still more power. These are reasons why Mr. Cramton's words and acts merit serious attention - not because he replied to a little bulletin of mine on the House floor.

Why This Authority?

1. If Mr. Cramton is not playing the game of the Montana Power Company, why is he in 1930 seeking, through a "rider" in the pending general appropriations bill, optional authority to build a small power plant at Newell tunnel - long since abandoned - and so to recapture a point of vantage he sought to acquire through a rider slipped into the appropriations bill approved May 10, 1926? A rider which, on exposure, was forced out of the appropriations bill approved March 7, 1928? A point of vantage which, if recaptured, will enable him to exert pressure on the Secretary of the Interior and chiefs of the Indian Bureau if he so chooses to favor speedy action favorable to the Montana Power Company. The small plant would block the construction of the large plant.

Why This Slur?

2. If, as he protests, the gentleman is impartial and not seeking to influence the Power Commission on the disposition of the Flathead site, why did he, in his voluntary speech last October before the Commission, cast a slur upon the integrity and financial stability of a reputable and financially capable applicant, Walter H. Wheeler and his associates, who are competing with the Montana Power Company for a lease of the site? I refer to his manifest reference to this applicant as "a paper promoter's permit." What interest can Mr. Cramton have in who gets this lease, provided the public interest is protected?

Why "Louie's Come?"

3. If the gentleman's speech on this occasion had no pressure significance, why, upon Mr. Cramton's approach to the room did Mr. Kerr, General Manager and political agent of the Montana Power Company, in attendance as a witness, glow with pleasure and exclaim to his party, "Louie's come, Louie's come." Was Cramton there at Kerr's request? He furnished no information the Committee did not already have! Since when did the gentleman and Mr. Kerr call each other by their given names? Mr. Kerr was hard pressed and needed help just then. See Appendix re Kerr's testimony.

Why Did Kerr Go To Detroit?

4. Further, will Mr. Cramton or Mr. Kerr answer these questions? When Mr. Kerr visited Detroit or thereabouts in January, 1927, did he confer with any power company officials at Bad Axe or at Mr. Cramton's home town, Lapeer, Michigan, about 50 miles to the north? If so, upon what? And if so, did this have anything to do with the introduction shortly thereafter by the gentleman of his secret rider of 1927? - a rider absolutely necessary to the Montana Power Company's scheme for quickly grabbing the Flathead site.

BACKGROUND HISTORY OF THE FIGHT FOR THE FLATHEAD POWER SITE

The Flathead power site is one of the largest and most valuable sites on the continent. It is located on the Flathead River in the Flathead Indian reservation in Montana. It is their property by virtue of the treaty

of 1859. The Federal Power Act of 1920 confirmed ownership and provided that all rentals of such sites belonged to the Indians.

The development of the site has been in the hands of the notoriously incompetent irrigation service of the Indian Bureau. This Bureau has promoted fantastic schemes resulting in the waste of millions of dollars of the government's and other people's money. It outdid itself by starting in 1910 to promote an engineering and financial monstrosity known as the "Newell tunnel plan" to supply water for irrigation purposes to an irrigation district created about 1909 on the Flathead Indian reservation.

A Bureau Failure and the Way Out

The plan involved first a tunnel and later a small power plant of 7500 H.P. to pump the water. All competent engineering authority has held that the water would have to be pumped to a height which made the scheme economically impracticable. Yet, \$102,000 was wasted on the project before it was abandoned. It is of great importance to note here that the installation of this 7500 H.P. plant would destroy or greatly impair the value of this great power site capable of developing 200,000 H.P.

A number of settlers had taken up land sites and incurred heavy liabilities in connection with the irrigation project depending on the success of this Newell tunnel plan. It failed, the farmers were restless, and the Bureau was in a jam. If completed, the pumping station was certain to speedily demonstrate its impracticability. If the Bureau did nothing, the rage of the settlers would lead to an expose'.

ENTER THE MONTANA POWER COMPANY

This was the situation in 1926, when the Montana Power Company actively entered the field to annex the Flathead site in toto, add it to its superpower system, clinch its monopoly, shut out competition, and lease when leasing was good.

It applied, of course, to the Federal Power Commission for the customary "preliminary permit" which operates as an option and would practically assure the company a monopoly pending final action and lead to a 50 year license. The Federal Power Commission under Secretary Work was friendly to the power combine and the Indian Bureau grasped the opportunity to save its face, satisfy the settlers, and avoid exposure.

F. M. Kerr, General Manager of the Montana Power Company, Commissioners Burke and Meritt of the Indian Bureau, and Executive Secretary O. C. Merrill of the Federal Power Commission got together and fixed up a deal - a secret deal exposed long afterward by Senator Borah - which was finally signed in Washington on February 17, 1927. The white settlers who were to get the Indians' money were consulted*. The only party at interest not consulted was the Flathead Indians who owned the site. They were protesting against the terms of the proposed lease. Remembering that under the lease the rentals would run between \$68,000 to \$200,000 annually as a minimum, let us take a look at the deal.

THE SECRET "CONTRACT" OR "AGREEMENT"

1. The Montana Power Company would ultimately get a 50 year license on the whole site, forestall competition, and utilize the power as it chose.

2. The Indian Bureau would be helped out by the provision that the first \$102,000 of rental revenues would be taken from the Indians to repay the United States government for the sums the Bureau had wasted on the abandoned tunnel.

3. The settlers were to be furnished at cost or thereabouts 15,000 H.P. of energy for pumping water on their lands and also be given two-thirds of the remaining revenues after the Bureau's needs had been satisfied.

4. The Indians were to receive in time roughly one-third of the revenues - which means that they were to be cheated roughly of two-thirds of the revenues legally and morally belonging to them.

*Note - This deal, called an "agreement" by Secretary Merrill, a "contract" by J. F. Denison, treasurer of the Montana Power Company, "a tentative contract" by Mr. Cramton, was submitted in evidence and printed in full in the hearings of the Federal Power Commission on the leasing of the Flathead site last October. It can also be found in full with other germane official documents in a pamphlet "Are Our Treaties with Indians Scraps of Paper?" issued in 1927 by the American Indian Defense Association, New York and 37 Bliss Building, Washington, D. C.

ILLEGAL! - NOW COMES THE RIDER OF 1927

But this arrangement was without standing in law because the rentals belonged to the Indians 100 per cent. Here is where Congressman Cramton comes in. Immediately following the execution of the above deal, in the closing days of the session he quietly slipped into the second urgency deficiency bill a rider legalizing the split of the Indian revenues approximately as above outlined. The House members knew nothing of it and it was rushed through. It was promptly discovered, however, with the result that the joker was exposed, debated, denounced, and defeated in the Senate. Had the scheme gone through, Secretary Merrill and the Power Commission would have at once issued the permit and the power site would be in the hands of the Montana Power Company today. The deal was tantamount to a confiscation of the Indian site.

These are the facts underlying my statement that "in former years he (Cramton) acted with Burke and Meritt to take this power site from the Flathead tribe which owned it." Mr. Cramton replies that "it is nothing but a lie, plain and unvarnished," words against deeds.

LEGISLATION OF 1928

At the 1928 session of Congress legislation was passed providing, first, for the leasing of the power site by the Federal Power Commission in accordance with the general federal water power act subject to the approval of the Secretary of the Interior as provided by that act and, second, for the payment of the entire rentals to the Indians. This was a re-affirmation of existing law expressly made to scotch any contention that the rights of the Indians had been effected by the Newell tunnel appropriations. It was, as I said in my bulletin, a complete reversal of the Burke-Meritt-Cramton scheme and a clear, if indirect, expression by Congress of its realization of the dishonesty of that scheme. The law further provided that the unexpended balance of \$395,000 available for the Newell power plant

"may be used for the construction and operation of a power DISTRIBUTING system and for the purchase of power for said project."

The act therefore clinched to the Indians all rentals and required the irrigation district to purchase such power as it needed on the same terms as any one else from the corporation developing the power (H.R. 9136. Act approved March 7, 1928. - 45 Stat. at L. p 200).

SENATE KILLS NEWELL TUNNEL POWER PROJECT

But by confining the appropriation to a distributing system it put a final legal quietus on the abandoned Newell tunnel power project. Further, it made impossible the division or diversion of either power or rentals. A reading of the Senate debate proves conclusively that this is what the Senate had in mind (see Congressional Record, February 21, 1928, pages 3329-3344). To summarize:

Senator LaFollette raised the question specifically. Senator Copeland stated the point of view of the active participants in the debate when he said, "I do think this. If there is the slightest doubt about this matter, if those Indians are being imposed upon, we ought to stay here all spring if need be insisting that the correction be made." Senator Walsh of Montana concurred with Copeland.

Wheeler and Walsh Always Opposed Scheme

Senator Wheeler assured the Senate there was nothing in the bill that even intimated that the Power Commission had any right to deprive the Indians of a cent of revenue either by a division of power or by a division of rentals and Senator Walsh concurred. Senator Walsh, further, in paying his respects to the Newell power site scheme, said a thing of key importance,

"Congress in 1926 enacted legislation which provided that the government should go out and develop the Newell power site by making appropriations for its development and reaffirmed that legislation in 1927. It at no time had my approval. I always thought it an unwise thing and, more than that, it was unjust to the Indians."

In contrasting the old law with that about to be enacted, he said:

"Now the proposition is to get rid of the legislation of 1926 and 1927 and put back into the hands of the Power Commission the authority granted them in 1920, to grant a permit for the development of the power."

To repeat, authority was given to build transmission lines but not to build a power plant and it is this limitation put upon Mr. Cramton and his associates by the law of 1928 which gives Mr. Cramton's 1930 rider its sinister significance.

Cramton's Slip - p. 1043, His Speech.

Speaking of truthfulness - I defy Mr. Cramton to find in House Bill No. 3136, as reported by him January 11, 1928, any provision which supports his statement:

"Before that act was passed the department had authority to build the small power plant. After it was passed, by reason of the above provisions, the department had the option of building a plant and producing power, or buying and distributing power."

Not a word giving an option. The language kills the small power plant.

A COMPETITOR COMES UPON THE SCENE

Following the 1928 law, several things happened very discomfoting to the Montana Power Company and its friends. First, Burke and Meritt were discharged and their successors, Messrs. Rhoads and Scattergood, were disposed to protect the rights of the Indians.

Second, the Secretary of the Interior, Hubert Work, who, it was alleged, "had a definite understanding with Congress on the subject," was succeeded by one who is also disposed to protect the rights of the Indians.

Third, Another first class applicant for the site. Mr. Walter H. Wheeler of Minneapolis, an engineer and capitalist of repute and ample financial backing, made a bid for the site and offered far more favorable terms than those of the Montana Power Company. There are five power sites at Flathead. He proposes to develop all five and produce around 214,500 H.P., whereas the Montana Power Company's bid proposes to develop one site and a maximum of 68,000 H. P. Mr. Wheeler offers a rental of \$1.12½ per H.P., which would yield an annual revenue of \$240,750 as against the Montana Power Company's bid of \$1.00 per H.P., or around \$68,000 for its proposed development.

The Montana Power Company's bid offers to furnish 15,000 H.P. to the irrigation district practically at cost which would decrease the Indian revenue against their consent. Mr. Wheeler has consulted with the Indians and agrees not to divert their lawful revenue in this fashion but will sell the irrigation district power on the same low terms he offers to other white people or cities and at rates far below those prevailing in the Montana Power Company's schedules

There is no question as to the financial responsibility of Mr. Wheeler or his associates or their ability speedily to develop the entire site, largely for industrial purposes, which incidentally would compete with the Anaconda Copper Company which is interlocked with the Montana Power Company.

Manifestly, from the point of view of trusteeship of the Indians' welfare, for the industrial development of the state and full utilization of the power site, there can be no question of choice between the two proposals as shown by the record.

MR. CRAMTON'S RIDER OF TODAY

Manifestly also when in 1930 existing legislation contemplates and the whole situation demands the development of the entire Flathead power site as one engineering unit, it would be sheer madness to revive the Newell tunnel plant proposition, first, because it is engineeringly unfeasible and, second, because it would destroy or impair the larger project.

Yet this is exactly what Mr. Cramton now seeks authority to do. Mr. Cramton in his speech attacking me quoted the provision contained in the pending Interior Department appropriation bill H. R. 6564 as reported by the Committee on Appropriations and as passed by the House. The language relates to Flathead appropriations and reads:

"For . . . the construction or purchase of a power distributing system or for construction of a power plant, (italics mine) \$40,000;. . . Provided, That the unexpended balance of the appropriations for continuing construction of this project now available shall remain available for the fiscal years 1930 and 1931 for such construction or purchase of a power distributing system or for construction of a power plant; Provided further, That in addition to the amounts herein appropriated for such construction or purchase of a power distributing system or for construction of a power plant, the Secretary of the Interior may also enter into contracts for the same purposes not exceeding a total of \$200,000, and his action in so doing shall be deemed a contractual obligation of the federal government for the payment of the cost thereof and appropriations hereafter made for such purposes shall be considered available for the purpose of discharging the obligation so created."

In other words, the scheme which Congress scotched in 1928 as unwise and unjust Mr. Cramton now seeks to have power to revive.

For what purpose? Why should a man seek to recover a lost gun unless he intends to shoot or threaten?

Those cognizant of the inside workings of government know exactly how such power can be used by a gentleman in Mr. Cramton's parliamentary position and of his autocratic temperament. If he is intent on speedy delivery of this power site to the Montana Power Company, he is in a position with this gun in

his hand to say to the Secretary of the Interior and the chiefs of the Indian Bureau, in effect, "Either deliver that license to the Company or I will gum up the works, shove out applicant Wheeler, there will be no license, your Indians can go hang, and I will build a power plant to provide water for the settlers."

Did Mr. Cramton think his rider would give him any real advantage? He certainly did. In the Hearings on the Interior Department appropriation bill for 1930, page 901, held November 21, 1928, you will find this language which reveals and proves his purpose:

"Mr. Cramton. If any such remote contingency should come to pass as that the Secretary of the Interior should fail to carry out his direct understanding with Congress of requiring the contract in question THEN THIS COMMITTEE COULD AND WILL INSIST UPON THE CONSTRUCTION OF THE POWER PLANT." (Caps mine)

He lost in 1928 but he is still after the right to build the plant. Hence, his pending 1930 rider. Which he knows neither Senate nor House would enact as an open, separate bill.

HOW CRAMTON CAN USE HIS CLUB

"But how can this be a threat," asks the gentleman in his recent speech, "since the language of the act is simply permissive?" In answer it may be said that the language of 1928 was likewise permissive, according to Cramton, yet it sufficed in his opinion to enable him and his committeemen to compel the Secretary of the Interior to build the plant whether the Secretary would or not.

Further, there are many indirect ways in which a man in control of appropriations for the Interior Department can exert pressure. He can through threats, overt and covert, block needed appropriations. He can prevent a reorganization of the functions of the Interior Department. He can continue to hold down to half rations or less the 22,000 Indian children, who Messrs. Burke and Meritt herded into government boarding schools, so that through under nourishment they may be rendered easy prey to disease.

For years Mr. Cramton held down the food allowance of 22,000 Indian children to an average of not more than 19 cents a day when the irriducible minimum requires 38 cents a day, as reported by a joint committee of experts of the Public Health Service and the Children's Bureau. That is, they get about half enough to eat. The condition is so tragic as to bring forth a special message from the President himself and an earnest plea from the Commissioner of Indian Affairs. It remains to be seen if even this sort of daylight and urging will move the gentleman from his long static position.

In a word, a person in Mr. Cramton's parliamentary position can, if he will, hope to wring the hearts of humane men in the administration so as to force them to do his bidding in large utility and financial matters rather than to allow children to starve or impede a program of public betterment. Incidentally, the Power Trust with its widespread political machine and

millions to offer in campaign contributions for expected favors exerts a profound influence on the course of legislation and administration and its corrupting influence in Washington is a serious menace to efficient and honest conduct of public affairs.

CONCLUSION

In the light of all these facts Mr. Cramton's ten columns of attempted explanation become amusingly revealing.

We perceive the quality of mind that enables him, by taking advantage of a palpable typographical error, to deny his participation in the attempted grab of the Flathead power site in 1927 by omitting in his speech any mention of his surreptitious rider of that year. We get the same quality in his protestation of the innocence of the current rider because of its "permissive" quality.

We understand his heated defense of Messrs. Burke and Meritt, his accomplices in the 1927 plan of confiscation of Indian property rights as an easy way of helping the Bureau out of a hole and delivering the power site to the Montana Power Company.

We see why he omits to quote his rider legalizing the split of Indian revenues and why he reverses the meaning of the law he does quote as to reviving the power plant.

We are able to guess why he sought to speak and did speak at the sessions of the Federal Power Commission recently when Indian Bureau officials were showing up the rottenness of the Montana Power Company's record.

If the gentleman answers that he is trying to protect the interests of the settlers on the irrigation project, the reply is that building the Newell tunnel power plant is not the way to do it, and that it is impossible anyhow.

Again I ask why he is seeking to get back in his hands a gun previously taken from him if he is not gunning for something and that something is certainly not a dead wild cat?

Finally, we understand why the gentleman is not seeking to secure vindication through an impartial investigation by a committee of the House or of any other fact finding body, as shown by his reply to the remarks of his friendly colleague.

The last word of wisdom to those in his situation was spoken once upon a time by an astute old police commissioner in one of our largest cities who had been accused of a variety of questionable practices and had been urged by one of his younger associates to seek vindication through an investigation.

"Vindication - investigation," he replied, "Young man, never ask for an investigation. They always prove it on you."

FROM THE "EXTRAVAGANZA OF PROPAGANDA" -
Otherwise, Bulletin No. 131.

The two paragraphs quoted below are those which required ten columns of the Congressional Record for Mr. Cramton to answer:

"The hope of the Montana Power Company is in speed. They hope that Secretary Bonner and the Power Commission will grant them a license before the revelations made in the recent hearings become public property and a political menace to anyone who ignores their import. Congressman Louis C. Cramton always faithful to the Montana Power Company, also wants speed. He has slipped into the pending general appropriations bill a clause designed to force the Power Commission to issue the license without delay, and this means an instant grant to the Montana Power Company.

"Cramton in former years has acted with Burke and Meritt, the discharged chiefs of the Indian Bureau, to take this power site from the Flathead tribe which owned it. In 1928 * he fought unsuccessfully against the Senate's determination to restore the tribe's ownership. It remains to be seen if the present coup will succeed."

* Mistake. Should have been 1927.

Other excerpts are:

"Senator Walsh of Montana moved to have these Hearings (on the Flathead power site) published as a Senate document since they will not be published by the Commission, but he was blocked by Senator Smoot. It is a pity since the hearings contained valuable engineering and financial data of great importance to students of the power question, and should be made available."

Mr. Kerr Forgets His Sworn Report

"For example, when Mr. Kerr, president of the Montana Power Company, was asked what it cost him to generate current he replied that he did not know, and under questioning reiterated that his company did not keep such accounts. But Mr. William V. King, Chief Accountant of the Power Commission, produced in evidence the sworn reports of the Montana Power Company to the Montana Public Utilities Commission in which all such estimates were set up in great detail. Mr. Kerr, although under oath, had forgotten all about such a minor matter. Mr. King is a highly skilled accountant. What is more, he takes his job seriously. He believes it is his duty to obey the law and protect the interests of the Federal government and the people of the country."

Mr. Bonner Disobeys the Law

Mr. Wheeler was promised a hearing. He did not get it. Suddenly he was informed by Mr. Bonner that the site was to be granted to the Montana Power Co. Wheeler protested vigorously. He was then notified by Bonner to appear before the Commission and show why the site should not be given to the Montana Power Company. Lawyers will note this amazing procedure. . . . "

THE CALIFORNIA INDIAN HERALD

Published by
INDIAN BOARD OF COOPERATION
Room 319, #3 City Hall Ave.
San Francisco, Calif.

March 5, 1925.

TO SUBSCRIBERS:

Under date of January 5th we advised you that publication of the California Indian Herald would be resumed with the February 1925 issue. We find on further consideration that this will not be possible for the reason that funds from Herald subscriptions are not adequate for its publication and we must not divert funds received as membership dues or donations for this purpose. All such resources are urgently needed to press our big land suit, the Court of Claims Bill and other work vital to the welfare of the California Indians.

The Herald must therefore be published from the funds it earns. When the subscription list has been increased to 5,000, advertising space in the magazine will be valuable. The money received from subscriptions and advertising then would be sufficient to publish regularly a most attractive and helpful magazine. In this way the magazine would be independently self-sustaining.

In view of the above facts the number of Herald subscribers must be increased. Get your friends to subscribe or subscribe for them. If every interested person would hand in the names of five new subscribers our quota would be reached at once. The price of the paper is \$1.50 a year.

The Herald is worthy of your best support. It is the only medium through which California Indians have dependable and regular expression and it is of great value in more closely uniting the people who are working for our cause. Through attention attracted to our work by the Herald we have won many helpful and valued friends. Letters from prominent persons expressing their interest in the Herald and their opinion as to its value to the Indian cause increase our confidence that the proper publication of this magazine is a potent factor in our fight to gain a settlement for California Indians.

We therefore plan definitely for its republication at the earliest date possible. The subscription money received since the magazine was discontinued will be held as a separate fund to assure its reissuance. Money for new subscriptions will also be placed in this fund. The proper publication of this magazine will make it desirable and attractive to every news stand. The story of the California Indians should be broadcasted to many thousands of people.

You have given most generously of your interest and support in the past. Will you help us to get our 5,000 subscribers?

Very truly yours,

F. G. Collett,

Editor.

Missionary District of New Mexico
And Southwest Texas

Recd. April 28, 1925

Rt. Rev. Frederick B. Howden, D.D., Bishop
Bishop's House
Albuquerque, New Mexico.

The Honorable Charles Burke,
United States Indian Commissioner,
Department of the Interior,
Washington, D. C.

March 12, 1925.

My dear Commissioner Burke:

A short time ago the Indian Rights Association wrote to me calling my attention to certain conditions among the Pueblos of New Mexico, which it was claimed need drastic attention and reformation. Among these claims were the following:

1. "In an acute form two religious ideas and two political ideas meet in irrepressible conflict. Christian Missionaries and the Government of the United States have for one hundred years past, broadly speaking, carried on a civilization for our Indians, which is essentially Christian. It has aimed to free all the tribes from the grip of primitive ideas, religious and political, which tended to keep them as hunters and warriors and to lift them up into a civilization where they would both be able to win respect from the white man and contend with him successfully in rivalry as tillers of the soil, etc." That in connection with this aim, friends of the Indians, "have been confronted for the last two years, not only with ancient superstition, but with a very powerful sentiment raised by a host of educated or half-educated people all over the country, that the old order is better than the new." * * * * "This has encouraged the high priests and the governors of the old order, especially in the pueblos of Santo Domingo, Cochiti, and Taos, to institute a cruel and relentless persecution against any of their own people in order that they may be crushed down into abject obedience. Not only have men, women, and children, moving in the right direction been subjected to cruel beatings and torments of various kinds, but in many instances we have good reason to believe certain of them have been put to death without any record of their death and burial being made.

2. That the Government officials in charge of the Indians some eight months ago receded from the stand they had taken in the matter of discouragement of the tribal ceremonies and non-progressive customs, which had brought upon them abuse by a large body of writers, archeologists, artists, and their friends and "consequently the Indian persecutors and tyrants were encouraged to think that they could carry their program through. They were further cheered on that point by the fact that Superintendent Crandall, who controls the pueblos in question, sided with the non-progressives against the progressives."

3. That in many instances the tribal dances among the Pueblos are accompanied by "immoralities and indecencies, which in ancient time were bound up with the religion of Astoreth, and were actually in vogue, being forced upon unwilling people, upon men, women, and children who did not desire them in our own State of New Mexico."

With respect to this last claim statements were submitted from Mr. Eugene P. Simms, former teacher at the Government Day School at Cochiti, under date of January 11, 1925, which described in specific terms his own observances of immoral acts at the public dances.

Upon the receipt of this communication I was able to arrange a conference through Mr. Reuben Perry of the Indian school, with Mr. Faris, and went over with them the entire contents of the letter. Later, at the invitation of Mr. Faris, I went with him and Mr. Crandall to Zia where the utmost freedom was accorded me in talking to the Indian governor, lieutenant governor, etc., and in going further into the situation with Mr. Crandall and Mr. Faris. Now I am perfectly confident that the Government representatives of the two Pueblos in the persons of the two superintendents, are men of the highest integrity and experience, and who also have the moral, spiritual and material welfare of the Indians at heart.

With respect to the claim, Number 1, I personally recognize what seems to me an unfortunate attitude on the part of our citizens of the artist, tourist, and writer types, in the encouragement of the ancient customs of the Indians. My understanding of the policy of the Government officials, including yourself, is that the Government has honestly tried to discourage the tribal and Pagan ceremonial dances as being detrimental to the progress of the Indians, but I have realized also the great difficulties attendant upon the carrying out of this policy, and have appreciated the necessity of a patient, just, and kindly treatment in the amelioration of these conditions, rather than drastic action, which would bring not only resentment from the Indians, but lead no doubt to surreptitious practices, almost impossible to control. My opinion as to the treatment of certain Indians, which it is claimed have in some instances resulted in torment and death, is that this claim is exaggerated and that there is no evidence, in the last few years at least, of these results. Sometime ago I am told, the Pueblo governors were accustomed to resort to whippings, etc., in the exercise of their discipline, but I am informed that this has been abandoned.

With respect to the immoralities there seems to be good evidence that such practices still exist, though it is only fair to say that some of these immoralities are practiced in accord with certain Pagan religious superstitions for the interpretation of the conflicting of the good and evil, and the good overcoming the evil. To the Anglo-Saxon observer this is not always readily discernable, nor to be approved, but at the same time if we rejoice in religious freedom, we have to recognize the point of view of the Indians, who use this method in the practice of their religion. In this connection the testimony of Mr. Simms that these immoral dances resulted in a large number of illegitimate births, is not, so far as I am able to discover, born out by the actual statistics of the doctors and the Indian schools in which those who are supposed to be affected are enrolled.

Moreover, I am informed that in the schools at Albuquerque and Santa Fe, where there are some nine hundred and eighty Pueblo scholars, there is very little immorality and on the basis of comparison with whites, the standards are not at all abnormal.

As a result of my conference and investigation, however, I am inclined to believe that an improvement in the situation might be brought about if some definite action could be taken in the matter of the protection of the Christian Indians and those who might be termed the progressives. We all know the tremendous influence, which is brought to bear in a clanish and traditional sense upon the younger Indians by the older ones and how the pride of ancestry is used to compel a progressive Indian to submit to the customs insisted upon in the particular pueblo or tribe. The claim that the Constitution gives these Indians or any of us, the freedom of religion must of course be recognized, but it seems to me that there should be some insistence by our Government representatives in dealing with the governors of the Pueblos and more particularly the Cacique, that the Constitution works both ways and that those Indians who honestly wish to abandon the old Pagan ceremonies, by reason of their Christian allegiance are to be protected in that attitude. In this connection I venture to suggest for your consideration the possible action of having the superintendents hold councils with the Indian officials three or four times a year with a view of having these Indian officials made to understand that the Christian Indians of their respective pueblos are to enjoy religious freedom, and that molestation towards any individual Christian Indian, because of refusal to associate himself or herself with the Pagan ceremonies will not be tolerated by the Government, because contrary to the Constitution of the United States.

With high regard, I am

Sincerely yours,

F. B. HOWDEN.

PROGRAM

CONFERENCE

UNDER AUSPICES

LEAGUE OF THE SOUTHWEST

TO DISCUSS

COLORADO RIVER
PROBLEMS

AND

INDIAN AFFAIRS OF THE
SOUTHWEST

(All speakers invited to address any conference of the League of the Southwest, present their views without prejudice and without endorsement by the organization, which is non-political, non-partisan and functions as a channel for orderly and temperate discussion to promote the welfare of the Southwest.)

SANTA BARBARA, CALIFORNIA

June 7th, 8th and 9th, 1923

RECREATION CENTER

CONFERENCE HEADQUARTERS, ARLINGTON HOTEL

THE SCHAUER PRINTING STUDIO

THURSDAY MORNING, 10 A. M.

Call to Order by

HON. JAMES B. RICKARD
Postmaster, Santa Barbara

Introduction Permanent Chairman

HON. HARRY M. MERRICK
Vice-President, Great Lakes-St. Lawrence Tidewater Association

Greeting on Behalf of the State of California

Greeting on Behalf of the City of Santa Barbara

MAYOR JAMES B. SLOAN

Memorial in Honor of the Late John S. Akerman of San Diego, Calif., Godfather of the League of the Southwest.

Response

By the HON. E. A. HORNBECK
Representing Board of Supervisors of San Diego County

Genesis of the Colorado River Movement

BY DR. HORACE PORTER
Former Mayor of Riverside, Calif.

Technical, Economic and Political Summary of the Colorado River Project, Up To Date, Illustrated.

BY DR. ROBERT SIBLEY
Publicist and Electrical Engineer, San Francisco, Calif.

The Social Service Conference and Federated Women's Club have invited Santa Barbara people and League visitors interested in Indian problems, to meet at luncheon, Saturday, June 9, at 12:30, in the Arlington Grill. Those desiring to attend are asked to make reservations before Friday evening at Recreation Center desk. Luncheon tickets, \$1.50, may be secured at the hotel immediately preceding the lunch.

The Community Arts Association cordially invites those in attendance at the League meetings to visit an exhibition of paintings of the Grand Canyon and Indians of the Southwest.

936 Santa Barbara Street, corner of Carrillo, one block east of Recreation Center, Thursday, Friday and Saturday, 9:00 a. m.—5:30 p. m.

Pictures by the following distinguished artists will be shown:

Thomas Moran, Fernand Lungren, Carl Oscar Borg, Edward Borein and DeWitt Parshall.

The Santa Barbara Yacht Club invites members of the Conference to take a trip on its yacht, which may be found at the foot of State Street. Frequent trips will be made during the day.

THURSDAY AFTERNOON

1:30 o'clock

Comprehensive Exposition of Colorado River Projects.

W. G. CLARK
Pioneer Student and International Engineer, New York City

Discussion

Glen Canyon-Arizona California Highline Canal

BY HON. GEORGE H. MAXWELL
Executive Director, National Reclamation Service, Phoenix, Ariz.

Discussion

Address

HON. ARMANDO SANTACRUZ, JR.
Secretary, Board of International Waters, Spokesman for Commission Representing the President of Mexico

Address

WALTER V. WOHLKE
Editor Sunset Magazine, San Francisco, Calif.

FRIDAY, JUNE 8TH (Morning)

10:00 o'clock

Indian Problems of the Southwest

MRS. H. A. ATWOOD
Chairman Indian Welfare Bureau, General Federation of Women's Clubs

Columbia Basin Irrigation Project

HON. CHARLES HEBBERD
Representing Columbia Basin Irrigation League, Spokane, Wash.

The Indian's Angle

PROF. A. L. KROEBER
Head Department of Anthropology, University of California

Address

HON. WILLIAM JENNINGS BRYAN, JR.

Airplanes of the United States Air Service will land at Forest Field, Casa Loma, about 1:30 o'clock Friday afternoon, and will be available for inspection by visitors.

FRIDAY, JUNE 8TH (Afternoon)

2:00 o'clock

The Indian's Contribution to American Culture

MRS. MARY AUSTIN, New York City

Colorado River Compact and Colorado-Wyoming Decision

HON. L. WARD BANNISTER
Vice-President, Denver Civic and Commercial Association

Discussion

The Swing-Johnson Bill

HON. PHIL D. SWING
Member of Congress

Colorado River Problems and Indian Affairs

DR. D. T. MacDOUGAL
General Secretary, American Association for the Advancement of Science

SATURDAY MORNING, JUNE 9TH

The Indians

MISS IDA MAY ADAMS
Noted Woman Lawyer of Los Angeles, Calif.

The Indian Problem

JOHN COLLIER
Secretary, American Indian Defense Society, New York City

Indian Affairs

DR. FREDERICK G. COLLETT
Indian Board of Co-Operation

Address

HON. RALPH CRISWELL
President, City Council of Los Angeles

California Indians

DR. JOHN A. COMSTOCK
Chairman Indian Welfare League

Address

SUPERINTENDENT FRANK M. CONSER
Sherman Institute, Representing the Commissioner of Indian Affairs

SATURDAY AFTERNOON, JUNE 9TH

Pueblo Indians

HON. A. B. RENEHAN
Santa Fe Chamber of Commerce, Santa Fe, New Mexico

Colorado River Public Ownership Problem

HON. CARL D. THOMPSON
Secretary of Public Ownership League of America, Chicago, Ill.

Discussion

Address

UPTON SINCLAIR
Author

Summary

HON. HARRY H. MERRICK
Vice-President of the Great Lakes-St. Lawrence Tidewater Association

Representative William Williamson
and the Indians



His Attack on the National Council of American Indians
His Defense of the Bill for Jailing Indians and of the Navajo
"Highway Robbery"
His Defense of the Discredited Indian Oil Bill
His Unfaithful Record Toward the Sioux Nation
Commissioner Burke and Mr. Williamson



"The Time for Scaring Indians Has Passed"



Published June, 1926

Recd. June 21, 1926.

NATIONAL COUNCIL OF AMERICAN INDIANS

735 Transportation Building.

Washington, D. C.

AN OPEN LETTER TO ANY SIOUX INDIAN

May 27, 1926.

Dear Friend:

On May 17th Representative William Williamson, of South Dakota, placed in the Congressional Record a violent and long-drawn out attack against the NATIONAL COUNCIL OF AMERICAN INDIANS, and against the Undersigned, who is its President.

The attack was occasioned by an alleged letter, according to its text under date of March 14, 1926, sent to an Indian individual, a Sioux, in South Dakota, which alleged letter, among other things, had called attention to Mr. Williamson's activity in behalf of the Indian Bureau's bill denying Indians due process of law and subjecting them to political duress.

The alleged letter on its face was a private communication. That Congressman Williamson should have placed fragments of it, undated, in the Record; that he should have made many denials quite unsupportable, and the violent personal attack which he engaged in: these facts indicate that Mr. Williamson is in a disturbed frame of mind, and he has reason to be.

As the individual chiefly attacked, and on behalf of the organization whose President the undersigned has the honor to be, the undersigned submits a brief statement dealing with Mr. Williamson's extension of remarks.

GERTRUDE BONNIN.

STATEMENT BY GERTRUDE BONNIN, PRESIDENT OF THE
NATIONAL COUNCIL OF AMERICAN INDIANS

Representative William Williamson has attacked this organization and myself on the basis of an alleged letter, of which he presents fragments only, and whose date of writing as stated in its text he carefully omits. This omission of the date amounts to a complete misrepresentation of the contents. The alleged letter characterized certain vicious measures in the form in which they were pending when that letter was written. Because of the concerted attack by numerous organizations, including the National Council of American Indians, the highly vicious Indian oil leasing bill has been amended into acceptable form, such having been done only a week ago in the House; and the infamous bill for jailing Indians without due process of law has been amended to appear as a less horrid measure than the one drafted by the Indian Bureau, introduced at its request and promoted by Mr. Williamson, although it is still a bad bill and an affront to every Indian.

If Mr. Williamson is able to make out a case, he should proceed by fairer methods. By an omission of facts which must have been known to him, he has created a false impression.

I now come down to the cases at issue, limiting myself to that which he dealt with in his extension of remarks.

THE BILL FOR JAILING INDIANS WITHOUT PROCESS OF LAW

This bill, sponsored by Representative Scott Leavitt of Montana, and helped along by Representative Harold Knutson of Minnesota as well as by Representative Williamson (and by other committee members), was pending for two months in the House Indian Affairs Committee, during which time the Indian Bureau had not publicly requested, nor had the Committee instituted, any amendment to it. I shall not discuss this bill beyond stating that it gave to the Indian Bureau and to its employees, including \$10 a month judges, the right to seize any Indian on a reservation, confine him without warrant, try him without counsel, jury, or the right to subpoena witnesses, and fine or jail him without appeal to any court.

It was when the bill as thus described, with many additional reactionary features, was called up for a hearing, that Mr. Williamson at a public session of the Committee rose to introduce one Mr. Ralph H. Case, who caused about six Indians alleged to be a delegation from one of the seven Sioux jurisdictions, to stand beside him. Thereupon, Mr. Case, stating by implication that he spoke for the Sioux Nation, endorsed the measure with immaterial reservations, using these words as quoted by Mr. Williamson himself in his extension of remarks: "They (the Indians) have instructed me to say to you that they regard the court conducted by Indians for Indians as one of the strongest safeguards of their liberty * * * second to no other factor in the reservation country."

This reservation court as referred to is one composed of one or more Indians paid a nominal sum, hired and fired by the Indian superintendent, all

of whose proceedings are but an expression of the superintendent's authority and instantly appealable to himself. In the absence of these judges, the superintendent or a subordinate—a teacher, farmer, policeman, or any Indian Bureau employee—uses the same authority, seizing and jailing Indians without trial and under no code of law whatsoever. A Senator from South Dakota, the Hon. Edwin S. Johnson, on February 26, 1917, stated:

"I also complained and filed affidavits at the Indian Office with regard to a boss farmer at that agency (Rosebud Indian Reservation, S. D.) who deliberately shot an Indian off his horse a year and a half ago. As reported to me, the Indian lay on the ground for a long time before he was picked up. * * * I want to speak of this instance, Mr. President, because I have been asked to be specific. I filed many affidavits with the Commissioner of Indian Affairs relating to this matter months ago; an immediate investigation was promised. Doubtless, this is such a small matter that it must have been forgotten, because I have never heard further from it. This boss farmer is still on the job drawing his salary from the Government."

I repeat, because it exhibits Mr. Williamson in his true light: Mr. Williamson introduced a white attorney, who conveyed that he spoke under instructions for the Sioux Indians and lauded such a process of oppression and denial of citizenship rights as is above described as being "one of the strongest safeguards of Indian liberty, etc."

In this connection I wish here to insert an extract from Hearing on Indian Appropriation Bill, January 17, 1912, as follows. It is a classic of naive hypocrisy:

Assistant Commissioner, E. B. Merritt: "The police judges on Indian reservations tend toward keeping order on the various reservations; and it makes the Indians feel that they have a direct interest and duty in keeping order. * * * They are absolutely under the control and jurisdiction of the Superintendent. * * * The decision of the Indian police courts are approved by the Superintendent before they go into effect."

Congressman Ferris: "And are of no validity until approved by him?"

Mr. Merritt: "No, sir. It helps to make the Indians believe that they have an important part in the proper administration of their affairs."

Mr. Williamson, to use the vernacular, "hangs himself" in his own statement. He seeks to make it appear that he has not endorsed H. R. 7826, the most insulting and indefensible Indian Bureau measure for domineering the Indians which has been put forward in many years. Having stated, "I have never at any time or place expressed myself in favor of this bill," Congressman Williamson four paragraphs below states: "The bill as now drawn gives the Indians the right to exercise home rule and select their own judges, and in this form it has been approved by most of the Indian witnesses appearing before the Committee." (Incidentally, this statement is incorrect.)

What does the bill do as now drawn? (Remembering that the alleged letter dealt with the bill as originally drawn, which fact Mr. Williamson systematically conceals.)

The bill as now drawn authorizes the restricted (incompetent) Indians to merely select the courts; and only restricted (incompetent) Indians shall be eligible for election to said courts; and these so-called "judges" shall proceed, as the bill carefully lays down, under rules and regulations of the Secretary of the Interior. No due process of law to any Indian citizen, "competent" or "incompetent," whatsoever is granted in the bill, for that

large class of matters over which these \$10 a month judges shall rule. No jury, no provision of attorneys, no compulsory presence of witnesses, and a provision for bail which under the existing status of Indian property is phantasmal. Such a device appears to Mr. Williamson to be "home rule for the Indians." Either he thinks that this is so, in which case his moral and mental measure is taken, or he believes that the sugar-coated measure will be swallowed by Indians and citizens generally, who will not realize that the customary poison of Indian Bureau dictatorship is contained inside the sugar coating. Mr. Williamson either believes what he says, or thinks he can make uninformed Indians and inattentive other citizens believe it.

THE INDIAN BUREAU: THE OIL LEASING BILL, AND MR. WILLIAMSON

I come next to the bill affecting Indian ownership of the executive order reservations, Indian right to the wealth thereon produced, and all the other questions that were involved in the Indian oil leasing bills endorsed by the Indian Bureau.

These measures and all the charges which I at any time or place may have made, have been exhaustively discussed on the House Floor, and every charge I made has been completely demonstrated by Representative Frear and by witnesses who appeared at the Senate and House hearings. A most natural question was asked by Congressman Frear: "Why has not Mr. Burke tried to perfect these titles of Indians if he deemed them to be imperfect?" This question is not answered.

I have stated above that the oil leasing bill under a tremendous criticism has been modified until it is now acceptable—that this modification has just taken place in the House (since May 15th). The alleged letter of March 14, 1926, dealt with the bill in its original sinister form, and concerning that bill, H. R. 9133, "the bill above referred to," Mr. Williamson in his statement uses these words: "It does not seek to take title or other rights from the Indians interested. On the contrary, it seeks to protect their rights."

Now Mr. Williamson, without daring to make an explicit denial, raises a clamor to create the impression that he was really opposed to this evil legislation. But he slips again and says: "No bill has been introduced nor advocated by anybody seeking to deprive the Indians of their title to any kind of reservation." In other words, he denies that the original vicious bill sought that effect. The bill did seek that effect and would have had that effect, and the hearings both of the Senate and House Committees, the arguments of Representative Frear, the statement of Senator LaFollette in the Senate hearings, the statements of the General Federation of Women's Clubs, and the American Indian Defense Association, and the Indian Rights Association—all of these authoritative statements fully prove that the bill had the meaning which was charged and which Mr. Williamson denies.

This portion of Mr. Williamson's self-defense is stupid, because its very wording contains its own refutation. Crying out that he has been misrepresented as having endorsed this bad bill, Mr. Williamson interpolates that "the bill seeks to protect the Indian rights, etc., etc." To make plain that

he means the bill as introduced, he proceeds to defend the bill as introduced in his language which I have quoted above. And he inserts, though attempting to conceal the date, my alleged letter dealing with the bill as introduced.

THE NAVAJO "HIGHWAY ROBBERY"

On the subject of the Navajo bridge, it is needless to make any remarks. That \$100,000 steal has been exposed plentifully and I will merely quote what leading Senators and Representatives have said about it. As for Mr. Williamson's connection with this particular outrage, it is noted that the gentleman does not claim that he voted against the steal when it was being fought in the House in February, or that he spoke against it, or that he did anything. He then has the impertinence to add these resounding words: "Congress will never permit—at any rate not with my consent—any part of the construction charge to be taken from the Navajo funds unless large producing wells should be developed upon their lands." In contrast to this, Senator Cameron, from Arizona, said: "It has been proven that the Navajo Indian Tribe has never, does not now, and never will derive any benefit from the Lee Ferry Bridge * * * Why does the Bureau of Indian Affairs get behind a proposition to rob these poor Indians? I call it highway robbery." By a strange mental process, Mr. Williamson appears to justify "highway robbery" (Senator Cameron's words) of poor Navajo Indians today upon a theory of possible wealth in the future. "Highway robbery" can never be justified, whether the victims are rich or poor.

As for the character of this Lee Ferry Bridge transaction, I here give the remarks of different members of Congress.

A Senator from New Mexico, Mr. Bratton, referred to the Navajo bridge \$100,000 reimbursable proposal as "unjust, inequitable, and iniquitous."

Congressman Frear, from Wisconsin, said: "A half dozen white witnesses have declared in effect that the Navajo bridge steal is 'highway robbery.'"

MR. WILLIAMSON AND THE JURISDICTIONAL BILL QUESTION

I now come to the subject of Mr. Williamson's relation to jurisdictional bills. Mr. Williamson talks about a general jurisdictional bill which he recently introduced, April 22, 1926, knowing that it could neither pass Congress nor be signed by the President. Such political tactics when an election is coming on are very familiar to those who observe the records of some Congressmen who need votes, one of whom is the distinguished Mr. Williamson.

Mr. Williamson represents a large number of Indians in South Dakota and they happen to be Sioux Indians, and it happens that they are engaged in a very large suit before the United States Court of Claims. It happens that Mr. Ralph H. Case, whom Mr. Williamson put forward to give the alleged endorsement of Sioux Indians to the bill for jailing Indians, is the attorney having that case in charge, and approved for this employment by Commissioner Burke.

And it happens that Mr. Williamson was a member of Congress highly active in Sioux Indian matters at the time when the firm of the Honorable Charles Evans Hughes (Hughes, Rounds, Schurman and Dwight) declined to go ahead with the Sioux Court of Claims litigation because the law as it stood was unfair to the Indians and did not make adequate recovery possible.

Initiative by Mr. Williamson, or initiative by Commissioner Burke, his friend, could have corrected the deficiency in the law and would have made it possible for the Sioux Indians to utilize the services of the Hughes firm.

The statement of Mr. Hughes' firm is given here for the sake of information. It is addressed to the Seven Sioux and the Two Northern Cheyenne and Arapahoe Jurisdictions:

"Omaha, Nebraska,
June 22nd, 1921.

Dear Sirs:

* * * * *

"Since this contract was executed we have made a careful study of the treaties and various other records pertaining to this claim, as well as of the legal authorities bearing upon the questions involved therein and upon the jurisdictional Act of June 3, 1920, and we have reached the conclusion, much to our regret, that the Jurisdictional Act as it now stands is inadequate to afford our clients the redress to which we believe they are equitably entitled as a result of the events culminating in the so-called agreement, ratified February 28, 1877, under which the Indians were deprived of the Black Hills tract and other large territory.

* * * * *

"In view of the foregoing, it is our opinion that the Indians should endeavor to secure either the passage of a new Jurisdictional Act or amendments to the existing Act, and holding that view, we regret to say that we cannot continue as your attorneys."

* * * * *

This subject is of very great concern to the Indians in Mr. Williamson's district. Mr. Williamson's activity in promoting a phantasmal general jurisdictional bill for everybody, which is not likely to become law, and he knows it, is of no proper interest to the Indians in Mr. Williamson's district.

It is likewise of interest to Mr. Williamson's constituents to know why Mr. Ralph H. Case was made the attorney for the Sioux Indians. Commissioner Burke, having refused to countenance the amendment of the Sioux Claims Act in line with the advice of the Hughes firm, thereby insuring that the Hughes firm would remain out of the situation, went to South Dakota carrying the contract with Mr. Case. The Sioux Indians knew that if they refused to sign this contract, he had the power to get any group, however small, to sign it and that thereafter all the other members of the Sioux Nation could be forcibly impleaded.

ENTER MR. VICTOR J. EVANS AND MR. WHIRLWIND SOLDIER

Under these conditions the Sioux tribes were helpless and they signed, and Mr. Case is their attorney by technical arrangement. Associated with Ralph H. Case on a printed letterhead in my possession is Victor J. Evans, of Washington, D. C., and Clement Whirlwind Soldier of the Rosebud Sioux, the former being known as a political power in Commissioner Burke's administration as in former Secretary Fall's, the latter being a policeman in Wash-

ington who testified for the Bureau's infamous jailing measure (H. R. 7826.) Whirlwind Soldier appears on the letterhead as Field Representative, which means solicitor of law business for Ralph H. Case among Indians.

Let us dwell on this soliciting of Indian law business. The following is a copy of the contract presented to individual Indians by Mr. Ralph H. Case's "Field Representative."

"ALLOTMENT AND SIOUX BENEFIT CLAIM—LIVING CLAIMANT AGREEMENT

THIS AGREEMENT WITNESSETH That I,

of....., in the State of....., a member of the Sioux Nation of Indians, do hereby employ Ralph H. Case, C. C. Calhoun, and Harry F. Helwig, of Washington, D. C., as my attorneys to prosecute my claim against the Government of the United States for an allotment of land, or the value thereof, and the advantages and benefits, commonly known as Sioux Benefits, which should have been made and paid to me under Treaties between the United States of America and the various tribes of the Sioux Nation of Indians and under Acts of Congress relating to Indian Affairs, before any Department or Bureau of the United States Government, the Congress, or any United States Court, the United States Court of Claims, and the Supreme Court of the United States;

AND IN CONSIDERATION of their professional services in the prosecution of said claim hereby agree and bind myself, my heirs and legal representatives to pay to the said Ralph H. Case, C. C. Calhoun and Harry F. Helwig, or their legal representatives, as a fee, a sum of money equivalent to ten per centum (10%) of the amount received by me in settlement of my said claim and/or an amount equal to ten per centum (10%) of the value of the land allotted to me by the United States of America.

And I represent and say that I am a citizen of the United States of America and am not prohibited by law from entering into this agreement by reason of my Indian blood.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this day of, 1924.

..... (SEAL).

WITNESS:

.....
.....

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS that I.....

....., of, in the State of, a member of the Sioux Nation of Indians, have made, constituted, and appointed, and by these presents do make, constitute, and appoint Ralph H. Case, C. C. Calhoun, and Harry F. Helwig, of Washington, D. C., my true and lawful attorneys, for me and in my name, place and stead to prosecute my claim against the Government of the United States as is more particularly described in my contract with said attorneys of even date herewith before any Department or Bureau of the United States Government, the Congress, or any United States Court, the United States Court of Claims, and the Supreme Court of the United States; giving and granting unto my said attorneys full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be

done in the premises, as fully and to all intents and purposes as I might or could do if personally present at the doing thereof, with full power of substitution; hereby ratifying and confirming all that my said attorneys or their substitutes may or shall lawfully do or cause to be done by virtue hereof.

IN TESTIMONY WHEREOF I have hereunto set my hand and seal this day of, 1924.
..... (SEAL)."

WITNESS:
.....
.....

Now Mr. Williamson reenters the situation, introducing the following bill, covering precisely and only this type of contract for litigation with individual Indians.

"69th Congress,
1st Session.

H. R. 8381

IN THE HOUSE OF REPRESENTATIVES

January 26, 1926

Mr. Williamson introduced the following bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

A BILL

To create a commission with authority to hear and determine claims of individual members of the Sioux Tribe of Indians against tribal funds or against the United States.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, That the Secretary of the Interior be, and he is hereby, authorized and directed to designate three officials of the Department of the Interior or the Bureau of Indian Affairs, as a commission to investigate, hear, and determine the claims of the enrolled individual members of the Sioux Tribe of Indians whose names are enrolled on the approved rolls of the following Indian agencies: Rosebud, Pine Ridge, Lower Brule, Crow Creek, and Cheyenne River, in the State of South Dakota; Standing Rock, in the States of North and South Dakota; Fort Peck, in the State of Montana; and Santee in the State of Nebraska: Provided, that the roll used for the Santee Agency shall be the roll prepared and approved under the Act of March 4, 1917, an Act entitled 'An Act for the restoration of annuities of the Medawakanton and Wahpakoota Santee Sioux Indians to be declared forfeited by the Act of February 16, 1863.'

The commission provided for herein is authorized to hold sessions, administer oaths, and to take testimony in the District of Columbia, or on the aforesaid several reservations or elsewhere, at such times and places as the commission may designate, and the commissioners may sit separately or jointly at hearings and at the taking of testimony, but all final decisions shall be made by a majority of such commission.

Proceedings in behalf of claimants before the commission shall be instituted by written petition verified by the claimant or his duly authorized attorney as plaintiff and making the United States defendant. Appearance by attorneys for claimants shall be entered only upon the filing by such attorney of a power of attorney to represent the claimant, and in no case shall any attorney or attorneys be recognized until he or they show to the satisfaction of the commission that

he or they will not exact or receive either directly or indirectly a fee for his services in excess of a sum equal to 10 per centum of the amount recovered for the claimant.

The claims which the commission is authorized to investigate and determine shall be limited to the following classifications:

Class A Claims for allotment where the claimant was living during the allotment period and made a selection of land but who died before an allotment was made to such claimant.

Class B Claims for personal property wrongfully taken from the claimant or destroyed by the civilian or military forces of the United States of America during the years 1874 to 1884, inclusive, provided that any payment which has been made on any claim within this class by the United States shall be regarded as a payment on account and shall not be held in bar of a recovery by the claimant of any balance due.

Class C Claims for the loss of improvements occasioned by the removal of the claimant from land selected by him within the original Great Sioux Reservation and the relocation of said claimant within one of the diminished reservations described by the Act of March 2, 1889 (Twenty-fifth Statutes at Large, page 888).

Class D. Claims for the loss or destruction of personal property without just cause by the military forces of the United States of America at or near Wounded Knee Creek, South Dakota, on or about December 29, 1890, and at or near Dry Bone Hill Creek, South Dakota, in the fall of 1862, and at or near Slim Butte, South Dakota, in July, 1876, and at or near Fort Yates, North Dakota, at or about the time of the death of Sitting Bull on December 15, 1890.

Class E Claims for services rendered to the United States of America as scouts or guides or as volunteers in rescuing white captives from host Indians.

Class F Claims for loss of personal property or improvements on allotments or land selected for allotments arising out of the forced removal of claimants from the Cherry Creek district of the Cheyenne River Reservation during the years 1890 and 1891.

Class G Claims for the destruction of personal property or improvements on allotments or land selected for allotment by the civilian or military authorities of the United States of America at or about the time of the smallpox epidemic in the year 1901 on the Cheyenne River Reservation.

Class H Claims for the loss of moneys occasioned by the investment of the individual trust funds of the claimant without his legal consent by the civilian authorities of the United States in commercial enterprises on the Rosebud Indian Reservation.

In Class A such findings shall be for the value of the allotment, which value shall not be in excess of \$5 per acre. In classes B and D, the finding of the value of horses taken or destroyed, shall not be in excess of \$40 per head, and the finding for any one claimant for other property shall not be in excess of \$200. The findings in classes C, F and G shall be for the value of the personal property or improvements lost or destroyed, but no finding for any one claimant shall be in excess of \$500. The finding in class E for any one claimant shall not be in excess of \$1,000. The finding in class H shall be for the amount of money lost, together with interest thereon at the rate of 6 per centum per annum from the date of the investment.

Class I Claims for allotment where the claimant was living during the allotment period and who was allotted less land than he was entitled to under the Acts of Congress controlling the reservation where the claimant resided or who was not allotted at all for the reason that no land was available for allotment but who was otherwise entitled to an allotment, and the findings of the commission for this class shall run against any tribal or band fund now or hereafter in

the possession of the United States as trustee and held for the benefit of the Indians of the reservation on which the claimant is enrolled, but such finding shall be in the name of the United States, trustee.

In all cases under this Act where the claimant is deceased the claim may be asserted by one or more of the legal heirs of said decedent: Provided, That all such claims must be submitted within one year from the passage and approval of this Act or be forever barred.

Upon completion of the taking of testimony and making the investigation provided for herein the commissioners shall meet and jointly make up their findings and shall present the same to the Secretary of the Interior for his approval and the Secretary shall transmit the same to the Congress on the first Monday in December, 1926, together with his action thereon and his recommendation as to the number of annual installments in which the said findings shall be paid: Provided, That if all of the claims asserted have not been fully investigated, the Secretary shall transmit on said date the findings on claims which have been approved by him and shall subsequently make and transmit to the Congress within one year a supplemental report, and the findings as and so made and approved shall have the same force and effect as a judgment of the United States Court of Claims."

MISREPRESENTING THE SIOUX ENDORSEMENT

Mr. Williamson engaged in creating the impression of Sioux endorsement of H. R. 7826, and by his omission of the Sioux protests against said H. R. 7826, has created an absolutely false impression. Here are some of the protests.

Forty-seven Indians of adult age from White River, South Dakota, Rosebud Indian Reservation, signed this protest:

"We, the undersigned, are Rosebud Sioux Indians, and bona fide residents of the Little White River District on the Rosebud Indian Reservation, do hereby unanimously oppose the passage of the H. R. 7826, known as Leavitt Bill, because the effects of this resolution will cause a detrimental change to the progress of our race. At the same time we are unanimously in favor of the passage of H. R. 9315, known as the Frear Bill, because we know that the effects of this resolution will improve the progress of our race. Thereby the declaration of Congress that Indians are citizens of the United States will be fulfilled and justified. Heretofore we had the name of citizens of the United States, but have no constitutional rights.

White River, S. Dak., April 9, 1926."

"Martin, South Dakota, April 27, 1926.

Hon. Peter Norbeck, Senate Office Building,
Hon. William McMaster, Senate Office Building,
Hon. William Williamson, House Office Building,
Washington, D. C.

Tribal Council of the Pine Ridge request that the consideration of the Leavitt and Frear measures affecting this reservation be deferred until next Congress, in order that they may be further considered by the tribe, especially during the summer.

(Signed) OTTO CHIEF EAGLE, Vice President.

(Signed) JAMES RYAN, Member of Council."

"George W. Soldier, President.
Felix C. Bull, Vice President.

Carlos Gallineaux, Secretary.
Charles Lever, Treasurer.

ROSEBUD GENERAL COUNCIL

Wood, South Dakota, April 20, 1926.

Hon. James A. Frear,
House of Representatives,
Washington, D. C.
My dear Congressman:

I have the honor to call your attention to the H. R. Bill No. 7826, introduced by Congressman Leavitt on the 16th of January, 1926, to extend the civil and criminal laws of the United States to Indians, and for other purposes.

I was a member of the Rosebud Sioux Delegation from South Dakota that appeared on two different occasions in the hearing held on this bill in February, 1926. We had our attorney with us on one occasion. Major Ralph H. Case, of Washington, D. C., was the attorney who represented us on one hearing. At that time we were not in favor of the bill as it was introduced originally. We offered several amendments to the bill, but do not know if they were recorded. However, the original bill did not have our approval.

We have been informed that Congressman Williamson, of South Dakota, made a statement that the Indians of the Rosebud Sioux Reservation were in favor of the Leavitt Bill.

If the Congressman of South Dakota made that statement, it is without our permission. Mr. Williamson has failed to represent us in one instance, after all we had done for him out here. The Sioux delegation went to his office and requested that he introduce a bill for a per capita payment from our own tribal funds. He refused to do so unless the Commissioner of Indian Affairs gave him the authority to proceed in the introduction of a bill for that purpose.

We requested Senator Norbeck to introduce a bill for us for the same purpose and the Senator did so on the very next day. That is the difference in the two men. One was representing the Indian Bureau and the other was for his constituents. We showed our appreciation to the Senator in the March primaries, and Mr. Williamson will come in for his share next November—I don't think.

We are with you in your fight for the rights of the Indians and hope that I could have a chance to appear as witness for you, on tribal expense.

Very respectfully,

(Signed) CARLOS GALLINEAUX."

"At a meeting of the Indian Protective Association, Inc., of South Dakota, Held at Martin, South Dakota, April 12, 1926, and among other resolutions passed at said meeting the following were adopted and ordered to be circulated:

BE IT RESOLVED, That the (H. J. Res. 189) authorizing the appointment of a committee to investigate the Indian Bureau and report thereon, which was introduced by Hon. James A. Frear, of Wisconsin, be and is hereby endorsed by this Association, the Indian Protective Association, Inc., of South Dakota.

WHEREAS, the bill H. R. 7826, introduced by Hon. Scott Leavitt, of Montana, in the House of Representatives, January 16, 1926, to extend the civil and criminal laws of the United States, and for other purposes, and

WHEREAS, the said H. R. 7826 is a vicious bill designed to give added power to the Indian Bureau officials, as provided in Section 2 of said bill, which in its meaning would deprive the citizen Indians of fair trial and justice,

BE IT THEREFORE RESOLVED, That we disapprove the passage of the House Bill 7826 in whole, and request our representatives in Congress and others to aid in defeating this bill.

BE IT FURTHER RESOLVED, That we respectfully urge the passage of bill H. R. 9315, introduced by Hon. James A. Frear, of Wisconsin, February 13, 1926.

(Signed) CLARENCE THREE STARS,
President, Indian Protective Association, Incorporated.

Attest:

(Signed) J. R. KETTLE,
Corresponding Secretary."

THE TIME FOR SCARING INDIANS HAS PASSED

Representative Williamson appears to be one of those men accustomed to succeed by the Indian Bureau method of denouncing, frightening, and intimidating the Indian who attempts to stand for the rights of his people.

The Indians of the United States gained the ballot in 1924. They were not, as Congressman Williamson states, "fully emancipated politically," for the infamous system of Indian Bureau espionage and blackmail prevails undiminished and would be intensified under H. R. 7826, which Mr. Williamson describes as a measure for "Indian Home Rule."

But the Indians did at least get the ballot, and they have been further inspired by seeing a great battle waged and won by and for themselves, through the cooperation of themselves and their white friends, in the present session of Congress. Of course, the Indians are not going to be intimidated.

GERTRUDE BONNIN,

President, National Council of American Indians,
735 Transportation Building, Washington, D. C.

A New Day Dawns

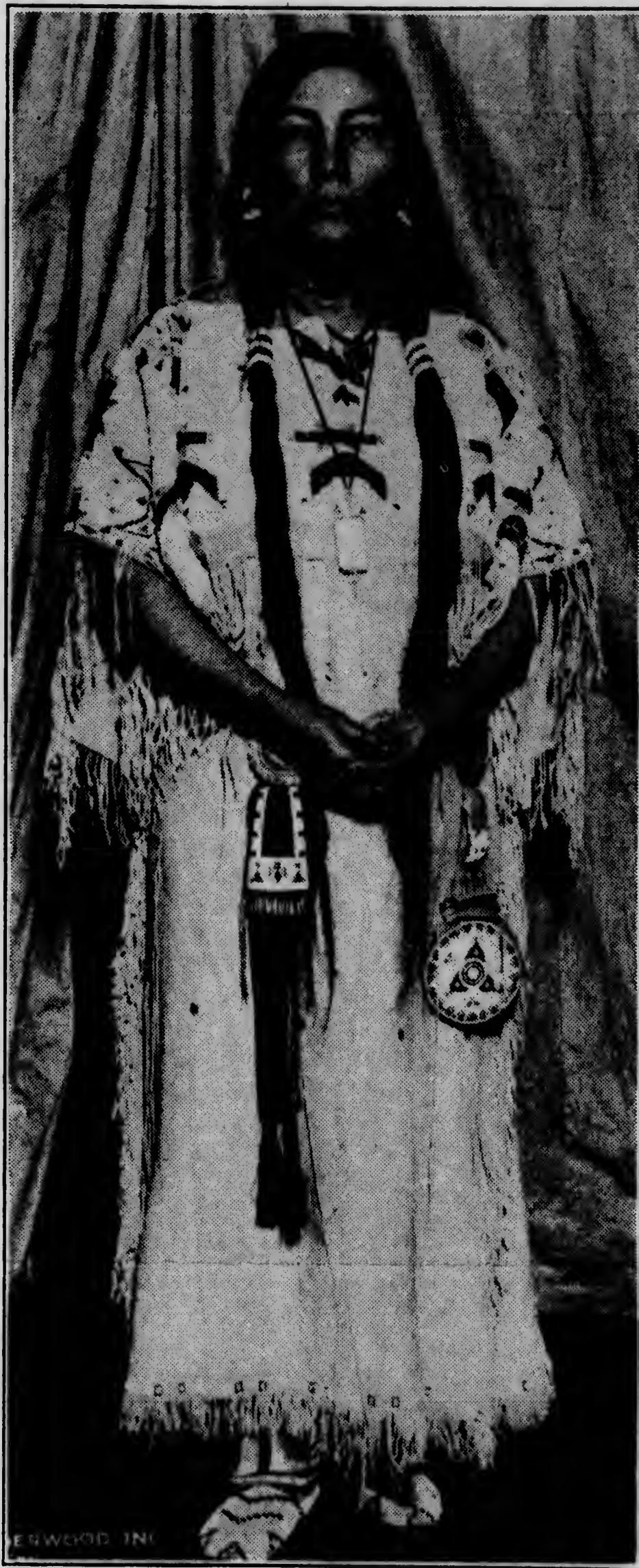
In the first session of the 69th Congress interest in the Indian problems proved more alive than had been anticipated, even by the most optimistic. There arose, from among our duly elected representatives, some thoughtful, intelligently determined leaders in the cause of obtaining for the Indian an even measure of justice in matters affecting his person and property. One outstanding leader in the House must be given particular mention, the Hon. James A. Frear of Wisconsin. Mr. Frear devoted much time to a thorough study of the present system of handling Indian Affairs, singling out the points where constructive new legislation or amendments to old statutes were most needed. Then Mr. Frear swung into action. Sensing the promise of a new day, the several delegations of Indians that were in Washington seeking help from Congress on particular tribal matters united in one organization, to be known as

The National Council of American Indians

The new Council desires to associate with it all Indian tribes in the United States. Mrs. Gertrude Bonnin, of the Sioux, was elected President. The Council will be aided in every way possible by all true friends of the Indian cause, to the end that the Indian himself may become harmoniously and officially articulate as to his needs and his desires.

In the 69th Congress measures were proposed which would greatly weaken the economic structure upon which the Indian's very life depend. Other measures were urged which would greatly strengthen and stabilize that economic structure.

Albert B. Fall, while Secretary of the Interior, had undertaken to put into effect an order which would have established the total lack of a vested right by Indians in the lands in *Executive Order* Indian Reservations. On the assumption that the Indians did not own the land, but had only the right of occupancy, he had issued a large number of oil prospecting and leasing permits and granted a larger number of such applications.



ZITKALA-SA

(Mrs. Gertrude Bonnin)

President of the newly organized National Council of American Indians. Zitkala-sa is a member of the Sioux Tribe, a college graduate, member of the League of American Penwomen.

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Am. Indian Life - April-June 1926.

INDIAN WELFARE COMMITTEE WORK OUTLINED

By MRS. J. MARC FOWLER

State Chairman of Indian Welfare Committee

Since the Division of Indian Welfare was made a part of the General Federation work in 1921, each yearly gathering of the National Organization shows increased interest and activity in this subject, the Los Angeles Biennial emphasizing many phases of this important work.

An Indian Art Exhibit was a daily center of attraction at the Biltmore Hotel; Indian portraits, rare ceremonial blankets, beadwork and pottery claiming the attention of many visitors. In the beautiful and ever-changing decorations of the Philharmonic Auditorium, at one period Indian decorations were extensively used. Rare volumes on Indian lore and music, Indian instruments from the collection of Mrs. Eugene Lawson, were displayed; on Fine Arts Day, Mrs. Lawson gave an interesting paper on "Indian Music Saved"; Mrs. Oberndorfer's plan of featuring American music throughout the Biennial programs, emphasized the importance of original Indian themes in the present-day works of Cadman, Lieurance and other American composers.

Mrs. Stella M. Atwood discussed the "Indian Problem of Today," and at the Conference Luncheon of the Division of Social and Industrial Conditions, the Illinois Chairman of Indian Welfare gave a paper on "Indian Health Situation," in which she depicted health conditions on Reservations today, a menace to both Indian and white people; advocating a reorganization of the Indian Medical Service, separating it entirely from the Indian Bureau, and placing it under some such organization as the Public Health Service of the United States.

Three bills, for which the Indian Welfare Committee had worked untiringly, were passed during the closing sessions of the Sixty-eighth Congress, and were announced from the Biennial platform: The Pueblo Lands Bill, creating a commission to investigate and settle the vexed question of titles to Pueblo lands; the San Carlos Dam Project, providing an appropriation to bring water to the lands of the starving Pima Indians, and the Citizenship Bill, granting citizenship to all Indians born within the territorial limits of the United States.

The most outstanding result of the work of the Indian Welfare Committee was the following resolution passed at the Biennial:

"WHEREAS, after three years of intensive study of conditions as they pertain to the administration of the affairs of

the Indians, the original Americans, the General Federation of Women's Clubs is aroused to the need of the reorganization of the Indian Bureau; therefore

"Be It Resolved: That the Federation earnestly petition the President of the United States to appoint a commission of outstanding, impartial and expert citizens to make a survey of conditions, and return recommendations which shall insure justice to the Indian."



Zitkala-Sa (Gertrude Bonnin) Sioux Indian Woman, author and lecturer.

Mrs. Stella M. Atwood, of California, has been re-appointed Chairman; Mrs. Eugene Lawson of Oklahoma, Vice-Chairman of the Indian Welfare Division of the General Federation. Mrs. Atwood states that the most pressing work this winter is in the legislation to come before Congress. It is highly probable that legislation will have to be formulated to carry out the purpose of the resolution passed at the Biennial. The legislation already passed is simply a step forward toward a final consummation in the reorganization of the administra-

tion of Indian Affairs. The Division will continue its study of the needs of the Indians, will co-operate with other organizations to see that the Pueblo Indians have legal counsel in suits arising under the Pueblo Land Bill, and will broaden its scope to include the whole field of Indian welfare, with special study of the health, educational and social needs of all Indians.

As an illustration of the need for better health legislation, the November General Federation News gives this statement from the Chairman of Indian Welfare of the Idaho Federation: "In a record of twenty-two Kootenai mothers, the number of children born, 133; number living, 34; deaths from tuberculosis, 31; deaths six months and under, 21. A survey of the Kootenai reservation, and a report of public school and mission enrollment, shows that Indian health is no longer a mere Indian problem, or one for future speculation, but is today's community problem and a public responsibility."

During the past three years, no state federation has surpassed that of Illinois in interest in the Indian problems, and we again ask that every club devote some time to this subject, that Illinois women may be informed and ready to work for important legislation which will give to the American Indian the rights and privileges of all American citizens.

Mrs. Gertrude Bonnin (Zitkala-Sa), of Washington, D. C., who has done much research work for the General Federation, will be in Illinois in February, and may be secured to lecture on Indian subjects. Mrs. Bonnin is a fascinating speaker, and brings to her audience a better knowledge of her people, interpreting the beauty and symbolism of the Indian legends as well as the latest authentic information on Indian legislation. For many years she has led the fight on peyote, a harmful drug used by the Indians to an alarming extent, and which is undermining the health and morale of the Indian; the same heart-breaking menace to their welfare that the drug evil brings to our young people today. She is willing and anxious to be listed as a speaker on "Narcotics," and to do all in her power to help save our "America" from this grave danger. She will be the guest of the State Chairman, who will answer all inquiries regarding available dates.

DEPARTMENT OF FIELD WORK
(International)

The American Indian Association, Inc., is strictly an Indian Organization. Its members are of the Red and White Races. White people become associate members in this way: Assisting in the work by paying \$3.00 a year, which includes the Indian Teepee Magazine. Half of this fee goes to help in the upkeep of the proposed Indian Home, and the other half goes to help pay for the upkeep of the Indian paper.

The Indian Teepee Magazine is published every two months—subscription for non-members is \$1.50 per year.

AMERICAN INDIAN MEMORIAL

Every American ought to be interested to give a gift towards this proposed Indian project plan in this folder.

All Americans are interested in "Washington," "Grant" and "Harding" Memorials, and others. There has not been an attempt to erect a memorial to the American Indians. The American Indian Association is making every effort to buy 100 acres or more, in some suitable, attractive place, where it can be handy to be reached by all, and overlooking some high point.

On this land it is proposed to have an Indian Masonic Maya Temple, Indian Home, an Indian Library and Museum, beautiful Park and Camp Grounds; something that will be a living and lasting and not a dead memorial.

Every Indian-Head penny and Indian-Head nickle, every dollar with the American Eagle on it, will go for this project. Part of the Associate membership dues will go for this work. The Indian has given his country and all to the White Race; you are living on the land owned by the Indians. You can at least do your little bit for this work. **WILL YOU HELP?**

These funds will be carefully guided from dishonest persons, and used for this end. It takes money, time and much labor to get money in return. **WILL YOU HELP US?**

It is true the churches in mission work are doing very good work among the Indians in Christian

THE SOLUTION

Why not educate the Indian so that he can care for himself?

Our plan is to raise money to buy this 100 acres in the West or Middle West where the Indian young man can feel at home and attend high school when he leaves the Government schools, and find out his real vocation in life, and prepare himself for one of the Colleges or Universities. This home is to be a "Friendly Indian Home" for Indian young men and boys, or meeting place for all Indians who wish to hold their councils and ceremonies, without fear, under the protection of our organization. Also headquarters for obtaining employment for Indian young men, with good firms in our various cities of the Middle West. And to encourage the Indians to preserve their own Arts and Crafts and secure a market for the same.

We must have sufficient money to buy 100 acres and have a home on the place.

We must have funds to pay our employes in charge of the Indian Home and Camp.

We must pay a clerk who will have charge of the employment bureau.

We must buy furnishings and equipment for the home, camp and farm.

We must have a trust fund with which to maintain this home and carry on our farm, thereby in time this home will become self-supporting.

We will endeavor to raise this fund, by asking our friends to become associate members of the American Indian Association, by lectures, musical programs and plays, etc.

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It is true the churches in mission work are doing very good work among the Indians in Christian education. Yet with all due respect for missions, every American ought to feel a sense of pride to get behind this American Indian Memorial, and help to back up the work of the American Indian Association by your "Good-Will" and your gifts. We have made every effort to get something started, but so far have been unable to do so because of the lack of sufficient funds. WILL YOU HELP US?

American Indian Association, Inc.

P. O. Box 1565, Denver, Colorado

Be sure of our correct standard address as above, in all mail matters concerning the American Indian Association.

OUR APPEAL

Few of the white people realize that you are especially indebted to your native brother. You almost forget that you have taken away from him lands that were apportioned to him by the Government, oblivious to his real needs. You owe the majority of your food stuffs to the Indian and hundreds of herb remedies and medicines in use today, and other things too numerous to mention.

This is your moral obligation to help the American Indian Association in this great work.

"Earning makes an industrious man; spending, a well furnished man; saving, a prepared man; giving, a blessed man."

The Indian has given all and in return what can you do for him? We are asking you to help us, by your membership. Remember that the Indians are in need not only of your sympathy, but your service and friendship as well.

Part of the membership dues goes towards this proposed home and the other part to help to meet expenses, printing the Indian magazine, circulars, stamps, etc.

THE SUCCESS

We, the National Officers of the American Indian Association, are giving our time, our thought, our personal effort, our vitality and our lives to the working out of this plan. The measure of our success depends upon:

First: The obtaining of sufficient money to buy.

Second: The obtaining of sufficient funds to carry on, with a view to becoming self-supporting.

Third: Your co-operation, your friendship, your financial support.

This is your problem wherein you alone can help most effectively.

"The Kingdom of God can never be established by raising money; but it can never be extended without raising money."

Surely any person can give from one dollar to five or ten dollars, or even more.

TRUST FUND

All money should be made out in check or money order in the name of the American Indian Association; this money is placed in our trust fund. Our money is placed at the California Bank, Los Angeles. Accounting will be rendered annually.

Those who wish further details on more specific information concerning this proposed project, either clubs, churches or individuals, can communicate by letter to the **National Secretary**, American Indian Association, P. O. Box 1565, Denver, Colo.

PROPOSED HOME

It has been suggested to get a tract of land near the Meramec River, overlooking the Mississippi ("Father of the Waters"), on State Highway, in high spot of Iron Mountains, about twenty-five miles south of St. Louis—as the most ideal spot.

All Tribes, East and West, had great reverence for the "Father of the Waters;" and met together on these banks in Great Councils in ancient days.



AMERICAN INDIAN MEMORIAL



Recd. Jan. 20, 1926 A \$5.00 Post Paid



American Indian Order
 P.O. Box, 1565 - Denver, Colo.

Indian Tepee
 Magazine



ABOVE IS OUR PROPOSED INDIAN HOME AND CAMP



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MISS A. E. WHITE
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ON

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Since the Eastern Association on Indian Affairs first organized to fight the Bursum Bill, the Bursum Bill has been defeated and any legislation of a like character made impossible of enactment through the publicity given to the Pueblo land title problem. As the members and friends of this Association will remember, we went to Washington a year ago to support the Jones-Leatherwood Bill which we hoped to have substituted for the Bursum Bill. In that endeavor we were not wholly successful, although we had the backing of thousands of Americans interested in the welfare of the Pueblo Indians.

The result of the public hearings before Congress was a compromise bill, known as the Lenroot Substitute. The measure passed the Senate; it did not come to a vote in the House. The Lenroot Bill was excellent as far as it went, and we were willing to endorse it as an emergency measure. But it did not provide compensation to the Pueblos for lands lost to them, during the years when New Mexico was still a Territory, before entering the Union.

The Eastern Association on Indian Affairs believes that in common justice the Pueblos should receive compensation for losses of land, due to years of indifference and long neglect of Congress to properly protect them. It is the belief of the Eastern Association that the substance of the Lenroot Bill, amended to provide the machinery for awarding compensation, and in other respects, would be a measure which should have the support of those who fought the Bursum Bill last winter.

A bill such as the Lenroot Bill^{8.726} has been introduced in the Senate. In order to bring our attorney to Washington to argue the desired amendments before the Senate Public Lands Committee, and in order to give this matter adequate presentation and publicity, we shall need funds to defray expenses. We are therefore appealing to the good friends who helped us last year to come again to the aid of these Indians.

Contributions should be sent to the Treasurer

Percy Jackson, Esq.
43 Cedar Street,
New York City

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Indian Rights Association,

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Philadelphia, November 1, 1928

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A conference of friends of the Indians will be held December 14-15, 1928, at Chalfonte-Haddon Hall, Atlantic City, N. J., and all who are especially interested in Indian affairs are invited to be present. Further particulars will be sent you later. Hon. John W. Davis has kindly accepted our invitation to act as chairman of one of the sessions, and we hope that Dr. Hubert Work, former Secretary of the Interior, will act in a similar capacity. Among those who have promised to make addresses are Rt. Rev. H. L. Burlerson, Bishop of South Dakota; Dr. Haven Emerson, President American Indian Defense Association; Dr. Thomas Jesse Jones, Herbert Welsh, and Lewis Meriam.

The purpose of the conference is to discuss the findings and recommendations in the report of the survey of the Indian Service recently made by the Institute for Government Research. The report in our judgment is the most thorough and authoritative study of the needs of the Indian Service that has ever been made, and its publication is an event of immense importance to the Indian. It is couched in calm and dispassionate language, but it reveals a deplorable condition of affairs, due in great measure to insufficient appropriations on the part of Congress. Salaries, for instance, are so low that the annual turnover in the service amounts to 67%. Hospitals are ill equipped and schools are overcrowded. In some instances, allowances for sustenance of pupils in boarding schools have been as low as 11c to 9c a day per child. Such conditions call, of course, for a large increase in appropriations; new buildings must be erected and equipped, and most important of all, salaries must be increased until a really competent personnel is secured and held from year to year. As much as \$10,000,000 a year must be added to the Indian budget if the service is to be brought up to the standard of other governmental bureaus.

We feel that such a conference, presided over and addressed by men of position and influence, will be at least a first step towards calling the report of the Institute to the attention of the public, and that by bringing friends of the Indian together in this manner from various parts of the country, sufficient public sentiment may be aroused to secure from Congress the necessary increase in appropriations.

We write to you now in order to make sure of your support. We hope that you may be able to attend the conference, and that you will make a note of the dates on which it is to be held. Will you kindly let us know in due time whether you can be present, and will you also send us the names of any persons whom you think should be asked to attend the conference?

Please reply to
M. K. Sniffen,
Secretary

CHARLES J. RHOADS, President,
FRANCIS FISHER KANE, Chairman,
Committee on Arrangements.

PUBLICATIONS OF THE WOMEN'S NATIONAL
INDIAN ASSOCIATION.

Two Ways to Help the Indians.

BY MRS. F. N. DOUBLEDAY.

After two centuries of perhaps the most cruel mistakes the Anglo-Saxon has ever perpetrated on a subject people, the friends of the Indian to-day are unanimously agreed that what he chiefly needs to save him from still lower degeneracy are industries that will give him the means of self-support, self-respect. When our forefathers came to these shores they found him independent, self-reliant, suitably clothed, well-fed through his own exertions, with plenty to spare

from his well-filled stores to save the lives of starving Pilgrims at Plymouth and the early settlers in Virginia. They found him actively employed, some of his occupations warlike and savage, some peaceful and uplifting. Should the spirits of Governor Bradford and Captain John Smith revisit this country to-day what would they think of our guardianship during these two hundred years when they beheld poor Lo put away from us like a leper, often cheated out of his treaty rights, imprisoned on a bleak or arid reservation not coveted (as yet) by white neighbors, a creature without recognition in law, a pauperized, idle, demoralized, half-starved Indian? Were comparisons ever more odious? Looking about at the undreamed-of, and indeed unparelled development of this great country since the shades of these early English colonists left it,

seeing the rapid diffusion of learning among the masses, the advance of arts, science, inventions, of comfort and luxury in our homes—all the result of white men's labor with brain and hand—finding a strong nation of workers, the greatest industrial nation the world has ever seen, "How is it," they might well ask, "that you have so long denied the Indian the opportunity to develop along industrial lines that have brought incalculable blessings to you?" Governor Bradford might add: "We used to hear an old saying called the Golden Rule in Massachusetts Bay Colony. I suppose that went out of fashion years ago."

Without taking time for an historical *resume*, if we think a moment we recall that it has ever been the habit of conquerors to superimpose by force, if need be, their ready-made ideas

upon the conquered people. Unhappily this is as true of the Anglo-Saxon as of the Romans. Even in this liberal-minded, altruistic age do not most of us assume that we have everything to teach, not only the Indian, but the Chinese, Philippines, Cubans, Porto Ricans, Hawaiians, and nothing to learn from them—that they have nothing worthy to contribute to our civilization?

It was well that much which the Indian in his ignorance and barbarism mistakenly cherished was crushed out by his white conquerors: it had to be; but much that might have been retained for his good and ours was also lost in the crushing out process.

When the white man first came among the Indians the latter had many handicrafts which indicated intelligence, adaptability, art feeling and finger skill quite remarkable in

an aboriginal people, so the ethnologists tell us. Were La Salle to revisit this land he might well be astonished that the light, strong canoes in which he voyaged safely over thousands of miles of foaming rapids and rough inland seas, have totally disappeared, leaving no successors. The Indian built boats instinctively. Instead of fostering his love for this craft and developing him through it, we put him off on reservations where boat-building was both unnecessary and impossible. Instead of retaining this industry for him and showing him how to develop it to meet the requirements of our civilization, a paternal government, committed to a protective trade policy for white men's "infant industries," has pauperized the capable Indian while allowing the Canadians to build most of the canoes, racing shells and small pleasure boats

that float on American lakes and rivers to-day.

The Indian knew how to dress furs and to work in leather. London and Vienna are the centres of the great fur and leather trades, although most of the skins are sent there from North America to be treated. Under our guidance the Indians were naturally equipped to help us win these industries for our own. But brotherly co-operation with the red man is not thought of even yet.

Around the shores of Lake Superior the Indians once worked copper, and farther west others wrought in silver. One might tell of many other native industries that have disappeared. I have failed to find one—where one still exists—which has not deteriorated since our boasted civilization came in contact with it.

But if we have made a mistake in

striving to crush out the Indian's mode of life entire without respect to the fitness to survive of any part of it, if we have been neither wise nor kind in not proceeding to develop the Indian where he left off developing himself—the point of least resistance—is it too late to mend our ways? Are all Indian industries hopelessly deteriorated or lost? Happily all are not.

The Thlinkits and Navajoes still make blankets, however awful the latter's are since Germantown worsteds and aniline dyes have been given them to pollute a once beautiful art. An old Navajo rug, made of a peculiarly fine soft wool, grown on the tribe's own sheep, sheared, carded, colored with vegetable dyes in the Indian's home and woven so compactly that it was rain-proof, is known to-day only to the collector who gladly gives \$100

for it, whereas the modern rug is hardly worth \$5.00. Even the Shah of Persia forbids the use of aniline dye because he foresees that it will ruin the rug-making industry on which so many of his people depend.

Surely the Navajoes could be shown the commercial as well as the artistic wisdom of returning to these ancient methods. There is no reason why our native weavers should be wholly supplanted by Orientals.

The Nez Perce tribe occasionally make a flat saddle-bag of hemp with a fine overstitch of shredded corn-husk which is strikingly decorative. It is remarkable weaving and capable of adaptation to many civilized uses. At the Lake Mohonk Conference this autumn a missionary from the far West showed me some little finger-bowl doylies that had been embroidered with crude-colored cottons by little

Indian girls, and many missionaries of liberal culture and broad sympathy have done all their limited means would allow to preserve the native industries, or there would be few extant to-day.

The Pueblo dwellers are potters. Although their ware is too fragile to stand rough handling, we their white guardians know how to harden paste without detracting from its artistic value. Pueblo jars make the most decorative jardinieres for palms and other house plants, affording unspeakable relief after the high glazed Vienna and majolica pottery seen in the department stores *ad nauseam*. We need more Indian handiwork in our over-conventional, inartistic houses.

Several tribes do bead-work, not comparable with the wonderful wampum embroidery on ancient pieces, perhaps, but still excellent, beautiful,

unique. Every friend of the Indian will rejoice to hear that the president of the Indian Industries' League has just secured an order from a Boston shoe house for \$700 worth of moccasins made by the Arapahoes and Cheyennes, on a new model to fit white people's feet. Bead purses in jet and cut steel, bead belts, bead bonnets and passanterie for the woman of fashion the Indian might as well make as the French women.

A superb coat of arms done in colored beads after an old family painting has recently been received from a Colorado woman by a Brooklyn "Colonial Dame." But of all uses, bead work lends itself best to ecclesiastical work, for communion table cloths, stoles, book marks and other altar furnishings. Certain remarkably beautiful pieces, already produced as labors of love by a poor Indian con-

vert for an Episcopal mission chapel, indicate a new line of development for the bead-work industry which surely is as applicable to church uses as silk embroidery or stained glass.

Finally, there is the greatest of all Indian industries, basketry; the most expressive vehicle of their individuality, therefore their most varied and interesting handicraft, as it is the most adaptable to white people's needs. Yet the Alaskan Indians, who make some of the finest, most beautiful baskets in the world, are starving to death this very winter! Properly managed by white friends, this industry alone should be a source of comfortable income to these poor people all their lives. The Pimas in Arizona, penned in on an arid reservation where no crops can grow since white settlers in the high land above them cut off their water supply, are

also in dire straits. From strips of sisal willow and "cat claws,"—almost the only plant that grows naturally on their desert,—they make a remarkably strong, decorative basket. What would you and I attempt in the way of beauty with such a pitiful poverty of material?

The Mokis utilize the yucca for their unique coiled basketry; all the Apache tribes make good baskets; the Indians in California do some truly marvelous weaving, some with maiden-hair fern stems interwoven with the cedar root, other tribes utilizing feathers and wampum for decoration. Eight hundred dollars was recently paid by a museum for one of the old Porsso feather baskets now almost extinct. But time does not suffice to tell of all the wonderful weaving that is being allowed to disappear from our land without the slightest organ-

ized effort being made to preserve it. As the curator at the British Museum remarked when he failed to obtain specimens of the world-famous work of certain Indian basket-makers, "What can you Americans be thinking of to let such a craft die!" No Indian children or young people practice basketry to-day except half-breeds in the East. A marvellous double-weave,—one basket woven inside another,—once common among the Choctaws is now known to only one old Indian woman in Louisiana, so near is this to becoming one of the lost arts. In Oregon only two Indian women practice basketry. The Digger Indian tribe, once famous weavers, have only three old women who retain this ancient tribal industry. The shamefully abused Mission Indians who are now dying off on lands too poor to support a goat,

—on land too poor to grow even grass for their basketry—cannot be expected to practice it much as they wish to. Ten years ago, before the trader brought cheap tinware and crockery into their canon, the Yava Supais made beautiful baskets of which a single specimen is with great difficulty obtained by a collector to-day.

Now there are two ways to help the Indians toward self-support at this critical time: one is to continue running him into our own mould, crushing him in, if need be, in order to make him correspond in every detail with the white man model. This is the old Anglo-Saxon method. How tyrannical it is! The other way is to insist on the Indian taking only the essential principles of life from us—the great religious, social and economic principles,—and allowing him to develop his own individuality in

ways that are equally good for him and for us. This is the “new humanism,” the Golden Rule for the Indian at last.

We who are striving in our several ways to help the Indians should feel profoundly grateful that the Indian Commissioner, Hon. Wm. A. Jones, is now planning to revive Indian basketry by introducing it into the Government's Industrial Schools. This, let us hope is but the first step in the right direction of Indian industrial training, but let us be very thankful for it. Do you realize that it will be a new example set the world when the Anglo-Saxon instead of crushing out, actually sets himself the task of fostering and developing the industries of a weaker, subject race? Instead of superimposing white men's trades upon the aborigines, trades at which white men

naturally excel and in which fierce competition already exists, let us encourage the Indians to do what they can do unapproachably well; teach them how to adapt their products to the needs of civilized life, and jealously guard their industries from deteriorating. Let us create wherever we can a demand to encourage the supply. The Government should have its hands strongly upheld in this new and beneficent policy. We, members of The Women's National Indian Association, the Indian Rights Association, the Indian Industries League, and Church missionary societies can see to it that the missionaries, matrons and teachers in the field help in the good work. Here is a glorious opportunity for the "returned student" to help his tribe and for his tribe to help him. Instead of the cruel alienation of sympathy, existing

under the present methods, parents and children will find at least one bond between them in the revival of home industries, a link binding what was good in the old, with the inevitable new. Let us correspond with the workers in the field and see if we cannot place on sale in the shops such bead-work, pottery and baskets as they may encourage their Indians to forward. Every article purchased encourages the Indian to make another. The trader on the frontier, who has not allowed the Indian a living wage in driving his sharp bargains, nevertheless insists on large profits for himself which make some of the wares impossibly dear when now offered in the East. The sales of Indian articles should be entrusted to a co-operative society, in which the Indians and their friendly white representatives help each other on a purely business

basis. Americans send hundreds of thousands of dollars every year to Germany and Japan for hampers, scrap baskets, clothes baskets, market baskets, work baskets, fruit, flower, lunch and candy baskets,—money which, by every right, should be earned by our needy, capable Indians. What power to uplift them lies in the earning of such a sum through one congenial industry alone! In every Woman's Exchange we should find a place for the Indian woman's handicrafts which will by no means suffer by comparison with her white sisters'. A League of Farm House and Domestic Industries has been recently formed by Mrs. Candace Wheeler. The Indian Woman's work should find recognition in this league's market. Let us have done excluding the Indian woman from all such agencies of helpfulness! Indian industries

are to be reckoned with in the various arts and crafts societies.

William Morris led a great industrial reform in England whose refreshing influence is beginning to be strongly felt here. Has not a corner of his mantle fallen on some friend of the Indian?

OFFICERS OF THE
Women's National Indian Association
for 1901

PRESIDENT

MRS. AMELIA S. QUINTON
1725 Arch Street, Philadelphia

VICE-PRESIDENTS

MRS. W. R. BROOKS, New Jersey
MRS. SARA T. KINNEY, Connecticut
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CORRESPONDING SECRETARY

MISS ELIZA WILLIAMS JONES
318 North Fourth Street, Camden, N. J.

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MRS. WM. H. LAIRD, New York

TREASURER

MISS ANNA BENNETT
2105 Spruce Street, Philadelphia

Congress on Indian Progress

Under the Auspices of the

Northern California Indian Association

San Francisco, California

AUGUST 9-15, 1915

AND

Conference of Indian Service Workers

**CALLED BY THE U. S. COMMISSIONER
OF INDIAN AFFAIRS**

**San Francisco, California, August 9-14
1915]**

Congress of Indian Progress

At the invitation of the Panama-Pacific International Exposition a Congress on Indian Progress, under the auspices of the Northern California Indian Association, will be held in San Francisco August 9th to 15th, inclusive, and a conference of Indian Service Workers, under the direction of the United States Office of Indian Affairs, will be held in San Francisco in the forenoons of August 9th to 14th, inclusive. Both meetings will be held in the Auditorium at the new Civic Center, corner of Hayes and Larkin streets, and their sessions will be combined so far as practicable. As the plans develop it may be found necessary to begin the Congress earlier or continue it longer than the time announced.

The Conference of Workers in the Indian Service has been called by Hon. Cato Sells, Commissioner of Indian Affairs. Employees of the service who can be spared from their posts of duty will be given leave of absence to attend this meeting.

Some time ago the Northern California Indian Association issued a preliminary announcement of a Congress to be held in San Francisco at some convenient time during the

Exposition. Over three hundred replies to this circular letter have been received, and about two hundred questions have been suggested for consideration. Many of these questions, of course, relate to various phases of general topics. The responses indicate deep interest in the Congress, and show the broad range that its discussions will take. As soon as the general program can be outlined another circular will be issued, giving details in regard to it.

At a recent conference in San Francisco between H. B. Peairs, Supervisor of U. S. Indian Schools, and representatives of the Northern California Indian Association and the Bureau of Conventions and Societies of the Exposition, it was agreed that plans for these meetings should be worked out in close co-operation, so that the Conference of Workers in the Indian Service might become an integral part of the Congress and might be, so far as possible, of interest and value to the general public and might emphasize facts that would arouse public sentiment in behalf of needed improvements.

On certain forenoons, when the Conference of Indian School Workers may be devoted to technical matters, another section of the Congress will probably convene for the consideration of topics of popular interest.

THE GENERAL PLAN

In general, the plan for the Congress is to devote the forenoons and evenings to sessions for the presentation of addresses by the most able speakers to be secured and for general discussions, leaving the afternoons free for visiting the Exposition. A feature of intense interest in the afternoons will be a series of special studies at the Exposition, conducted by experts, who will point out exhibits bearing on topics of particular interest and will explain the lessons to be derived from them.

Sunday, August 15th, will be "Indian Missions Day," when a presentation of religious work among Indians will be made in various churches, and a mass-meeting will probably be held.

The Society of American Indians, whose active members are all of Indian blood, has been asked to take charge of one day's program. It is expected that a feature of that day will be a discussion of the legal status of the Indian. A special meeting of the Society will also probably be held in San Francisco during or immediately preceding or following the Congress.

The American Indian Association and the Indian Rights Association have given assurances of their co-operation to insure the success of the Congress.

TOPICS FOR INDIAN SERVICE WORKERS

The Office of Indian Affairs has announced the topics to be considered by the Conference of Indian Service Workers. The keynote will be given in the discussion of "Education for Efficiency" at the opening session.

"Indians—State and Federal Responsibility" is a topic in which the entire Congress will undoubtedly take a keen interest, and it is expected to bring out a strong presentation of the problems to be solved, with due consideration of exceptional conditions, such as are found in some parts of California. Attention will also be given to the problem of the suppression of the liquor traffic among Indians.

Other topics for special consideration by the Indian Service Workers are:

"Indian School Extension Work; The Library and the School; The Library and the Home; The Library and the Community."

"The Newer Conceptions of the Methods of Spread of Disease and its Prevention; Practical Points in Applied Sanitation, A—In the School, B—In the Home; Mouth Hygiene; Improvement of Indian Homes."

"Agricultural Education; Boys' and Girls' Clubs"; Canning Demonstration.

"Vocational Education and its Application to Indians."

OTHER IMPORTANT MEETINGS

The Congress and Conference will be a part of a great series of over eight hundred meetings to be held in and near San Francisco during the Exposition.

The first week in August has been called the Scientific Period, for it will be signalized by a great summer meeting of the American Association for the Advancement of Science in San Francisco and at the University of California in Berkeley, on the east shore of San Francisco Bay, and at Leland Stanford Junior University, thirty miles south of San Francisco. In connection with this gathering there will be separate meetings of fifteen national scientific organizations.

A World's Bible Congress will be held in San Francisco August 1-3, and the American Social Hygiene Association will hold a special meeting in Berkeley August 3-5.

During August there will be several meetings of special value to those interested in agriculture. They are the Corn Convention, under the auspices of the Top Notch Farmers' Club, in San Francisco, August 5 and 6; the National Congress of Boys' and Girls' Agricultural Clubs, and meetings of numerous scientific agricultural societies, including the Association of American Colleges and Experiment Stations, the second week in August

The latter half of August has been designated as the Educational period. The National Education Association, the International Congress of Education, and nineteen departmental educational congresses will be held in Oakland, just across the bay from San Francisco, August 16-28. An International Students' Reunion, under the auspices of the Corda Fratres Association of Cosmopolitan Clubs, will be held in Berkeley, Stanford University and San Francisco August 16-21.

A Congress of Reforms, under the auspices of the Woman's Christian Temperance Union of California will be held in San Francisco August 16-20, and the National Grand Lodge and the Grand Lodge of California, International Order of Good Templars, will meet in San Francisco August 14-20.

In all, there will be 249 meetings in San Francisco and vicinity during August. Details in regard to them are given in a bulletin, which may be had free by addressing the Director of Congresses of the Exposition.

LOW RATES TO SAN FRANCISCO

Special round-trip rates to San Francisco, with liberal stop-over privileges, have been granted on account of the Exposition. The following rates, which allow going by any direct route and returning by any other direct route, with a return limit of ninety days from

date of sale, are examples of the expense for railroad fare from various parts of the country:

| | |
|---|---------|
| Ogden or Salt Lake City..... | \$35.00 |
| El Paso, Albuquerque, Cheyenne, Denver. | 45.00 |
| San Antonio, Kansas City, Omaha..... | 50.00 |
| New Orleans, St. Louis, Memphis..... | 57.50 |
| Chicago | 62.50 |
| Pittsburgh | 79.30 |
| Jacksonville | 80.50 |
| Washington, D. C..... | 92.95 |
| New York City (differential lines)..... | 94.30 |
| Boston | 98.20 |

For a trip one way via the Northwest \$17.50 should, in most cases, be added, although from many southern points the extra cost for going or returning via the Northwest is more than \$17.50.

From points in Montana, the Dakotas and Minnesota the rates differ according to routes chosen. The following are the cheapest round-trip rates with ninety-day return limits from the points indicated:

| | |
|------------------------------|---------|
| Butte or Helena..... | \$57.90 |
| Fargo or Grand Forks..... | 50.00 |
| Sioux Falls | 58.70 |
| Aberdeen | 68.20 |
| Minneapolis or St. Paul..... | 63.85 |
| Duluth | 69.90 |

From Oregon, Washington, and parts of Idaho and British Columbia, rates have been granted for tickets with thirty-day and ninety-day return limits. The following are typical rates:

| | 30-day
limit | 90-day
limit |
|----------------------|-----------------|-----------------|
| Ashland | \$18.50 | \$20.25 |
| Portland | 30.00 | 32.50 |
| Seattle | 38.40 | 42.30 |
| Spokane | 46.80 | 52.10 |
| Wallace | 50.25 | 58.65 |
| Vancouver, B. C..... | 44.90 | 48.80 |

From Boise the only round-trip rates quoted are for ninety-day tickets at \$53.00 via Ogden and \$54.40 via Portland.

From Nevada and Arizona tickets are sold with return limits of fifteen and ninety days. Prices for round trips from points in these states are as follows:

| | 15-day
limit | 90-day
limit |
|---------------|-----------------|-----------------|
| Reno | \$11.25 | \$13.50 |
| Phoenix | 39.00 | 47.00 |
| Tucson | 42.25 | 45.00 |

From California points special rates of various kinds have been granted.

From interior Canadian points the following are typical round-trip ninety-day rates,

although from most Canadian points rates vary according to routes chosen:

| | |
|-----------------|---------|
| Calgary | \$80.00 |
| Winnipeg | 80.60 |
| Saskatoon | 96.85 |
| Toronto | 83.90 |

HOTEL ACCOMMODATIONS

A local committee on hotel accommodations, of which Rev. George W. Hinman, 21 Brenham Place, San Francisco, is chairman, has been appointed to assist in securing satisfactory rooms for those attending the Congress on Indian Progress. Through the Official Exposition Hotel Bureau rooms may be reserved in desirable hotels at from \$1 to \$3 per day, for one person, or \$1.50 to \$5 per day for two persons, European plan, according to location of rooms, and whether with or without bath. Apartments, accommodating two or more persons, with facilities for cooking, can be obtained at even lower rates, and rooms may be secured in private homes. San Francisco has a great variety of good restaurants and cafeterias. Those desiring to economize can live comfortably on from 75 cents to \$1 per day for meals, including one meal on the Exposition grounds.

For the reservation of rooms in advance a deposit of twenty-five per cent. of the total amount payable is required. This deposit is

applied on the room rent, but will be forfeited if the room is not taken.

FOR OTHER INFORMATION

Those desiring specific information regarding the Congress and related matters should address the following named, according to the nature of their inquiries:

C. E. KELSEY,
General Secretary Northern California Indian
Association
145 S. 12th St., San Jose, Cal.

H. B. PEAIRS
Supervisor of U. S. Indian Schools
Washington, D. C.

REV. GEO. W. HINMAN
Chairman Committee on Hotel Accommodation
21 Brenham Place, San Francisco.

JAS. A. BARR,
Director of Congresses
Panama-Pacific International Exposition
San Francisco,

Indian Help Associations

Clippings

SOUTHWEST LEAGUE MEET WILL BE ATTENDED BY LEADING MEN OF NATION

Great Indian Characters Are Scheduled to Be in Attendance Following Amended Notice; Colorado River Project Still to Front

The League of the Southwest conference, to be held in Santa Barbara June 7-9 will be the scene of some of the greatest Indian gatherings ever to be held in the history of the United States, according to announcement made by Arnold Kruckman, secretary and organizer of the league, who was in Santa Barbara last night. Not only will representatives of all the great tribes in the country be present, he declares, but also a majority of authorities on Indian affairs will be in attendance.

When the conference convenes, there will be in attendance a dozen governors of the Navajos. These rulers of the tribe are conceded to be among the country's most brilliant men. Several of them speak perfect English and are keen students of not only their own affairs but of those of the entire nation. In the past their council has been sought on every important move made in Indian affairs.

Indian Delegations

A delegation from the Pueblo nations will attend the conference, as well as representatives of the Hopis. Mrs. John Wetherill, noted woman authority on the Indians, will accompany the last two named tribes.

Dr. C. Hart Merriam, noted scientist and an expert on the California Indians, has notified the league that he will attend. An address will be made by Commissioner of Indians Charles H. Burke. Representatives of all seven of the southwest states will give their opinions on the question.

Four Indian organizations are cooperating with the league in arranging the program on Indian affairs. They are: The Indian Welfare League, American Indian Defense Society, the Indian Rights Society and the Indian Welfare Bureau of the Federation of Women's clubs.

Notification has been received of the presence of distinguished delegates to the conference, which include the following: W. H. Crocker, San Francisco; Congressman E. O. Leatherhead, Utah; Senator Charles L. McNary, Oregon; Thomas B. Love, Democratic national committeeman, Texas; Senator Key Pittman, Nevada; Senator William H. King, Utah; Senator Samuel M. Shortridge, California; Senator Holm O. Bursum, New Mexico; Congressman A. M. Free, California; Congressman Charles B. Timberlake, Colorado; Congressman H. E. Barbour, California; Congressman E. O. Leatherwood, Utah; Director Arthur P. Davis and Ottamar Hamele, U. S. reclamation service; O. C. Merrill, federal power commission; Col. William Kelly, U. S. army engineers; Charles P. Craig, executive director Great Lakes-St. Lawrence Tidewater association; H. H. Merrick, former president Chicago Commercial association and vice president Great Lakes-St. Lawrence Tidewater association; David B. Rushmore, New York City, consulting engineer General Electric company; Gov. Gifford Pinchot, Pennsylvania; Philip P. Wells, secretary National Committee for Defense of Federal Water Power act; Mary Austin, the author; Carter Harrison, Chicago; Mrs. H. A. Atwood, General Federation of Women's clubs; John Collier, American Indian Defense Society; Dr. John B. Comstock, Indian Welfare League; Dr. R. B. von Klein Smid, president University of Southern California; William Jennings Bryan, Jr.; Mrs. Willard D. Straight, New York City; Zane Gray, the author; Hon. Robert Erskine Ely, New York City; William Hard, the writer; Herbert J. Hagaman, Bureau of Indian Affairs; L. Ward Bannister, New York City and Denver; Gov. Alfred E. Smith, New York; Gen. Hugh Scott, Board of Indian Commissioners; Pres. Alvaro Obregon, represented by a delegation.

Other well-known publicists, scientists and notable figures in the life of the Southwest as well as of the nation are expected.

Although the Colorado river situation will be the major question before the conference, the Indian problem will come in for a great share of discussion. Every phase of the situation will be discussed, and it is hoped by the league that from the discussions a solution of the economic, cultural and humanitarian Indian problems will be solved.

Varied Theories

Many organizations are favoring various and diversified solutions. There is one faction which approves the present state of Indian affairs, the government providing reservations, food and clothing. Another group, believing that the vast resources which are locked underground in the reservations should be developed and placed into circulation, contend that a means be found whereby the Indian can be made a self-supporting citizen. Still another faction, although contending the resources should be developed insist that the Indian be well compensated for his land, thus giving him a start as a citizen. At present the Indians are wards of the government. There are 300,000 red men in the United States and it requires an Indian Bureau of 100,000 to take care of them under the present system.

One of the colorful figures who will attend the conference on Indian affairs will be General Hugh Scott, former Indian fighter, once a chief of staff in the United States army, and at present head of the board of Indian commissioners. For the past several years General Scott has acted as mediator when any of the Indian tribes went on

(Turn to page ten)

INDIANS WILL GIVE PROGRAM

Chief Standing Bear and Others to Be Here on Monday

The American Indian Progressive Association has arranged an interesting entertainment, to be given next Monday evening, under the auspices of the McKinley Parent-Teacher Association. Chief Standing Bear, a Sioux, from Pine Ridge, South Dakota, is a well known authority on the tribal customs of his people, and with his niece, Was-Te-Win, will give many interesting legends, songs and dances of the Sioux nation. His one aim has always been to present the true facts concerning the Indian, his customs and legends, and to correct, as far as possible, the erroneous ideas that have been fostered in the public mind by those exploiting the Indian for selfish gain. In his travels throughout this country and in Europe, Chief Standing Bear has made a host of friends, and is recognized and respected as a real American.

Owing to the inability of the Hopi Indians to participate as formerly planned, there will be a slight change in the program. Chief Yoylache of the Yakima tribe, and Chief Eagle Horse of the Alaskans, will appear in place of Hopis.

The program will consist of the following numbers:

A talk on the customs of the Sioux nation, its legends, songs and dances, by Chief Standing Bear and Sioux girls; songs in English, by Mr. Pettigrew, a Navajo Indian; eagle dance, by Sioux girls; songs and legends, by Chief Eagle Horse; arrow dance, by Chief Standing Bear; selected numbers, by Chief Yoylache, and war dance, by the entire company.

The entertainment will be held at the McKinley School auditorium at the corner of Oak Knoll avenue and Center street, on Monday evening, February 25, at 8 o'clock. Owing to the fact that half of the proceeds of the evening will go to the Indians for their work among their own people, and the price of admission having been made within reach of all, a large attendance is hoped for.

INDIAN RULE CONDEMNED

Speaker Attacks Bureau

League of Southwest Told That Federal Policies Must Change

Czar-Like Autocracy Stain on Honor of the Nation, Says Collier

(EXCLUSIVE DISPATCH)
SANTA BARBARA, June 8.— Discussion of Indian affairs at the conference of the League of the Southwest today and tonight developed into a concerted attack on the government Indian policies. John Collier, secretary of the American Indian Defense Society; Mrs. H. A. Atwood, chairman of the Indian welfare bureau of the General Federation of Women's Clubs; Mrs. Mary Austin of New York and other speakers criticized present and past methods. Denunciation of Indian Bureau policies was severe by some of the speakers who insisted that an entirely new policy must be inaugurated in justice to the Indians.

NATIONAL CAMPAIGN

Today's meeting was one of the first to be held as part of a nation-wide campaign directed against Indian Bureau policies. The objective of the campaign is to secure a new policy. One of the speakers suggested that it may be necessary, in order to cut the red tape of the existing system to transfer Indian affairs to the Department of Agriculture.

Collier, in an address on "The American People and the American Indian," criticized the government Indian policies by saying: "Behind everything else in the problem and tragedy of the Indian is the traditional attitude of the American people toward the Indian. That attitude is changing and therefore there is hope for the Indian."

"Because the people's attitude is changing, the unparalleled stupidities and evils of our Indian Bureau bureaucracy and policies are going to be ended. These stupidities and evils are humiliating to the intelligence and honor of the United States. But they are not the misdoings or stupidities of individual officials but the unconscious wrong-doings of the white race as a whole in America."

"The Bureau of Indian Affairs is hardly more savage in its dealing with civilized red men than Congress has habitually been; and in the few cases where local branches of government have had power over Indians they have used the power savagely as a rule."

"CZAR-LIKE AUTOCRACY"

"Yes, indeed, we have the task of breaking down the Czar-like autocracy and the inefficiency—creating monopoly of the stagnant and savage Bureau of Indian Affairs; but we have also the task of bringing our own thought in line with modern scientific knowledge about the Indians and of Christianizing our own attitude toward a race of men who, in violation of the spirit of the Constitution, we are trying by coercion and persecution to Christianize."

"We drove the Indian from his hunting grounds, hurling him back onto the hunting grounds which had been peacefully held by other tribes. We made treaties with the Indian and broke them. We used whisky in place of money to buy from the red man what he could sell. The infrequent struggles between tribes which had varied the peaceful existence of Indians were few but they fought bravely but hopelessly against the overwhelming white tide."

"Then the long chapter of hopeless armed effort by Indians came to an end and the Army surrendered its responsibility to a civil bureau of the Interior Department. This Bureau of Indian Affairs took over the autocracy of the Army. It took over the monopoly

(Continued on Second Page)

REASONS CITED

ference Urge Vigorous Sup- Commission Agreement

ES F. BAYDEN
Correspondent
VE DISPATCH

Vigorous support of the compact mission was given by speakers at tonight of the League of the Southwest. The were described clearly and in detail of the Denver civic and com- legal precedents and rules established on, Mr. Bannister said:

stream. One of these rules was laid down in Kansas vs. Colorado, in regard to the Arkansas River, and was to the effect that each State upon an interstate stream is entitled to a fair and equitable portion of the total water of the stream.

"The second rule recognized by the Supreme Court of the United States was in the case of Wyoming vs. Colorado. There the contesting States were both Sim- pure appropriation or priority

Wanda Hawley at
WILLIAM
 "BRASS COME"
 the Greatest Sarr
 Added Attrac
 Come

SANTA BARBARA, CA
 APRIL 29, 1923

Today, Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday
 2:30, 7:15 & 9:30

SOUTHWEST
WILL BE
LEADING

THE BLACKSMITH
 in a Riproaring Comedy

BUSTER KEATON
 Chas. E. Fair and Burt McPherson

LEAGUE MEET
TO BE ATTENDED
BY LEADING MEN

(Continued From Page One)

the warpath or had any dispute with other tribes or the white settlers. He knows, probably, more than any other living man the problems, desires and whims of the native Americans.

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rence Tidewater association; David B. Rushmore, New York City, consulting engineer General Electric company; Gov. Gifford Pinchot, Pennsylvania; Philip P. Wells, secretary National Committee for Defense of Federal Water Power act; Mary Austin, the author; Carter Harrison, Chicago; Mrs. H. A. Atwood, General Federation of Women's clubs; John Collier, American Indian Defense Society; Dr. John B. Comstock, Indian Welfare League; Dr. R. B. von KleinSmid, president University of Southern California; William Jennings Bryan, Jr.; Mrs. Willard D. Straight, New York City; Zane Gray, the author; Hon. Robert Erskine Ely, New York City; William Hard, the writer; Herbert J. Hagaman, Bureau of Indian Affairs; L. Ward Bannister, New York City and Denver; Gov. Alfred E. Smith, New York; Gen. Hugh Scott, Board of Indian Commissioners; Pres. Alvaro Obregon, represented by a delegation.

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INDIAN BUREAU
IS CONDEMNED

League of Southwest Hears of Red Tape

Treatment of Red Men Stain on Honor, is Claim

Federal Policies Must be Changed, Speakers Say

(Continued from First Page)

of the Army, and it took over the prevailing American attitude toward Indians as that attitude was sixty years ago. I have characterized that attitude. It was an ignorant, scornful and brutal attitude of a conquering race toward a beaten race.

"The Indian Bureau autocrat and monopolist became guardian, so-called, of the Indian race. The Indian Bureau philistine became the Czar over hundreds of thousands of Indians and down the years till this day, the Indian Bureau has remanded the autocrat and the monopolist and the representative of a savage and ignorant point of view about Indians which the general public has outgrown and which science has discovered to be untenable but which in the Indian Bureau has cherished as a patriotic and Christian, a militant and missionary idea.

"There is now under way on the Atlantic Coast and Pacific Coast—a national movement toward a new Indian policy. This movement seeks and will get the following among other results:

"That the looting of Indian wealth under forms of law shall cease. That the Indians shall be given civil rights, including the right of religious liberty, the right to form organizations for mutual benefit and protection and the right to take counsel with their white friends.

"That the Indians shall be given access to the varied resources of helpfulness of the national and State governments, health, education, agricultural guidance and aid. That the cultural life of the Indians shall be appreciated and made use of in the education and moral guidance of the race, instead of being outlawed and even crushed by force as in the past and present.

NEW RACIAL PRIDE

"That modern medical service shall be made available to Indians. That the natural resources of the reservations and the man-power of the Indians shall be employed in building up self-support and self-respect and a new racial pride and a new American pride in the Indians, and that within practicable limits, the United States henceforth shall observe in spirit and letter its various undertakings solemnly made, through treaty and otherwise, with the Indian tribes."

Prof. A. Kroeber, in describing "the Indian's angles," told of the racial differences and tribal differences and said he believed that because of this any blanket policy would be unwise.

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"In its worship of processes and methods," said Mrs. Austin, "the Indian Bureau has almost forgotten the reason for its existence and the object it is supposed to obtain. So far as the Washington organization is concerned, the Indians are a secondary consideration. The bureau and its processes come first, the physical assets of Indians come second and the red wards of the nation trot along in the dust far to the rear. The bureau's record in the case of the Southern Piutes, the Polk and Posey band in Utah, is typical.

"From many instances it becomes apparent that such men as Roosevelt, Francis Leupp, Franklin Lane, Woodrow Wilson, desiring to help the Indians, were unable to break through the mazes of red tape and the walls of entrenched apathy and indifference behind which the Indian Bureau functions. Unless Dr. Work has greater success, unless he can bring about a change in methods and policy, it may become necessary to use high explosives to transfer the Indian Bureau from the atmosphere of the Interior Department into the fresher, purer constructive atmosphere of the Department of Agriculture, for after all the Indian question is a problem of rural life of the same kind as those which the Department of Agriculture is designed and equipped to solve."

RESOLUTION READ

Dr. D. T. MacDougal, general secretary American Association for the Advancement of Science, read the resolution approved by the executive committee framing the complete protection of the Pueblos in their fundamental land irrigation and agricultural rights and the association takes the stand that in our dealings with Indian affairs we should be bound by the plain letter of legal contracts by inherent equities and implied obligations.

George M. Hughes, Cherokee



FEB. 23, 1924

INDIANS WILL GIVE PROGRAM

Chief Standing Bear and
Others to Be Here
on Monday

The American Indian Progressive Association has arranged an interesting entertainment, to be given next Monday evening, under the auspices of the McKinley Parent-Teacher Association. Chief Standing Bear, a Sioux, from Pine Ridge, South Dakota, is a well known authority on the tribal customs of his people, and with his niece, Was-Te-Win, will give many interesting legends, songs and dances of the Sioux nation. His one aim has always been to present the true facts concerning the Indian, his customs and legends, and to correct, as far as possible, the erroneous ideas that have been fostered in the public mind by those exploiting the Indian for selfish gain. In his travels throughout this country and in Europe, Chief Standing Bear has made a host of friends, and is recognized and respected as a real American.

Owing to the inability of the Hopi Indians to participate as formerly planned, there will be a slight change in the program. Chief Yoylache of the Yakima tribe, and Chief Eagle Horse of the Alaskans, will appear in place of Hopis.

The program will consist of the following numbers:

A talk on the customs of the Sioux nation, its legends, songs and dances, by Chief Standing Bear and Sioux girls; songs in English, by Mr. Pettigrew, a Navajo Indian; eagle dance, by Sioux girls; songs and legends, by Chief Eagle Horse; arrow dance, by Chief Standing Bear; selected numbers, by Chief Yoylache, and war dance, by the entire company.

The entertainment will be held at the McKinley School auditorium at the corner of Oak Knoll avenue and Center street, on Monday evening, February 25, at 8 o'clock. Owing to the fact that half of the proceeds of the evening will go to the Indians for their work among their own people, and the price of admission having been made within reach of all, a large attendance is hoped for.

Santa Barbara Press, June 9, 1923.

SPEAKERS RAP INDIAN BUREAU AS INCAPABLE

League Of Southwest Session
Hears Denunciation Of
Federal Department

RED MEN SAID STARVING

National Leaders Fling Accu-
sations In Urging Change
In Procedure

A vigorous indictment of the Bureau of Indian Affairs and its attitude toward the aboriginal tribes of the southwest was made by speakers representing national organizations at the conference of the League of the Southwest at Recreation center last night.

Charges of incompetence were freely flung at the bureau by John Collier, secretary of the Indian Defense society of New York City. Dr. D. T. McDougal, general secretary of the American Association for Advancement of Science of Washington, D. C., and Mrs. H. A. Atwood, chief of the Indian Bureau of the American Federation of Women's clubs.

Mr. Collier, in an arraignment of the bureau, declared that the organization had become out of date, unsympathetic and utterly incapable of handling the affairs of the various Indian tribes of the United States.

Insufficient effort is made, he declared, to aid the Indian, and the death rate among the western tribes is appalling. Health bureaus of a number of states were quoted to substantiate his assertions.

Scientists Give Aid

The remarks of Dr. McDougal were along the same lines, asserting in conclusion that the scientists of America were organized to aid the Indian regardless of the neglect of official bureaus.

Walter Woehlke, editor of Sunset magazine, called attention to the condition of Indians in California and other western states and ended his denunciation of the bureau by suggesting the feasibility of its transfer from the department of the interior to the department of agriculture as a means of relief. The problem of the American Indian, he said, is a rural one and might be handled with more sympathy by the agricultural department.

Indians of the Southwest were represented at the meeting by Louis Nelson, a Pima Indian from the Santa Clara reservation of Arizona, and by The Wolf Killer and The Doer of Deeds, chief medicine men from the Western Navajo reservation of the same state. Nelson, in a short appeal to the gathering declared the Pimas had been reduced to a state of semi-starvation by the appropriation of their water rights by white settlers. The tribe has not grown a crop in three years he asserted and unless steps are taken to provide a reservoir for its use in irrigation starvation is an immediate menace.

Nelson sang the ancient Pima rain song in his native tongue at the conclusion of his speech and added a touch of humor to his appeal by remarking that perhaps a rain song in Santa Barbara would bring rain in Arizona.

The Doer of Deeds and The Wolf Killer ended the program by a native Navajo dance song. Neither of the two speaks English but sat on a platform during the program and applauded each speaker enthusiastically.

SAN FRANCISCO, CALIF.
CHRONICLE
JUNE 8, 1923

Indian Problems Will Be Discussed

Special Dispatch to The Chronicle.

SANTA BARBARA, June 7.—The Indian and his problems will be the topic of discussion at the League of the Southwest meeting here Saturday.

Among the notables securing hotel reservations, and coming alone for the Indian discussion are David Starr Jordan, George Wharton James, Mrs. Louis Wetherill, Anglo-Saxon chieftainess of the Navajo tribe; Dr. Frederick G. Collett, San Francisco; Dr. Edward L. Hewett, director of the School for American Research at Santa Fe, N. M., and others.

Artists who have for years been students of Indian lore, have arranged for an art display as a feature of the gathering of Indian workers. These artists include Edward Borein, Thomas Moran, Carl Oscar Borg, Fernand Lungren and De Witt Parshall.

Los Angeles, Cal., Times

JUNE 9, 1923

INDIAN BUREAU MADE TARGET OF SPEAKERS

EXCLUSIVE DISPATCH

SANTA BARBARA, June 8.—

Discussion of Indian affairs at the conference of the League of the Southwest today and tonight developed into a concerted attack on the government Indian policies. John Collier, secretary of the American Indian Defense Society; Mrs. H. A. Atwood, chairman of the Indian welfare bureau of the General Federation of Women's Clubs; Mrs. Mary Austino of New York and other speakers criticised present and past methods. Denunciation of Indian Bureau policies was severe by some of the speakers who insisted that an entirely new policy must be inaugurated in justice to the Indians.

NATIONAL CAMPAIGN

Today's meeting was one of the first to be held as part of a nation-wide campaign directed against Indian Bureau policies. The objective of the campaign is to secure a new policy. One of the speakers suggested that it may be necessary, in order to cut the transfer Indian affairs to the Department of Agriculture.

Collier, in an address on "The red tape of the existing system to

(Continued on Second Page)

TRIAL NO. 8—MISS MARY
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AGED TEACHER IS PLACED ON TRIAL

and...
Miss Ferguson and Mr. Clarke.
"It is true," said the banker
when asked about the reported es-
tablishment. "Further than that I
will say nothing. Any other state-
ment must come from Mrs. Clarke."

Treatment of Red Men Stain on Honor, is Claim

Federal Policies Must be Changed, Speakers Say

(Continued from First Page)

American People and the American Indian." criticised the government Indian policies by saying:

"Behind everything else in the problem and tragedy of the Indian is the traditional attitude of the American people toward the Indian. That attitude is changing and therefore there is hope for the Indian.

"Because the people's attitude is changing, the unparalleled stupidities and evils of our Indian Bureau bureaucracy and policies are going to be ended. These stupidities and evils are humiliating to the intelligence and honor of the United States. But they are not the misdoings or stupidities of individual officials but the unconscious wrong-doings of the white race as a whole in America.

"The Bureau of Indian Affairs is hardly more savage in its dealing with civilized red men than Congress has habitually been; and in the few cases where local branches of government have had power over Indians they have used the power savagely as a rule.

"CZAR-LIKE AUTOCRACY"

"Yes, indeed, we have the task of breaking down the Czar-like autocracy and the inefficiency—creating monopoly of the stagnant and savage Bureau of Indian Affairs; but we have also the task of bringing our own thought in line with modern scientific knowledge about the Indians and of Christianizing our own attitude toward a race of men who, in violation of the spirit of the Constitution, we are trying by coercion and persecution to Christianize.

"We drove the Indian from his hunting grounds, hurling him back onto the hunting grounds which had been peacefully held by other tribes. We made treaties with the Indian and broke them. We used whisky in place of money to buy from the red man what he could sell. The infrequent struggles between tribes which had varied the peaceful existence of Indians were few but they fought bravely but hopelessly against the overwhelming white tide.

"Then the long chapter of hopeless armed effort by Indians came to an end and the Army surrendered its responsibility to a civil bureau of the Interior Department. This Bureau of Indian Affairs took over the autocracy of the Army. It took over the monopoly of the Army, and it took over the prevailing American attitude toward Indians as that attitude was sixty years ago. I have characterized that attitude. It was an ignorant, scornful and brutal attitude of a conquering race toward a beaten race.

"The Indian Bureau autocrat and monopolist became guardian, so-called, of the Indian race. The Indian Bureau philistine became the Czar over hundreds of thousands of Indians and down the years till this day, the Indian Bureau has remanded the autocrat and the monopolist and the representative of a savage and ignorant point of view about Indians which the general public has outgrown and which science has discovered to be untenable but which in the Indian Bureau has cherished as a patriotic and Christian, a militant and missionary idea.

"There is now under way on the Atlantic Coast and Pacific Coast—a national movement toward a new Indian policy. This movement seeks and will get the following among other results:

"That the looting of Indian wealth under forms of law shall cease. That the Indians shall be given civil rights, including the right of religious liberty, the right to form organizations for mutual benefit and protection and the right to take counsel with their white friends.

"That the Indians shall be given access to the varied resources of helpfulness of the national and State governments, health, education, agricultural guidance and aid. That the cultural life of the Indians shall be appreciated and made use of in the education and moral guidance of the race, instead of being outlawed and even crushed by force as in the past and present.

NEW RACIAL PRIDE

"That modern medical service shall be made available to Indians. That the natural resources of the reservations and the man-power of the Indians shall be employed in building up self-support and self-respect and a new racial pride and a new American pride in the Indians, and that within practicable limits, the United States henceforth shall observe in spirit and letter its various undertakings solemnly made, through treaty and otherwise, with the Indian tribes."

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Daily Times

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George M. Hughes, Cherokee from Oklahoma, held the audience spellbound by a recital of the story of his tribesmen, the great Sequoia, to show that the Indian can of himself work his way out of his natural state to modern enlightenment.

A closing address by Miss H. A. Atwood, chairman of Indian Welfare Bureau of the General Federation of Women's Clubs, though not mentioning the Indian Bureau by name, made a terrific arraignment in describing economic and health conditions prevailing among the various tribes in Arizona, Wyoming and California.

banquet on Saturday, December 6.
Rupert Hughes, who will be in the bay cities next week, has been invited to be a guest of honor at the December reciprocity luncheon of the Daughters of the American Revolution at the Palace Hotel on Friday, December 5. These monthly luncheons following a council meeting, assemble leaders in the patriotic chapters about the bay. The December luncheon has been dedicated to the cause of the Indian. Mrs. H. S. Roberts, who through contact with them during the past ten summers has been enabled to make a close study of the Indians of northern California, will be the speaker. A group of period Indian songs will be rendered by Mrs. Cella Starkweather. Reservations may be made for the luncheon with Mrs. L. E. Grafton, Fruitvale 6503W. Visiting Daughters are especially invited to attend the holiday month luncheon.

Mrs. Gillespie Appointed to Club Position

Mrs. Louis J. Gillespie of 44 Esperanza Avenue has just been appointed chairman of the division of Indian Welfare of the C. F. W. C. in the place of Mrs. Mabel F. Ocker, who recently resigned. The appointment was made by Mrs. Charles H. Toll.

In her new capacity Mrs. Gillespie will have five vice chairmen and four county chairmen under her jurisdiction, which includes the five counties comprising the Los Angeles district. She will be "on call" to give lectures before various clubs on "Indian Work."

Mrs. Gillespie is particularly interested in Indian welfare and has one of the finest collections of Indian curios in the country. She has visited, during her travels, nearly all of the big reservations in Canada and the United States.

Last year she made a special study of affairs as a member of Ebell Club of Signal Hill. She is an active member of this club, being its Secretary-Treasurer, is on the Southwest Museum Committee of the Cliff Dwellings Club and chairman of Spanish and French in the Ebell Club of Long Beach.

What is termed the Indian movement is progressing rapidly all over the country. Southern California through the American Indian Center Association, will add the culminating efforts to this movement to bring our first Americans to the attention of the world and give them the place rightfully theirs on the plane of endeavor by creating an avenue of expression for the genius of the Indian people. The government is doing its part in the education of the various tribes and The People of the United States, being quickened to do theirs, are helping the Indian to do what he can to help himself.

All primitive peoples have a deep reverence for the things of spiritual significance. This reverence is universally expressed through the designs on their art creations, crude though they may be. It is especially true of the American Indians and the sentiments they have endeavored to perpetuate in the figures of their rugs, blankets, pottery, and in the significance of their music, whether it be a lullaby, a love song, or a war dance.

The late Charles Troyer, famous musician and composer, recognized this call of the soul, and in order to give it to the world, lived among the Indians for long periods of time in order to study their rhythms and peculiar harmonies and thus comprehend what they were meant to express. The result was a series of compositions which are said to embody the courage, the tenderness and the chivalry of the Indians as the music of no other composer has done.

Rita Greene Breeze, a poet, herself one-sixteenth Indian, working in conjunction with Professor Troyer, wove a drama around the lyrics and their colorful musical setting, into which she introduced the weird and thrilling dances and ceremonies which are the expression of the religious beliefs and human sentiments graven on the hearts of all primitive races the world over.

First the American Indian Center Association proposes to accomplish an annual spectacle in Los Angeles or its environs, along the lines of the Mission play.

When the music drama is successfully launched and becomes a self supporting enterprise, the next step of those behind the undertaking will be to surround the theater with a representative Indian village built in the pueblo style of architecture, in which will be exhibited and sold the handiwork of the various tribes.

Chief Yowlache, a lineal descendant of a long line of hereditary leaders of the once great nation of the Yakima Indians, has been secured to take the bass role in Zuniana, America's original Indian opera.

In the wide search now being made for native talent to fill the cast of Zuniana, Chief Yowlache is one of the first to be assured of his prominent role, because of his splendid record extending over a period of five years as a concert singer.

Until 21 years of age he lived the tribal life of his people, then, fired by his love of music, he decided to acquire the white man's education and musical training. By working

MARSHALL
in lumber camps and by dint of tireless energy, he was able to acquire a well rounded education in Seattle and Tacoma schools, and with this four years of the best vocal training to be had on the north coast.

Chief Yowlache has a fine natural sense of dramatic values, and is a true interpreter of the songs of his people.

Friend of Indians Chief Speaker at Women's Meeting

Daughter of Iroquois in
Dramatic Plea Enlists
Support of Clubs.

Mrs. Lewis Gillespie of Long Beach was one of the principal speakers yesterday at the convention of Los Angeles District Federation of Women's Clubs, now in session at Santa Barbara.

Mrs. Gillespie, who has been re-appointed Chairman of Indian Affairs, brought the delegates to their feet in a cheering throng when, with outstretched arms, she appealed to the women of California for their co-operation in bringing about needed legislation for the Indian.

The speaker, born of an Iroquois mother and a French father, made a picturesque figure with her raven hair, soft olive complexion and great dark eyes. Mrs. Gillespie said:

"Our simple Indian people are so puzzled. There are many societies that are working against the Indians which call themselves federations. They seem to believe that they are your women's federation. Our Indians are in dire need. Will you help my people and work for the passage of two bills now in the Legislature, bills 336 and 337, appropriating funds for the indigent Indians and for their support and aid?"

Resolutions to support the bills were passed unanimously.

Plans to form a club of women who have paid taxes in California for thirty-five years or more, were proposed by Mrs. John McDonald and Miss Frances Willis of Los Angeles.

The next convention will be held in Pasadena, in April, 1926.

INDIANS FURNISH UNIQUE PROGRAM AT BROTHERHOOD

An interesting and unique program was furnished the Plymouth Congregational church brotherhood at its monthly meeting Tuesday evening. C. W. Bell, director of religious work at the Sherman Institute at Riverside, assisted by six of his boys and girls representing the following tribes, gave the program, the Indians taking part were: Amy Washoe of the Washoe tribe, Carson City, Nev.; Lillian Pierce from the Chippewa tribe, New York; Zella Smalley from the Eel River tribe; Pedro Elnore, Mojave tribe; Lawrence McCarty, Hoopi tribe, California.

Mr. Cell's talk outlined briefly the work of the institute which is a departmental school for non-reservation Indians. It has approximately one thousand students from some forty different tribes representing as many different languages. These boys and girls are taken at any age up to eighteen years, the curriculum of the institute being similar to our public elementary and high schools. The education received at the institute compares very favorably with the education which the white boys and girls receive at our public institution, the object being to prepare these wards to inject into their respective tribes the elevating influences of a Christian education. The trustworthiness of the Indian was brought out by the fact that these boys and girls are received into the homes of the best families of Riverside.

Very interesting talks were given by the boys and girls, who accompanied Mr. Cell, when they were called upon to tell us in their own way the tribes from which they came and something of the home life or lack of home life they had before coming to the institute.

The program was partly musical, the Indian boys and girls being members of the institute's glee club.

Secretary Meeting
The next conference of the Federation Secretaries of the Los Angeles district will be held on the 20th inst., at 10 o'clock in Room 614, Hillstreet Building at Eighth and Hill streets.

Mrs. L. J. Gillespie, Indian princess, who is the new district chairman of Indian welfare, will talk of her work for the Indian. Mrs. Gillespie has visited nearly all the large reservations on this continent and has one of the finest collections of Indian curios in the country. She will tell of the pressing work to be done for the welfare of the Indians.

Some of the specializing clubs, not before represented at these conferences, will tell of their particular work and each representative will have a chance to tell of the most important work her club is doing.

The steady increase in attendance at these conferences testifies to the interest and appreciation of the value to the individual club which this work has been. Mrs. J. B. Lorbeer, the leader, is vice-president of the Los Angeles district-C. F. W. C.

Indian Relief Bills Passed In Spite Of Braves' Opposition

In spite of opposition voiced personally by representatives of the California Indian at hearings before the assembly committee on ways and means and in telegrams received by Speaker Frank F. Merriam and other members of the assembly, that body passed two bills by Senators Handy, Slater and Nelson, appropriating a total of \$125,000 for the relief of the aboriginal residents.

The first of the two bills, S. B. No. 336, provides for the appointment of a commission to investigate conditions among the Indians and to work out ways and means of alleviating the distress in which the organizations favoring the bills declare the Indians are living.

The second of the two bills, S. B. No. 337, appropriates \$100,000 to be used in immediate relief of the Indians.

Assemblywoman Anna Saylor, who sponsored the bills on the assembly floor, declared that independent investigations made by devoted women and men of the state indicated that a large percentage of the Indians of the state were facing starvation unless immediate relief was extended.

GREENVILLE TO HOLD GALA FETE FOR INDIANS

Tribes Are To Be Invited To
Meet Congressional
Committee

GREENVILLE (Plumas Co.), April 28.—The Greenville Chamber of Commerce has perfected plans for the coming of the congressional committee, headed by Congressman J. E. Raker of this district, which will visit this section early in June. This committee will include heads of Indian affairs in Washington, and it is their purpose to visit the Greenville Indian School to decide as to the advisability of rebuilding and opening the Indian school, the main building of which was burned several years ago, after which the school was abandoned.

Greenville will endeavor to make a showing of the Indians of this and adjoining counties, whose children depend upon the Greenville Indian School. To this end, the Greenville Chamber of Commerce is making arrangements to stage a big "pow wow" of the Indians by giving a barbecue and general good time to several hundred Indians. This is the first time such an event for Indians has ever been held here, and will be the means of drawing a large crowd.

The first meeting of the executive board of the California Federation of Women's Clubs for the new club year was held last week at Asilomar.

Many questions were discussed and stands taken by the executive board and officers appointed for the coming year.

An address was given by the president, Mrs. John C. Urquhart, in which she urged the women to stand as a unit for the things that will benefit the greatest number in the greatest way. She also asked the women to centralize on one or two things, keeping the work simple and working toward one goal. "Understanding is what we need, and if we can bring spiritual force the things to bear, we can wipe out in our work all that is wrong," she stated.

Mrs. Robert J. Burdette, California director of the General Federation of Women's Clubs, gave a talk on the policy and work of the national organization and stressed the need for more uniform action in the state work. She also urged a greater number of club institutes throughout the state in which to prepare women for club leaders.

Other things outlined for the year are emphasizing better homes through co-operation. A stress will be laid on Americanization work and with an aim to eliminate illiteracy by 1930.

An effort will be put forth to better the condition for the California Indians, and under the department of Indian welfare, a definite program has been arranged. The California Federation of Women's Clubs will use its influence to solve the problems of giving proper attention to these people through medical attention and general welfare work.

The board urged all women not to sign the petition now being circulated until further word from chairman of the Indian welfare board work, Mrs. Mable Chilberg.

INDIAN CHIEF, STANDING BEAR, HONORS FAIRVIEW HTS. KIDDIES, SELECTED TO DEDICATE GROUNDS

Children of the Fairview Heights school who last term were third grade pupils of Mrs. Bertha Gunnup Hollister were honored last Sunday by being asked to take part, with Chief Standing Bear, in the dedication of a four and half acre tract of land in the Ella hills back of Lincoln Heights, Los Angeles. This ceremony was the first step toward making that city the center of a widespread campaign for the betterment and education of the Indian.

The Inglewood children were given the distinction of taking part in the ceremonies because they were the first to contribute to the American Indian Progressive association, of which Chief Standing Bear is the president. Not only did they contribute generously to the amount of

\$35, but they earned every cent of this money themselves, which is something these little tots are truly proud of. This money made up part of the payment on the land which they helped to dedicate. The larger part of the tract was donated.

About thirty-five of the children were present at the dedication, and together with an Indian delegation headed by the Sioux chieftan, Standing Bear, had their picture taken with him. The chief accepted the land on behalf of his organization.

Mrs. Ella M. Friend, principal of the Fairview Heights school, with Mrs. Hollister, were in charge of the children. Mrs. Friend is enthusiastic over the work of the association and the splendid work done by the children.

MRS. BUTTS IS NOW DISTRICT CHAIRMAN OF INDIAN WELFARE

Reporting Saturday's convention of Tulare county woman's clubs, a writer in the Fresno Republican says in part:

"All parts of Tulare county were represented Saturday at the convention of the Tulare County Federation of Women's clubs, which was held under the oaks of Mooney grove. Mrs. William Hilger, president for the past two years, presided and the minutes of the last five meetings were read by the secretary, Mrs. Paul S. Smith.

Mrs. B. F. Butts of Terra Bella is another department chairman whose work in the county has been recognized by the district federation. She is to be chairman of the district for Indian welfare as well as of the county next year. Assisting her in the Tulare county work will be Mrs. William Hilger of Strathmore, retiring president of the county federation, and Mrs. D. Gervais of Terra Bella. Mrs. Butts outlined a program for helping the Indians next year, which was adopted by the executive board.

"It provides for a day when the county nurse can be taken to weigh the babies, instruct the mothers about bathing them and advice as to the prevention and treatment of diseases a day when the Indian girls may be given instruction in the preparation of wholesome food; an "ideal home day" when the Indian women may be shown the white housekeeper's ideas of home keeping, and, some time in the spring, a day when the Indian women may have the opportunity of exhibiting their basketry and lace work.

"These plans are all made with reference to the Indians on the reservation near Springville, as that is where most of Tulare county's Indians now are. Mrs. Butts had with her some samples of basketry and stressed the importance of encouraging the women to continue in the art, which is almost a lost one, because of the indifference of the Indians and the scarcity of materials. ***

What Publicity Accomplished

Does publicity do any good? Does it correct evils? Generally the question is answered with a sneer and a shrug of the shoulders.

But ask the Pueblo Indians of New Mexico. They ought to know. A year ago they were about to lose thousands of acres of valuable lands. The department of the interior had about persuaded congress to give these lands to squatters. Or ask the Mes-calero-Apache Indians, some of whose lands former Sect'y Fall and Sen. Bursum proposed to grab for their "New Mexico National park."

This newspaper and others went to bat for the Indians, and stirred up protests which prevented the raids on the Indian lands.

Chief among the Indians' friends was a Mrs. Atwood of Riverside, official head of the "Friends of the Indians ass'n." The Indian bureau and Sect'y Fall tried to make fun of her. Then they branded her as "ill-informed and pestiferous."

Now tables have turned. Sect'y Fall is out. Dr. Work, new secretary of the interior, has appointed a committee of one hundred prominent Americans to act as an advisory board for the purpose of "protecting the Indians in their land and other rights."

And at the head of the committee is Mrs. Atwood of Riverside!

CLUB WOMEN RUSH TO AID PUEBLOS

"The clubwomen's fight in behalf of the Pueblo Indians is to be continued," quotes the General Federation News of the month. This was decided at a meeting of the General Federation of Women's Clubs, Atlanta, where a resolution was adopted giving "moral support" to Mrs. Stella Atwood of Riverside, California, chairman of Indian Welfare.

Protest against the treatment of Mrs. Atwood when she appeared before the Indian Affairs Committee at Washington in the cause of the Pueblo Indians to be filed by the California State Federation. Mrs. William A. Fitzgerald, retiring State President, introduced a protest at the convention in Eureka this spring, which reads:

"We believe that public courtesy is to be desired as much as private courtesy. We believe that public officials betray their trust when they subject to merciless questioning any American citizen, and we urge that consideration be accorded her by the legislators of the commonwealth."

Mrs. Atwood, who has lived among the Indians for years, has been given the credit for defeating the Bursom bill by showing it up to two million clubwomen "not as a simple land measure as it purported to be, but a scheme to take from the Pueblo Indians of New Mexico their land and irrigation rights."

Magazines of the country took up her cause and letters flooded the congressmen. Mrs. Atwood protested that aside from a humanitarian standpoint, and from justice, she fought for the protection of the Indians as contributors to drama, art and poetry of a purely American type.

Occupants of the Lakeside Commercial and Savings bank are enjoying a cool atmosphere in the bank since the installation of the new ventilation blinds last week.

An interesting report on the discussion of the Indian problem, as presented at the conference of the southwest, recently held in Santa Barbara, was given by Mrs. E. L. Mallory of Lakeside, chairman of the Indian Welfare, at the open club meeting preceding the annual summer luncheon of the San Diego County Federation of Women's clubs, held at the Civic auditorium recently. Mrs. Mallory featured the Indian affairs of the nation as dealt with by some of the most competent authorities of the nation, and from her speech the audience understood much of the character of the Indian, his humor and pathos, and something about his problems and the responsibility of his care. Much interest was expressed by many of the clubwomen of the county, and the establishing of a county welfare nurse at local reservations is contemplated.

NEWS OF CHURCHES PROMOTE WORK OF INDIAN WELFARE

Bandini Association Has Annual Election and Helpful Meeting

MRS. MITCHELL IS RE-ELECTED

Interesting Report of the Work Done at Sherman Institute Given

The Helen Elliott Bandini Indian Association held its annual meeting June 8 in the chapel of the Pasadena Presbyterian Church. Reports of the year showed that the association has urged legislation to protect the Pueblo and other Indians, and the adoption of a California Indian policy predicated upon the acknowledgement of a legal debt due the Indians because of the treaties of 1851. At the same time, the constant aim of the association is the encouragement of Indians to work for a better future, putting away all brooding over wrongs, and the sympathetic understanding of his difficulties by white friends.

The president, Mrs. Louis Mitchell, spoke of a recent visit to Sherman Institute and referred to other visits by officers of the association who have been cordially welcomed in every department. Appreciation was expressed for the ability and the devoted interest shown by Superintendent Conser in the welfare of the 800 students, who, coming from thirty-seven to forty-five tribes in twelve states, learn to be friends with each other in their games and classes and to forget tribal animosities.

The association has continued its interest in the needed Protestant chapel and Miss Edith Menzer, who for six years has been director of

religious work at the Institute spoke eloquently of the responsibility made by the students to Christian friendliness before the Woman's Missionary Union in November and again at this annual meeting. No one could doubt her love for her charges and letters from graduates showed their confidence given frankly and affectionately. She stated that the government expects three hours of religious instruction but does not provide for its teachers. The Federation of Churches in Riverside pays Miss Menzer's salary.

With the enlarging interest of many students a pastor became necessary and Rev. S. B. Kurtz has been chosen and his salary paid by the National Home Missions Council. Without a chapel, with no place for personal interviews, Christian training and personal influence is difficult. The students were intensely disappointed that the chapel could not be built last year. It is hoped that contributions for this union undertaking, in which all Protestant churches are represented, will permit its beginning this summer. The treasurer reported receipts for the year by the Bandini Association to have been \$154.39, and of this, \$110 had been sent towards the Sherman Institute chapel. It was voted to send \$50 more, and contributions immediately made it possible to do this and have a balance in the treasury for the coming year.

Mrs. Roberts, for over a year past nurse in the Indian hospital at Hoopa, this state, and Mrs. Means, teacher in a mission school near Tucson, were asked to speak of their experience and managed in a few minutes' time to give much interesting information.

The following officers were elected: Mrs. Louis Mitchell, president; Mrs. G. R. Vedder, vice-president; Miss Susan M. Blake, secretary; Miss Anna L. Meeker, treasurer; Mrs. M. M. Parker, Mrs. L. M. Jacobs and Rev. W. E. Dodge, members advisory board.

Undaunted Champion of The Indians' Cause May Visit Santa Rosa Club

MRS. H. A. ATWOOD of Riverside, California, acknowledged to be the greatest champion of all in the cause of the American Indian, and foremost among authorities on Indian history and lore, may come to Santa Rosa in the course of the new club year to present her cause before the Saturday Afternoon Club.

Negotiations are now under way to secure Mrs. Atwood for the club program on a special day to be devoted to the Indians. She is in receipt of the invitation, sent by Mrs. Charles M. Kellogg, chairman of the program committee, and she is endeavoring to so arrange her dates to permit of compliance. Mrs. Atwood is chairman of the department of Indian warfare for the General Federation, as well as for the California Federation.

APPEALED TO CONGRESS

The lady recently concluded an eastern tour in behalf of her self-assumed wards. A number of Indians accompanied her, and her motive was an appeal to Congress in their behalf.

CONGRESS CENSURED

Of her visit to Washington, she less said the better, except that it called forth the following protest on the part of her State Federation:

"The state convention of the

California Federation of Women's Clubs desires to protest strongly against the treatment of Mrs. H. A. Atwood of Riverside, California when she appeared before the Indian affairs committee at Washington in the interests of the American Indian.

"We believe that public courtesy is to be desired as much as private courtesy. We believe that public officials betray their trust when they subject to merciless questioning any American citizen presenting a cause before the United States government at Washington, and we urge that the courtesy due him or her be accorded by the legislators of the commonwealth."

NEW YORK'S RECEPTION

But if Washington subjected Mrs. Atwood to treatment resulting in a collapse, New York made amends to her and her wards. The city openly received them, and for the first time in its history the Stock Exchange recognized a visit by suspended business.

OWN FORTUNE DEVOTED

Mrs. Atwood's life is wrapped up in the Indians. She serves them gratuitously, devoting her own means to them and their cause. Their rehabilitation, and justice for them, is her mission in life, and she is certainly going ardently about achieving that mission.

Her visit here is awaited with interest.

Women Set Out Call For Big Mass Meeting To Boost San Diego

Conclusive demonstration by the men of the city at a recent public dinner as evidence of the great faith in the San Diego spirit of cooperation has led the County Federation of Women's clubs and the Women's Civic Center, two leading organizations of women, always represented in the vanguard for community progress, to call a mass meeting at the Balboa park auditorium, Thursday, June 21, at 8 o'clock, when authentic information regarding the great menace of the Colorado river to large areas of territory in the southwest and the feasibility of the Boulder dam project to control this force and develop vast irrigation systems and electric energy will be discussed as the first step towards creating the arteries of commerce for a greater San Diego.

First Hand Information

Realizing the imperative need of all citizens receiving first hand and accurate information regarding the importance of this stupendous undertaking now pending before congress the two women's organizations functioning as a non-partisan, non-political forum have asked all of the men and women of the city to join in this meeting, in order to present the facts before an intelligent, interested people. This project has aroused considerable national interest, has been thoroughly thrashed out by the reclamation service and thought has crystallized to a point where action is needed. The San Diego chapter of the American Association of Engineers has drawn attention to the necessity for vigorous action in not only controlling the yearly rampage of the Colorado river, which costs the Imperial valley over half a million dollars a year in the repair of dikes, not to mention the vast amount of damage from some 150,000 acre feet of silt brought down each year and deposited on the delta between Yuma and the Gulf of California. It is proposed to carry water thus controlled through a canal built entirely on the American side to supply the water used by the American farmers on some half million acres of land now under cultivation. Under the present condition every drop of water on the American side first flows through a canal in Mexico and half of this water may be retained on the Mexican side and all of the water, of course, is subject to control by the Mexican government with the natural inconveniences and expense such an arrangement entails.

To Lead Discussion

Mayor John L. Bacon and Congressman Phil Swing will be present to lead the discussion. Mayor Bacon as president of the Boulder Dam association has carefully worked out authentic and detailed information regarding this project from reports of the reclamation service, recommendations of the secretary of the interior and Secretary Hoover. Congressman Swing who has just returned from the league of the southwest conference, will explain the Swing-Johnson bill to provide for the protection and development of the lower Colorado river basin, now pending before congress.

The County Federation of Women's clubs appointed Mrs. E. L. Mallory of Lakeside, county chairman of Indian welfare, as a representative to the League of the Southwest conference recently held in Santa Barbara for the purpose of gaining information through the discussion of the Boulder dam project and Indian problems of the southwest, which include the affairs of the Indians on the Navajo plateau, affairs of the Pueblo Indians of New Mexico, of the California Indians and of the Yuma, Apache and other tribes of the southwest. Mrs. Mallory will be present at the mass meeting to speak on this subject and give her impressions of the League of the Southwest meeting.

A special feature of the mass meeting will be the appearance of the students' glee club from the high school, who will sing several numbers under the direction of W. F. Reyer, accompanied by Mrs. W. F. Reyer at the piano. President E. L. Hardy of the State Teachers' college will preside over the meeting. With the chairman and prominent speakers leading the discussion will be the presidents of the San Diego County Federation of Women's clubs and the Women's Civic Center, Mrs. E. C. Upp and Mrs. Edna Woodhams Snook, as sponsors for the joint meeting called by these organizations.

All organizations and individuals are invited to be present and participate in this open forum. The women will endeavor to make this get-together meeting a symbol of the spirit of San Diego in acquiring and disseminating the knowledge and understanding necessary in order to build for a greater San Diego.

S. D. WOMEN CALL MASS MEETING IN PARK AUDITORIUM

County Federation and Civic Center Join Co-operative Move for Greater City.

Conclusive demonstration by the men of the city at a recent public dinner as evidence of great faith in the San Diego spirit of cooperation has led the County Federation of Women's clubs and the Women's Civic Center, two leading organizations of women, always represented in the vanguard for community progress, to call a mass meeting at the Balboa park auditorium Thursday, June 21, at 8 o'clock. The great menace of the Colorado river to large areas of territory in the southwest and the feasibility of the Boulder dam project to control this force and develop vast irrigation systems and electric energy will be discussed as the first step towards creating the arteries of commerce for a greater San Diego.

SWING TO SPEAK

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MUSIC ON PROGRAM

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All organizations and individuals are invited to be present and participate in this open forum. The women say they will endeavor to make this get-together meeting a symbol of the spirit of San Diego in acquiring and disseminating knowledge and understanding necessary to build for a greater San Diego.



The Secretary of the Interior is Engaged in a Little Work Relief in Florida.

JULY 7, 1923

of ferns and flowers, is not used

Mrs. Atwood's Treatment To Be Resented

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Protest against the treatment of Mrs. Atwood when she appeared before the Indian affairs committee at Washington in the cause of the Pueblo Indians, is to be filed by the California State Federation of Women's clubs with the Indian affairs committee.

The protest was formally entered in a resolution adopted by the state federation in annual convention recently held at Eureka and introduced by Mrs. William A. Fitzgerald, president of the California federation.

"We believe that public courtesy is to be desired as much as private courtesy," the resolution reads. "We believe public officials betray their trust when they subject to merciless questioning any American citizen presenting a cause before the government of the United States

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be continued.

(Continued from Page Six)

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"The state convention of the California Federation of Women's clubs desires to protest strongly against the treatment accorded Mrs. A. Atwood, state and general federation chairman of Indian welfare, when she appeared before the Indian affairs committee at Washington in the cause of the American Indian."

Mrs. Atwood, who has lived among the Indians for years and knows them intimately, is credited with having defeated the Bursum bill by showing it up to 2,000,000 club women, "not as a simple land measure that it purported to be but as a scheme to take from the Pueblo Indians of New Mexico their land and irrigation rights."

As soon as she discovered the joker in the bill her work was organized, congress was flooded with protests and as a result the Bursum bill which had already passed the senate, was recalled.

Magazines the country over and the press generally came to Mrs. Atwood's aid and the fight against the bill became spectacular. The battle is still ranging and Charles Selden in the Ladies Home Journal for June is promising an article in which it is said: "The federation's Indian welfare committee is out to reform the Indian bureau. But there is another angle to be considered, aside from the question of injustice, aside from the humanitarian aspect. These Indians, with their age-old civilization, can bring a direct influence to a drama, art, poetry and literature that is purely American."

Customs of Indians To Be Disclosed In Lecture Tuesday Night

Chas. E. Shell, connected with the office of county superintendent of schools, who for 23 years was with the government Indian service as teacher, superintendent and Indian agent in Dakota, Oklahoma, Arizona and California, will tell of their languages, customs and habits, domestic life, religion and legends, in a free lecture at Besant Hall, Eighth and Broadway, on Tuesday, December 16th. Mr. Shell's grand-daughter, Miss Nina Shell, who has a trace of Sioux blood, will assist the speaker by exhibiting a number of pieces of handiwork of her people. This talk will be illuminating along educational lines. Everybody is urged to attend. At the close of the talk, the auditors are invited to ask questions upon the subject and five-minute speeches will be in order.

AUXILIARY TO HEAR OF INDIAN WORK

Mrs. H. C. Roberts will be the speaker at the next meeting of All Souls' Woman's Auxiliary on Friday afternoon, at 3 o'clock at the new parish house, Cedar and Spruce streets. Mrs. Roberts spent the summer in the Klamath regions and became much interested in the Indians there. Her subject will be the "Indians of California" with special reference to the Klamath Indians. All persons interested have been invited to be present. Mrs. M. J. McFarland is president of the Auxiliary.

"Indian" Day Observance

Renaissance Circle of Berkeley is holding an open meeting Friday afternoon at the Town and Gown club house in Berkeley. The program is entitled "Indian Day." Mrs. Leo Hanley is to sing a group of Indian songs and Ellen and Emina Houghson, pupils of Mrs. Wilkins, will present Indian dances in costume. Mrs. H. C. Roberts will talk on Indian legends, baskets and pottery and Miss Mary Lambert will speak on "Indian Rights." The committee arranging the program includes Mrs. H. V. Knapp, Mrs. James Moore, Mrs. A. V. Sherry, Mrs. Frank Thompson and Mrs. G. C. Bohannon. Mrs. A. J. Hanlon is president of the club.

Indians Appear on Program At Club Women's Luncheon

A language of signs, each representing a definite idea or thing, that enables people speaking different tongues to understand each other perfectly, has been in use for countless generations among at least 125 tribes of American Indians. By means of it, John Lewis Clarke of the Blackfeet tribe, although deaf and dumb since the age of three years, converses with his people and with others who know the sign language. Dressed in full Indian costume, elaborately decorated with beadwork, he appeared before the San Diego County Federation of Women's clubs at the luncheon held at the San Diego hotel on Saturday, where examples of his work as a sculptor and wood carver were shown. In the small figures of mountain sheep, bears, buffalo, etc., wonderful fidelity to nature in form and posture was noticeable, and he has won medals and prizes from the Philadelphia Academy of Art, and other places where his work has been exhibited. William Thompson, his friend, gave a brief history of his life and work, and translated the speech made by Clarke in the sign language, telling how he and his wife came to this place to escape the rigors of winter in his Montana home. Mr. Thompson, a former secretary of the chamber of commerce here, has lived much among the Indians, whom he praises for their many superior qualities. **LEGENDS RECITED** Mrs. Lucy Miller, of Guatay, who has been collecting legends of the Indians of this section, recited "How the Milky Way Came to Be in the Sky," "The Wily Coyote," a Cocopah legend. Master Jack Walters, who had a fine collection of Navajo rugs on display, told an Indian story, speaking and using the sign language at the same time. The signs are not the usual deaf and dumb alphabet, but are those traditional among the Indians, and are dramatic and expressive. Illustrating Indian proficiency in another branch of art, Mrs. R. J. Fraher of the Osage tribe, the possessor of a clear, high voice, showing good training, sang a group of songs by Charles W. Cadman, of which "The Place of Breaking Light" and "The Thunderbird Comes From the Cypress Trees," were notable. She was accompanied by Edith Starr Webster. Mrs. Charles P. Sullivan of Lakeside read a volume of Indian legends collected by John R. Wise, superintendent of Haskell Indian school, at Lawrence, Kansas, where 80 different tribes are represented. The stories are written by pupils of the school. These children had also drawn the little souvenir place cards, each with characteristic Indian design. A number of larger pictures in watercolor was the work of pupils of Sherman Indian school at Riverside, and Phoenix, Arizona. These elicited much admiring comment for their admirable drawing and vigor of treatment. Miss Josephine Seaman presided at the luncheon, but turned over the program to Mrs. E. L. Mallory, chairman of the department of Indian Welfare, who had arranged the program, assisted by the Mothers' club of San Diego and the Lakeside Women's club. About 160 attended the luncheon.

SPRINGVILLE CLUB PLANS CHRISTMAS

SPRINGVILLE, Dec. 13.—At a meeting held by the parents of children attending the Springville grammar school and a committee from the town and country recently, it was decided that the club would discontinue service of hot lunches at noon. The younger pupils will be given milk at 10 o'clock in the morning. Miss Gretchen Flower, county librarian, is to be a speaker at one of the club meetings soon. Miss Flower will take good books as her topic, emphasizing the value of good reading for young people. The club cooperated with others in the county in providing funds for the Christmas entertainment to be given the Indians of the South Tule reservation, under the direction of Mrs. William Hilger, district chairman of Indian welfare. Many members are planning gifts for individual children in addition. The next meeting of the club will be held January 8, when Mrs. Kitty Head, chairman of Indian welfare will be in charge of the program.

INDIAN DEFENSE LEAGUE MEETS HERE

Two bills introduced this year into the legislature relating to examination of Indian conditions and Indian welfare, formed the principal subject of discussion of a conference of delegates from the Central and Northern California, Southern California and Santa Barbara branches of the Indian Defense association here yesterday and Saturday. The first of the bills calls for an appropriation of \$25,000 for a survey of economic conditions of the Indians of California and the second would appropriate \$100,000 for immediate relief of the tribes. The bills have been introduced by Senator Handy of Mendocino county, Nelson of Humboldt, and Slater of Sonoma. It was stated following the conference here that the bills would be pushed by the Indian Defense society, seconded it is expected by the State Federation of Women's Clubs and the California League of Women Voters. The delegates present included: Mrs. Stella Atwood, Riverside, chairman Indian welfare committee, General Federation of Women's Clubs; Mrs. Mabel Chilberg, Azusa, chairman Indian welfare committee, California Federation of Women's Clubs; Mrs. Louis J. Gillespie, Long Beach, Los Angeles district chairman Indian welfare committee, C. F. W. C.; Mrs. D. E. Meyers, San Diego; Mr. and Mrs. Joseph P. Lane, Los Angeles. Directors Northern and Central California branch: Mr. and Mrs. John Collier, Mill Valley; Albert de Y. Elkus, national counsel, San Francisco; Miss Georgiana Carden, Sacramento, California state superintendent of attendance; Max Rosenberg, San Francisco; Mrs. I. F. McCrill, secretary Northern California branch; Walter Woehlke, managing editor of Sunset Magazine.

By RUTH McCLINTOCK

An eloquent plea for recognition of the rights of Indians was made by John Collier, executive secretary of the Indian Defense League, speaking yesterday before Friday Morning club. The Indian of the Southwest represent the oldest and the newest civilization, said Collier, older than the civilization of Egypt yet still young, fresh and vigorous. He enlarged on the spiritual life of the Indian and the belief that each life influences all; that the tribe is responsible for world conditions as well as their own; that the spiritual life is a getting in tune with the forces of nature. The pre-adolescent child is considered by the Indians the most impressionable, stated Collier, and it is at their period of development that special attention is given the child in all the religious and traditional teaching, and in the history of its tribe. Then the child is left to harmonize his spirit with that of nature. Collier spoke of the calm and the peace which the Indian has. He spoke against the destruction of the religion of the Indian, which is old, and still new. As a result of methods now in process, Collier sees extinction of the race. Senate Bill 336 now before California legislature was discussed, and the speaker asked the club women to do what they could in active support of this measure. Rabbi Coffey, a member of the state board of charities and correction, was a Friday Morning luncheon speaker, who voiced his support of bill 336, saying: "This bill should have our united backing. When the blinders have been removed from our eyes, we will see the great injustice we have done Indians."

The National League of Women Voters has just announced the establishment of a fellowship for "the study of the American Indian problem, the progressive policies of the government, and the contemporary administration of Indian affairs." The amount of the fellowship covers the entire expenses of attendance at the Robert Brookings Graduate School. The fellowship is open to women graduates of approved colleges and universities who have had the equivalent of a full year of graduate work in economics and government. A background of study in the political and social sciences is highly desirable, the League says. Applications for the fellowship should be made to the League headquarters, in Washington, D. C., not later than May 1.

Women's Club To Meet Next Tuesday Night

The San Diego Business and Professional Women's club will hold its quarterly business meeting Tuesday evening, March 23, at which reports covering the year 1925-1926 will be read. The business session will be short.

Mrs. L. J. Gillespie, state chairman of Indian Welfare, of the California Federation of Women's clubs will be the guest of honor and the speaker of the evening. Her subject of course will be her work in connection with Indian welfare.

Mrs. Gillespie is a fascinating French-Canadian-Indian. Among her most prized possessions is an heirloom from her mother, 33 feet of real council wampum of the old Five Nations. She naturally has an enthusiastic and sympathetic understanding of the problems of the Indian.

While in San Diego she will be the guest of Mrs. J. D. Shipp, local chairman of Indian welfare.

Miss Nina Jerdine Shell, a descendant of the famous old Sioux Chief "War Eagle" and a grandniece of Gertrude Bonnin, author and lecturer who wrote under the name "Zitkala-Sha" (Red Bird), will give two readings, "A Welcome" and "Citizenship for the Red Man."

Miss Shell has an interesting collection of bead work and other Indian curios which will be exhibited in the club rooms from 5 to 6 o'clock, during which time her mother, Mrs. Glenn Shell, will be glad to tell something of the origin and history of these various articles.

Mr. and Mrs. Franklin Price Knott are leaving today for Washington, where Mr. Knott, who is president of the Santa Barbara Indian Defense Association, will confer with the Indian Bureau. They will be absent from Beira Mar, their home on Channel Drive, two months or longer. They will motor to Los Angeles and leave that city on the morning limited for the East.

Santa Barbara Branch of the Indian Defense Association is an active organization, prominent workers in which are Samuel Hoffman, Miss Pearl Chase, Carl Oscar Borg and Edward Borein.

The branch has held several successful bazaars and sales recently, one of which was at El Mirador, the Montecito home of Mr. and Mrs. John J. Mitchell of Chicago, and another in Edward Borein's studio on East De la Guerra street.

The Indian Defense Association in New York will give an Indian and Old Frontier Ball for the benefit of the association Tuesday evening, April 22, in the main ballroom suite at the Plaza hotel.

It is proposed to transform the ballroom and its approaches into the semblance of a frontier dance hall hung with Navajo blankets, skins of forest animals and flanked with pine trees. In the boxes will be tables covered with oilcloth and Indian dishes will form the menu. There will be a representation of a typical Indian village in the foyer with its wigwams and camp fires as well as groups of Indians representing various tribes. Patrons are requested to attend in the guise of Indians, cowboys and girls, hunters, trappers, Mexican or Spanish dancers, or any costume that suggests the early pioneer days.

The American Indian Defense Association endeavors to secure for the Indians just treatments from the government and the people of the United States and to promote his welfare. Its officers are Irving Bacheller, president; John Collier, executive secretary; Mrs. Willard Straight, treasurer; Miss Virginia Furman, assistant treasurer, and A. A. Berle, Jr., secretary. Its board of directors includes Mrs. H. A. Atwood, Robert E. Ely, Mrs. James Lees-Laddlaw, George Haven Putnam and William Allen White. On its national advisory board are Luther Burbank, Miss Mabel Choate, Charles W. Elliot, John H. Finley, Hamlin Garland, Miss Virginia C. Gildersleeve, Murray Hulbert, Adolph Lewisohn and the Rt. Rev. William C. Manning.

Asserting that the United States government harbors an accumulated policy to destroy tribal relations of our Indians, with adverse results to their political, social and moral conditions, John Collier in speaking at the Friday Morning club predicted that 25 years will see the end of the red man as a race.

"We have enslaved primitive peoples, but no other nation has ever assumed guardianship of an aboriginal or primitive people, and then burned, starved and froze their souls!"

As executive secretary of the Indian Defense league, the speaker recently returned from Indian reservations near San Jacinto, where only 17,000 Indians now remain, as compared with 65,000 before the gold rush in California.

ENDLESS SUFFERING

Although he has endured endless suffering and hardships since the conquering of this country by the white man, the Indian is lacking in either pessimism or cynicism, according to Mr. Collier. Unlike the white man, he is marked by a peculiar detachment and sophistication. He has taken the loss of ancestral knowledge and memory and the stripping of ancestral agricultural lands with remarkable calm, now believing there remains no alternative to him but servitude.

"The Indian civilization is the oldest in point of time, but the youngest in that it still has the power of further growth and creation. It is both young and burningly alive. If I can make you see the point that the Indian is not a lost race, but as my subject stated, 'The Oldest Civilization and the Youngest,' you will want to fight for and protect it."

STATE PROBE

State legislative bill No. 336, now pending, provides for an investigation by a state committee of the Indian situation in California and for steps to be taken for its improvement. Collier believes the passage of the bill would be the beginning of a great change in conditions for American Indians.

INDIAN HAS
ELOQUENT
CHAMPION

"Netob" Club, Composed of School Teachers, Provides Interesting Lecture.

Under the auspices of the Netob Club, Mrs. Roberts of Klamath Falls delivered an interesting talk at the Hotel Los Medanos Tuesday evening on the "Conditions of the American Indian."

The Netob Club is composed of school teachers who recently banded themselves together for social, cultural and professional purposes, one of the chief aims being that of providing occasional lectures on vital topics, which will be open to their outside friends. The term netob is of Indian origin, meaning "friend," and it was seemingly appropriate to have for their first open meeting a discourse on the subject of the Indian. The president of the club is Miss Elroy Hill, and the secretary, Mrs. Willa Youngblood.

Mrs. Roberts' appeal was for a recognition of the Indian as a member of the human family, and her recital of the neglects of civilization in this respect were amazing. The pitiable condition of the Indian was pictured most vividly, leaving a lasting impression upon the auditors.

The club is planning to provide another lecture for next month.

INDIANS SUBJECT
OF INVESTIGATION

Living Conditions Probed At Reservations By Welfare Bodies

For the purpose of making a survey of conditions among the Southern California Indians a party which included Mrs. J. S. Wood, of this city, has spent several days traveling over mountains and deserts, and getting first-hand information with reference to the manner in which these wards of the Government are living, and their treatment by the Government's representatives. The trip covered practically all of the Southern California reservations, from those in San Geronimo Pass and on down to Palm Springs, to those in the mountains of San Diego County, and not a little of the trip was over rough country.

The committee having the investigation in charge represents the Indian Defense Society, and included on the trip were John Collier, a noted Indian authority, Dr. Allen F. Gilliland, of the State district health office at Sacramento; Mrs. Mabel S. Chilberg, chairman of Indian welfare for the California Federated Women's clubs; Attorney Chauncey S. Goodrich of San Francisco; Mrs. J. S. Wood, chairman Southern district women's federated clubs; Mrs. L. S. Gunther, of Mill Valley, a writer on Indian lore; C. G. Hanson, of the Los Angeles Times; and Lee Arenas, captain of the Palm Springs Indians. Mrs. Wood is not a member of the committee but was a guest on the trip.

INDIAN WOMEN
UNITE IN CLUB

Organization Formed to Keep Traditions Alive

Brilliant Group Listed in Membership Roll

Ancient Glories of Race to be Perpetuated

BY JENNIE VAN ALLEN

"Wa-tha-huck!" American Indian women are reverently speaking this wonderful word. They are whispering it in their wigwams and are chanting it in their great ceremonial feasts. Every Indian woman, however broken by age or hardship, knows that "Wa-tha-huck" means "Bringing the light," and that it is the Indian name of the American Indian Woman's Club founded in Los Angeles by a group of Indian women who trace their lineage back to the first citizens of America.

The old tribeswomen know that blood is the test of membership. Not the blue blood of the white aristocrat but the red blood of the red woman. Every woman has white blood in her veins, but she must at least be one-sixteenth pure Indian to be a member of the Wa-tha-huck Club. They know that through this organization the light is shining on the ancient history of the North American Indian tribes and that the story of the red man will soon cease to be meaningless hieroglyphics scratched on rocks and pottery and interwoven in blankets and baskets and that the white race will find the text as easily read as is the Cleft. They know that the club will perpetuate the ancient glories of their race and will revive the Indian art of basketry, pottery, weaving, painting and dancing.

BRILLIANT GROUP

The members of the Wa-tha-huck Club are a brilliant group of women, prominent in the business and professional life of Los Angeles.

They have organized the first club for American Indian women in the world. They are American citizens and faithfully exercise their franchise. They own their own homes and are wives and mothers of men of affairs. They have just received their charter and are accredited members of the Federation of Women's Clubs.

They realize the importance of bringing light to the women of their race. They are all highly educated and belong to the generation who have never been connected with the old tribal life but are ardently interested in government affairs, in educating their race, in the purification of politics, in the development of a philosophy of life that will bring progress and contentment. They are pledged to perpetuate the ancient arts and crafts of the Indian which reflect the desires, the minds and the natures of every tribe who has spoken to the world through stories and legends and through the creation of their handicraft, which is the highest type of symbology. The club will revive the old ceremonial dances and will relive the most fascinating drama ever enacted—the drama of the red man in primitive America.

The American Indian Woman's Club will actively participate in the white man's holiday celebrations.

No Indian child will be giftless on Christmas Day. No Indian family will go cold or hungry or comfortless. Pictures are attracting Indians from every tribe in the United States and every individual is a puzzling problem. The boys and men are protected by the American Indian Protective Association, the Wigwam and War-paint clubs. The girls and women who come here to study or work, will be under the protection of the Wa-tha-huck Club, who are keenly interested in their well-organized social service. The president, Mrs. Ella M. De Porte, was for years the government-appointed head of the Indian welfare work in Los Angeles county and is peculiarly well trained for service in this important phase of the club work.

A vital factor of their work is the research department, which involves the getting and binding together of ancient legendary lore. The vice-president, Mrs. Jeanne Cappel, who is a recognized authority on the fascinating folklore stories of all the tribes, is at the head of this department. She is a woman of charming personality, as is the treasurer, Mrs. Blanch DuKette, whose faultless English indicates a highly trained mind. Perhaps the most notable characteristic of all the members of the American Indian Woman's Club is their extraordinary ability in public speaking, their clarity of thought and their finely cultured voices. The secretary May Montoya, wife of O. G. Jones, Indian lecturer, guide and scout, is a woman of rare attainments, a brilliant writer on psychology and equally brilliant as a lecturer on scientific subjects which she brings to the level of the lay mind. They all dress American fashion but have costly and elaborate Indian costumes. Mrs. Cappel's is a skin of exquisite golden brown, fringed and banded and beaded. Around the neck is a band of scarlet feathers from the breast of a



MRS. MAY MONTOYA JONES



MRS. JEANNE MARIE CAPPELL

Indian Affairs Discussed

When Mrs. Louis J. Gillespie, district chairman of the Indian welfare division of Los Angeles district, was the chief speaker at the monthly conference of federation secretaries, she illustrated her half hour talk with numerous curios from her large collection. The conference was held in Los Angeles on Friday and presided over by Mrs. J. B. Lorbeer, vice president, who had recovered from her recent illness. Others from Long Beach at the meeting were Mrs. Julius Blum and Mrs. King Frey, who accompanied Mrs. Gillespie in her car. It was a very large and enthusiastic meeting.

As Friday was Indian welfare day at the Friday Morning club, and John Collier, president of the American Indian Defense association, was the principal speaker, Mrs. Gillespie left the secretaries' conference as soon as possible and went to the club to hear his address. Both of them were among the honor guests at the luncheon following the program and were introduced.

INDIAN WELFARE

A relief fund to take care of emergency needs among the California Indians has been opened at the Marine Bank at Long Beach by Mrs. Louis J. Gillespie, district and state chairman of the Federation of Women's Clubs for Indian Welfare. The fund has been opened through small gifts from clubs and individuals. It is to take care of such needs as recently arose at Coarse Gold, Cal., where the Indians living in terrible poverty were stricken with an epidemic. Mrs. Gillespie had to meet the first call for aid from her private purse, although generous assistance was given later.

D.A.R. Urges
Observance
Of All Laws

Other resolutions were adopted indorsing Senate bills 727 introduced by Roy Felton, which provides for the appropriation of \$15,000 for the furtherance of historical research in the state of California; Senate bill No. 386, which provides for immediate relief for the Indians, and Senate bill No. 387 which would appropriate \$25,000 for an investigation by a commission appointed by the governor of the condition of the Indians.

Indian Relief Aid

The executive board of the State Federation of Woman's Clubs has indorsed the Indian relief bill introduced by Representative Florence Prag Kahn, providing for the compensation of Indians of California for land taken without payment to the amount of \$49,583,640, this amount being at the value of 50 cents an acre without interest. The board has also sent telegrams urging the passage of the measure to Mrs. Kahn and to the Senate and Congressional committees having jurisdiction over the bill.

An emergency fund has been created through the efforts of the federation department of Indian affairs for the immediate relief of California Indians and to be used in pressing cases of need.

Final Conference

Mrs. Louis J. Gillespie conducted her final Indian welfare conference of the year yesterday morning at the Los Angeles Chamber of Commerce building. It was an informal affair, with Mrs. Gillespie discussing with her chairman various phases of work that will be done this spring. Others attending from Long Beach were Mrs. J. W. Allison and Mrs. Horace Green.

Afterward Mrs. Gillespie attended the conference of the state federation, at which the Kahn bill for restoring to California Indians their lands was discussed, those present voting to recommend its support in a resolution by the executive board, which will meet in Fresno next week.

KOSMOS CLUB DISCUSSES
"INDIAN WELFARE" SUBJECTS

The Kosmos Club met at the home of Mrs. Frank La Porte on Thursday, December 11. Miss Grace Emery, the president, presided at the business meeting that preceded the program, of which "Indian Welfare" was the subject.

The club decided to hold a card party on January 9, and a committee was appointed to make arrangements.

The program was introduced by Mrs. Foster, who spoke on "The Land Rights" of the Indians, and the injustice they have received, in a manner that appealed strongly to the sympathies of the club members.

A very fine paper on "Indian Art and Customs," also a brief history of California Indians, was read by Mrs. Chester Cox.

Mrs. Brazier, chairman of the Indian welfare committee of Mendocino county, gave interesting information pertaining to the Indian situation and some of the many problems under consideration, making a strong plea for his education.

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R. H. STONE PHOTO

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(Continued on Page 40, Column 5)

fresh from the bodies of newly killed deer which he expertly tanned until they were soft as panne velvet and white as the snow on the crest of the Rockies. Every inch of skin is precious to the Indian, as he never kills for sport. He seeks only food and clothing, so every scrap is sewed together with many strange stitches that needlewomen covet. All this sewing is done without needle or thread but the holes are punched with a sharp stick and sewed with thongs and embroidered in symbolical designs with crystal and turquoise heads.

Los Angeles, Cal.

T I M E S

OCT 30 1923

LONG BEACH, CAL.
FRIDAY, FEBRUARY 23, 1924
MARCH 17, 1924

District Gathering of Club Leaders Deeply Moved at Plight of Indians Presented by Long Beach Woman

INCREASE of district federation dues is one of the subjects which will confront the convention of Los Angeles District, California Federation of Women's Clubs, when it assembles at Pasadena early next month. The necessity for the increase was cleverly put before the leaders of club work of the district by Mrs. Charles S. McKelvey, district parliamentarian, when she opened her part of the program at the President's Council in monthly session at the Hollywood Woman's Clubhouse.

"How many clubs have found it necessary to raise dues in the past ten years" was the first query and "Why?" was the second. There were few or no exceptions to those who had come under the first necessity, and there was no contradiction to the statement that things were more expensive and more was desired.

Mrs. McKelvey showed that both conditions prevailed in district work, making necessary the five-cent increase proposed. She pointed to the increased service that has become a necessity with the growth of the organization, among the added advantages, that all cost money, being the district office with a trained attendant in charge, the monthly conferences, Presidents' Councils and the President's letters, and "everything has gone up except postage stamps," she said.

Discussion of the better business talk given by Mrs. Sidney Thomas Exley at the council held last month in Long Beach was contin-

ued. The final recommendation was that this business or financial committee, whose duty should be to plan the budget and watch finances through the year, should be composed of members of the board of directors—those legally responsible for the club finances.

Ruling was also made that the club President could be represented in convention only by the official elected by the club to assist her in her duties—the Vice President.

"Opened doors" was the term applied by Mrs. J. B. Lorbeer, District President and presiding officer at the council, to the glimpses of multitudinous activities of federation work given in the monthly council programs. The last one of the club year was devoted to Public Welfare and dealt with many phases of public service in which the Federation is engaged.

The most interesting personality before the assembly was the venerable figure of Mrs. D. G. Stephens, erect, dignified, efficient and capable of holding her audience in spite of her more than eighty years. She has been identified with the club movement since its earliest beginnings in Los Angeles. Service, she said, was the foundation on which clubs were formed and had been the impetus during the fifty-seven years of the onward and upward march which had placed the movement second to none in the world today, and of this service that of child welfare, she declared, was the most far reaching. Her special plea was for the community work in recreational centers.

Perhaps no subject of the day stirred the audience so deeply emotionally and to such a sense of indignation as that of Indian Welfare, presented by Mrs. Louis J. Gillespie of this city, State and District Chairman, assisted by the General Federation Chairman of that department, Mrs. Stella Atwood of Riverside, whom the Indians call Mother, so sympathetically and earnestly has she worked for their welfare.

In speaking of the indignities and injustice heaped upon the Indians Mrs. Atwood mentioned as things that came to her in just one week, the money being taken from the Navajos to build a bridge across a ferry that only ten Indians had used last year, the royalties being taken from another tribe so that the white people need not pay taxes; the 23,000 acres from which another tribe is being driven to open it for oil leasing, the danger of the Seminoles in Florida losing their land to squatters, the plight of the peaceful, industrious Pimas, starving on arid land, and the Arizona Indians whose cattle were saved for them only when she stepped in with the backing of the club federation. The clever scheme was to dip them for a disease they

GEALDSBURG, CAL. ENTERPRISE
February 23, 1923.

GEYSERVILLE LOCALS

Mr. and Mrs. Manuel Cordova, Mr. and Mrs. Wahou, Mike Cordova, Jack Lucas, and their chief, Alfred Elgin, Indians of the Alexander valley reservation, went to San Francisco Thursday, where they will give exhibitions of their tribal dance and be shown about the city for one week by Mr. F. J. Collett, head of the Indian Board of Co-operation. They will receive as their wages for the week fifteen dollars each, room and board and money for the use of their costumes. San Francisco is getting interested in the Indian conditions in California.

POOR LO!

Now that the twilight shadows are settling about his race, poor Lo is beginning to come into his own. The people who stripped him of his vast domains are beginning to make a belated restitution. The Committee of One Hundred, appointed some months ago by the Secretary of the Interior, to work out plans for solving the Indian's problems, is reported to have finished drawing up a "program of rights" for the first Americans, who are to be known henceforth as the Amerindians.

A new organization, "The American Indian Order," has been formed to devise ways and means of assisting the Indian and to advertise his good points to the world. William S. Hart of Hollywood fame is one of the vice-presidents of the order. September 28 is to be set aside every year for celebration as "Indian Day" and in this way they hope to call the attention of the public to the unpaid debt we owe the red American.

The American Indian Tipi, the publication of this order, contains an article about the Indian calling attention to his many good qualities that are worthy of the emulation of his white neighbors. He loves his children, is a faithful friend and his word once given is sacred. He never betrays a trust

and his morals are above criticism. Many of our choicest dishes, to say nothing of a vice that is dear to the hearts of millions, namely, using tobacco, were secured by the whites from the Indian. Even if he had made no such contribution to American life, he is too picturesque a feature of our country to be permitted to pass out into oblivion. It is regrettable that the Indian association didn't get in some of its good work a little sooner, but better late than never.

San Francisco, Cal.
CHRONICLE
December 6, 1924

Indians Discussed

All of the Northern California Chapters of Daughters of the American Revolution joined in a luncheon meeting in the Red room of the Palace Hotel yesterday. The state regent, Mrs. M. J. Mannhart, presided.

Handsome Indian baskets decorated the long tables in compliment to the speaker of the day, Mrs. S. E. Roberts, who gave an interesting talk on California Indians. Mrs. Roberts has made a thorough and sympathetic study of the Indian question. The conditions among them as she described them to her audience yesterday were a revelation to many of her hearers.

S. F. CAL. BULLETIN
December 1, 1924

NORTHERN California Chapters, Daughters of the American Revolution, will give a luncheon at the Palace Hotel Friday, December 5. Mrs. H. S. Roberts, who is a student of Indian lore, will talk on "Indians of Northern California." Included also in the program will be two groups of Indian song of several periods, given by Mrs. Celia Starkweather. A meeting of the council will be held prior to the luncheon at 11 o'clock.

Those among the members of the committee in charge of the affair are: Mrs. W. A. D'Egilbert, chairman; Mrs. H. E. Woodreng and Mrs. L. E. Grafton of Oakland.

did not have and then confiscate the cattle in payment for the dipping. Through her influence the cattle were returned to the Indians.

Indians have been made citizens, said Mrs. Atwood, but on the pleasure of the agent they are subject to arrest, without warrant, incarceration without trial. She made a plea for the substance as well as the shadow of citizenship, the right for process of law, public assembly, public schools on the reservation with trained teachers, who will contact the homes, and where the arts and crafts of the tribe may be taught to the young by the craftsmen of the tribe and thus preserved.

Mrs. Gillespie made a plea for the support of the effort to have Indian children received into public schools, and asked the support of pending legislation.

Many phases of public welfare, their needs and the service offered were briefly reviewed by department chairmen and the speakers they presented. Among the other speakers were Dr. Walter Dickey, Secretary of the State Board of Health, who spoke on public health; Katherine Phillips Edson, head of the Industrial Welfare Commission, who discussed the minimum wage law and the eight-hour day; Rabbi Edgar Magnus, who made an eloquent plea for the child; Under Sheriff Eugene Biscailuz, whose scheduled subject was law enforcement.

The latter electrified his audience with the news and a description of perhaps the most sensational of jail deliveries, that which had taken place that morning, and the seriousness of the situation. He followed this with an analysis of the crime situation and paid tribute to the Boy Scouts as one of the greatest of preventive agencies.

Pleasures, work and plans for the coming district convention were reviewed by Mrs. Lorbeer and by Mrs. Edward F. Hahn, President of the Pasadena Shakespeare Club, the hostess organization.

In School Concert
PRINCESS TSIANINA,
Indian mezzo-soprano, who will
sing for the students of Pied-
mont high school at a concert
Friday night.



INDIAN PRINCESS TO SING FOR BOYS AT PIEDMONT HI

Charles W. Cadman, ⁷⁶⁴Noted
Composer, to Appear on
Same Program.

Final preparations were completed today for the concert to be given Friday evening at the Piedmont high school when Charles Wakefield Cadman, noted American composer, and Princess Tsianina, Indian mezzo-soprano, will appear under the direction of the Kimmer Shielding, a club consisting of boys from the high school.

Cadman and Princess Tsianina arrived here last Friday after a very successful concert tour in the northwest. They will depart Saturday morning for Hollywood where Cadman has his studio. While here Cadman is the guest of Mrs. L. W. Van Dyke, at her home, 75 Nova Drive, Piedmont.

Princess Tsianina and Cadman were guests at a luncheon today and a reception this afternoon at the home of Mrs. Annie J. King, 172 Alvarado road, Berkeley. Tomorrow afternoon and evening they will be guests of honor at a reception at the home of Mrs. Gilbert Moyle, 1538 Hawthorne, Berkeley. Nearly 100 persons, prominent in social and musical circles in the Eastbay and San Francisco, were present to meet the two guests of honor. A program of Cadman's compositions will be presented in the evening.

CADMAN HONORED.

Mr. and Mrs. Moyle will be assisted in receiving their guests by Mayor and Mrs. Frank Stringham of Berkeley, Mr. and Mrs. Charles Keeler, Mrs. Annie J. King, Mr. and Mrs. Glenn Woods and Miss Zannette Potter.

Cadman was made an honorary member last night of the Kimmer Shielding. The program Friday night will consist of piano and organ number by Cadman, Princess Tsianina will sing several soprano solos and Orley See will play two violin numbers by Cadman.

Cadman recently scored a triumph in Denver where he assisted in the premiere of his latest work, "The Sunset Trail," an operatic cantata dedicated to John C. Wilcox, of Denver, and produced under the direction of the Denver Music Week's association. "Shanewis," Cadman's most successful grand opera was given at the same time and created a sensation among the music lovers of Denver.

STORY OF INDIAN GIRL.

The theme of "Shanewis" is the story of an Indian girl with scenes laid in California and Oklahoma. It was accepted by the Metropolitan Opera House in New York and produced there for the first time in March, 1913. Its flattering reception caused it to be put on a second season, the first time an opera, written by an American composer, had been so honored.

This season his outstanding successes have been "Thunder Bird Suite," and his "Oriental Rhapsody." The first was heard in New York when played by the Russian Symphony orchestra, Modest Altschuler, conductor; in Chicago by the Chicago Symphony orchestra, Frederick Stock, conductor. The latter was heard in Los Angeles and San Diego played by the Philharmonic orchestra.

Princess Tsianina, a Cherokee Indian, has been ignally honored by the government for her response to the appeal of General Pershing for volunteers to entertain the soldiers in Europe. She was the first American girl to sing on the Rhine after the armistice was signed.

Wash. Star - April 6, 1924

New York Society Plans Indian Benefit Program

Completes Arrangements for "Old Frontier" Ball With Setting of Covered Wagon, "Bad Men," Tribal Dances and War Paint.

NEW YORK, April 5.—With debutantes practicing the dances of Minnehaha and young men of the smart set learning how to wear blankets and head-feathers in the most becoming manner, society is engrossed in preparation for the Indian and old frontier ball, which will take place on April 22 at the Hotel Plaza. Face powder will be discarded for war paint, and the war-whoop will be heard over the booming of the tom-tom at the intensively realistic scene of border days to be presented. Even the papoose and covered wagon will have places in the ensemble, while miniature campfires will smoke before tepees.

Never before has New York been confronted with an event of such novel attraction. By skillful contriving the ballroom will look like a dance hall of the northwest of a half century ago, with old-fashioned bar and beetle-browed two-gun men in the rear. There will be fantastic decorations of Navajo blankets and skins of wild beasts, while representatives of several tribes of redmen will welcome the guests. The pipe of peace and the modern cigarette will be smoked in joyful accord. Indian food will be served from dishes on oilcloth-covered tables, but it is whispered that knives and forks will replace the finger cutlery of long ago.

For Benefit of Indians.

The ball will be dedicated to the benefit of the association, which has as its aims the promotion of the welfare of the Indian and the securing of just treatment for these wards of the government. The officers are Irving Bacheller, president; John Collier, executive secretary; Mrs. Willard Straight, treasurer; Miss Virginia Furman, assistant treasurer; A. A. Berle, secretary.

Invitations bear the request that guests will attend in costumes as hunters, trappers, Indians, cowboys, cowgirls, Mexicans, tenderfeet and picturesque pioneers. The dancing will include primitive and modern steps, while there will be a cabaret of stage stars. Some of the prominent names which appear among the list of patronesses are Mrs. Lewis Iselin, Mrs. Hamilton Fairfax, Mrs. John King Van Rensselaer and Mrs. James Muhlenberg Bailey. On the executive committee are Robert Ingersoll Brown, Mrs. Herbert Stockton, Miss Margaret Brown, Mrs. Ingersoll Swasey, Capt. B. S. Jolley, Edwards Simmons Hall, Morley Queen, Edmond J. Stone and Miss Marjorie Cleveland.

Debutantes Will Dance.

A bevy of debutantes will be seen in the corn dance, which is one of the most beautiful and graceful of the Indian ceremonials. This modern version of the rite, which was given in former times to insure a plentiful harvest, is being diligently practiced under the tutelage of native instructors.

WASH. STAR, CAL. PRESS—10
MARCH 30, 1924

Welfare of Indians Is Considered

Mrs. Louis Gillespie Tells of
Trip to Reservations
Before Club.

Ebell of Signal Hill met Wednesday with Mrs. H. B. Dobyns and Mrs. L. D. McCoy at the Hob Nob tea room. After luncheon Mrs. M. H. Taylor presided at a brief business meeting. It was voted to attend the bridge tea for the district federation in April.

Mrs. Louis Gillespie described the recent trip, made in company with Mrs. Clay White, to the Pauma, Rincon and Campo Indian reservations. She said the aged Indians were grateful for the food and clothing taken. On account of the bad weather and snow on the passes they were not able to visit Valcan and Mesa Grande reservations, but will visit them soon. Voluntary contributions will be gladly received. Mrs. Gillespie told of how the civilized tribes of Oklahoma, without the protection of the federal government, are now more completely at the mercy of unscrupulous white men than were their unfettered ancestors a couple of centuries ago. This charge is the result of a private investigation made by special agents of three organizations interested in the welfare of the American Indian, who recently spent several weeks in Eastern Oklahoma, individually engaged in research, and hence all are well provided with first hand evidence. According to the report, of the 64,339 whose restrictions were removed in 1908, probably not more than 5 or 10 per cent have anything left. Most of them are living in the hills or are being cared for by friends or relatives. The only hope of saving the property of the remaining 18,000 restricted Indian members of the five civilized tribes lies in giving the department of the interior definite and specific authority of a character that will afford real protection.

A bill has been introduced which has the approval of the Indian bureau.

The club voted unanimously to indorse Senate Bill No. 2318, pertaining to affairs of Oklahoma Indians being turned back to the department of the interior; Senate Bill No. 2015 for the adjudication of Pueblo Indian lands, and Senate Bill No. 966 for the building of San Carlos dam in Arizona, benefiting Pima Indians.

Mrs. F. D. Stocking presented Miss Flora Reed, who gave an interesting book review of "The Flute of the Gods," a story of the Pueblos.

SAN DIEGO, CAL., UNION 50
APRIL 16, 1925

PRECEDENT

INDIANS of California, 11,000 in number, have appointed spokesmen to wait upon the governor and protest against the enactment of two bills now pending in the state assembly. The bills would authorize the appropriation of \$125,000 to be used for relief and investigation work by state welfare agencies among the tribes. The Indians don't want special relief work, and they don't want investigations—however kindly—according to these spokesmen. The Indians want to be treated as American citizens, not as infants who must be coddled and nursed.

This protest against a proffered gift is rather unusual. We wish that some of the outfits now clamoring for farmer relief from congress could be induced to follow the Indians' example.

SAN DIEGO, CAL., SUN—47
MARCH 20, 1924

San Diego Woman's Club To Hear Indian Program

An Indian program, with stage sets, drapes, curios, baskets and beads, made by Indians on the San Diego Indian reservations, lending an aboriginal atmosphere to the occasion, will be presented at the meeting of the San Diego Woman's club next Tuesday afternoon.

Mrs. Louis J. Gillespie, state chairman of Indian Welfare, will speak on "The California Indian and His Problems." In carrying on her work for better educational, health and welfare conditions, Mrs. Gillespie, who is a French-Canadian of Indian descent, has been guided by a practical knowledge gained through personal visits made to the reservations and reports of her committees following surveys of conditions in the several districts.

Mrs. Orabelle Fraher, lyric soprano, who has been heard in concerts at the Hotel del Coronado recently and sang the role of "Lady Sangazure" in the opera, "The Sorcerer," under the direction of Madam Laura de Turczynowicz, will present the following group of selections in Indian costume: "Pale Moon" (Logan); "From the Long Room of the Sea," (Cadman); "Her Shadow," (canoe song from the American opera "Shanewis,") (Cadman). Albert Kendall will be the accompanist.

Nina Jerdine Shell, a direct descendant of the famous old chief War Eagle, will recite "A Welcome," (Mrs. Cato Sells) and "Citizenship for the Redman" (Edna Dean Proctor).

The program will be given under the auspices of Mrs. J. D. Shipp, chairman of Indian Welfare for the Southern District.

FEBRUARY 6, 1925

INDIAN PROGRAM PRESENTED BY HISTORY SECTION OF CLUB VERY INTERESTING

A chapter in American history was presented before the membership of the Women's Ten Thousand club yesterday afternoon when the history section under the leadership of Mrs. T. H. Gebbie gave a program on the American Indian.

Speaker of the afternoon was Ford M. Jack, principal of Wilson school and representative of the Indian Defense association. Mr. Jack's talk was corroborative of the address given last year by Mrs. Stella M. Atwood of Riverside, national chairman of Indian welfare for the general federation of women's clubs, and he paid high tribute to Mrs. Atwood, as the finest type of American woman and the savior of the ancient pre-Columbian civilization.

The importance of Indian lore to the boys and girls of America can hardly be overestimated, according to Mr. Jack, for every pre-adolescent child is an Indian and the foundation of most extra-curricular work, such as scouting and campfire, is laid upon the old Indian life of America.

Mr. Jack described his visit to one of the ancient cities of Cibola, the Zuni pueblo south of Gallup, New Mexico. He accompanied John Collier, that nationally famous figure, the secretary of the Indian Defense association, and the purpose of the journey was to sit in a great council of Zuni priests and officials of the Indian department, wherein the Indians demanded the return of the Lincoln canes. These silver headed canes were presented to the headmen of the pueblos by Abraham Lincoln to signify the right of the Indians to carry on their own ancient form of civil government within their cities. These canes were later taken away from the pueblo dwellers, along with most of their other rights as citizens and held by officials of the Indian bureau at Washington. As a result of this council the bureau was obliged to restore the canes which the Indians had demanded with justice.

Few Indians Remain

In closing, Mr. Jack entered a plea for the preservation of Indian arts and crafts as monuments of the pre-Columbian civilization. Their arts should be fostered, he said, and instead they are being discouraged. There remain but two Indians at Palm Springs, of the Aguas Calientes tribe who are able to make the beautiful baskets for which the tribe was once famous. Such institutions as the history sections of women's clubs could very properly interest themselves in the work of preservation, was Mr. Jack's thought.

H. L. Kimball, director of boys' activities for the city schools, gave a demonstration with the boys of Wilson school 6A grade illustrative of the use of Indian lore to motivate physical education. The pantomime "The Rain Bird," as acted by the lads, illustrated the effect of

starvation upon body posture and the boys carried out the story to the life.

Parts were taken as follows: tribal chief, Herbert Crosby; medicine man, Terso Llana; fire keeper, Iva Bushaw; hunter, Jack Shibley; water carrier, Sâbo Atkins; fisherman, Charles Burkshaw; war braves, Bruce Shibley, Richard Shoart, Ora Couch; stage manager, Norman Ferguson.

Another Indian number was a tomahawk dance given by a tiny pupil of Miss Wooda Blesy, little Mary Katherine Horton. The little girl, clad in a fringed and beaded Indian costume pantomimed an interesting little scene to the strains of traditional Indian music.

Horace Williams was heard with pleasure in the opening number of the program, singing Amy Woodford Finden's "Four Love Lyrics from the Garden of Kamah." He was sympathetically accompanied by Mrs. Williams.

Members of the section were hostesses during the informal social hour which followed the program when tea was served.

The club house was unusually attractive in its decorations yesterday afternoon. The Indian motif had been carried out with Indian rugs, pottery and baskets and great floor vases were filled with branches of desert shrubs.

Women of California (Succeed) in Securing Justice For Indians

California women's effort to secure justice for the California Indians has culminated in the introduction of two measures in the State Legislature with excellent prospect of enactment.

Senators Handy, Slater and Nelson (all from counties with Indian problems) have sponsored the two bills, which were drafted by the attorneys of the Indian Defense Associations of California, branches of The American Indian Defense Association. The first bill, Senate No. 336, creates a State Committee which shall investigate the situation of the California Indians with reference to land, housing, education, health, and general welfare. This committee is to have as members ex-officio, the governor, chairman of the board of control, state chiefs of education, health and agriculture, and three members named by the governor. It is required to complete its study and make its report in one year, and \$25,000 is appropriated for its technical requirements. The committee is to recommend action by Congress and by the State Legislature.

The second bill, Senate 337, appropriates \$100,000 to be expended for the immediate relief of California Indians—sick, indigent, homeless and aged and infirm; but instructs that the expenditure of this money through the State Board of Health shall await on the findings currently made by the Investigating Committee.

The urgency of these bills is pointed out by the Indian Defense Associations on grounds which include the following:

NEGLECT INCREDIBLE

That it is admitted by the Indian Bureau that 80 per cent of the land bought for California's homeless Indians is worthless whether for farming or grazing; that the Board of Indian Commissioners named by the President has declared all of the 1700 allotments on the public domain, made to California Indians, to be worthless (many being located on mountain tops and lava beds); that the California Board of Health has declared the health conditions and medical neglect of the California Indians to be "incredible"; that the Mission Indians in the South are in most cases planted on waterless land. The proponents of the bill add, that under the American flag the Indian population has been reduced from 150,000 to 17,000, chiefly by actual starvation and by preventable diseases.

Among the Indian Defense Board governing members are Mrs. H. A. Atwood, Mrs. Mabel Chilberg, Mrs. Frank A. Gibson, Miss Mary Workman, Dr. William Palmer Lucas, John Collier, William Kent, and social welfare workers in the several parts of California. They urge the prompt urgent and explicit endorsement of the two bills be sent at once to the members of the Senate finance committee at Sacramento, to the governor, and to the members of the Senate and Assembly. The bills are receiving wide support in the press and from business interests, as well as from the women. Failure of action now will mean a two years' delay, which meantime the Indians will continue to suffer and to lose ground. Action now will have the effect indirectly of com-

PELLING an improvement of Indian Bureau methods in the state, as well as of recognizing that California's conscience about her own Indians is genuine. It is interesting to note that the State of Wisconsin similarly is moving, directly through the pressure of the State Federation of Women's Clubs there, in a manner similar to the California proposals.

Mrs. Ida Finney Mackrille, legislative secretary of the California Indian Defense Associations, Call Building, San Francisco, will send copies of the bills and any desired information to club leaders.

MAY 26, 1926

L. A. Indians Progressive

HOW many Indians are there in Los Angeles? That more than 1000 redmen, representing many tribes, are making their homes in this city, and that many of them are organized in an "Indian progressive association," may be news to the citizenship in general; but such is the case. They meet weekly and their aims in brief are thus stated by their quarterly publication:

"The association believes that the Indian's first opportunity to take up the burden of service is that of being able to help himself, to discharge his duties in whatever walk of life in which he may find himself as man or woman with a sense of responsibility and sacredness of citizenship."

The record of the government in relation to the Indian has not always been such as could elicit praise from either the redman or the citizens interested in his welfare. Conditions are improving, however, and the Indian himself is showing his desire for a more substantial place in the nation than that of a mere ward.

The Indian, educated usually in a government school, is found in every profession, holding his own with the rest of the citizenship. His color is not so different from the mass of white citizens as to set him out racially, and often his origin is not recognized by his associates in business. He has shown that he is capable of attaining the highest culture, and where he applies himself, as those in Los Angeles are doing, he easily holds his place in competition with other intelligent races.

MAY 18, 1924

Mrs. Clay H. White Will Head Ebell of Signal Hill in Coming Season

Mrs. Clay H. White was chosen president of the Ebell of Signal Hill at the annual election of officers held Wednesday at the luncheon and afternoon meeting held at the home of Mrs. W. H. Dunn, 3400 East First street, when Mrs. Mary Crawford was assisting hostess. Other officers chosen were Mrs. C. C. McWhinney, vice president; Mrs. Louis J. Gillespie, secretary and treasurer; Mrs. Rachel Vandevener, corresponding secretary; Mrs. Mary Crawford, federation secretary, Mrs. Gillespie and Mrs. Vandevener were elected to attend the State Federation convention at Pasadena.

Mrs. F. D. Stocking presented Mrs. H. H. Blackburn, who gave a paper on the education of the American Indian, with historical facts of just how these first Americans are being treated. She said that the appropriation for Indian education last year was \$1,675,000, besides large sums taken from the Indian fund. In 1920 there were 20,000 children who were not in school on account of lack of facilities; in 1923 there were still 20,000 children not in school, for the same reason. The society of American Indians, a national organization of America, organized at the Ohio State University in 1911, is asking for a reorganization of the Indian service; that the health and sanitation be transferred to the department of public health; the educational division to the bureau of education; the probate division to the department of justice.

"The women's clubs of the country," said Mrs. Blackburn, "have been up in arms over the treatment of the Indian. John Collier, ex-secretary of the American Indian Defense association, says that it was the organized women of the country who saved the Pueblo Indians last year from what he calls confiscatory legislation. Many people have thought of the Indian of the early day as an ungoverned people, but we claim that they had a government based upon right and justice; their laws were very simple, natural laws, which were supreme laws. The religion of the Indian is the last thing about him that the man of another race will ever understand of his culture. We all know it has no parallel; theirs was a civilization different from the white man's"

Mrs. Horace W. Green, on Distinguished Men and Women of the American Indians, said: "The doctor seems to have been the first to enter the general field in competition with their white colleagues; the foremost of these is Dr. Carlos Montezuma, a full-blooded San Carlos Apache. Another early practitioner was Dr. Susan La Flesche Picotte of the Omaha tribe. More than a hundred years ago, when signing a treaty with the white

man, Pushmataha, a famous Choctaw chief, who was a brigadier general in the United States army during the War of 1812, prophesied that the day would come when the highly improved Indian would hold office in the councils of the great nations. Today in Congress of the United States there are several who boast of their Indian blood, are unsurpassed for brilliancy, integrity and statesmanship; Charles Curtis of Kansas, whose mother was a Kaw Indian; Senator Robert Owen of Oklahoma, Cherokee. In the House of Representatives are Charles J. Carter of Oklahoma, a Choctaw; Representative Hastings of Oklahoma, Cherokee; also Senators Clapp and La Follette. In the ministry there are many able and devoted Indians. In the sciences, especially in ethnology and archaeology, there are several; William Jones, a Sac and Fox, whom scientists called one of our ablest archaeologists. In literature, there are many writers of Indian blood. Zitkala, or better known as Gertrude Bonnin, a Sioux, is a distinguished writer and club woman, and research agent of the Indian welfare committee of the General Federation of Women's clubs. In art, Lone Wolf, a Blackfoot Indian, and Lopez, are renowned Indian painters. George Guess or "Sequoyah," the inventor of the Cherokee alphabet, is the only red man admitted to the Nation's Hall of Fame in the capitol at Washington.

Mrs. Green described in detail the early wars of the many famous Indian chiefs, and their genius for military tactics and strategy has been admitted again and again by those that have fought against them. In the late World war are many examples of heroism and bravery. The interesting life of Pocahontas, when only a wee girl, of how she saved the first Virginia colony from utter destruction and Captain John Smith from death by her own people, and that wonderful life of Sacajawea, the bird woman, who guided Lewis and Clark in their glorious expedition to the Pacific.

The next meeting will be with Mrs. F. D. Stocking and Mrs. E. E. Witte May 28 at Recreation park.

LOS ANGELES, CAL. TIMES

JANUARY 3, 1925

INDIANS GUESTS OF LIONS

Members of Three Widely Separated Tribes Attend Luncheon Meeting of Club

(Illustration on Picture Page)

Three widely separated tribes of Indians were represented among the guests that attended the weekly luncheon of the Lions' Club at the Biltmore yesterday, one of them, Chief Yowlache of the Yakima tribe in Washington, entertaining the assembly with a group of Indian songs. The others were White Bird of the Cherokee tribe, whose home is in Texas, and Dove-Eye Dark Cloud from Maine, a member of the Algonquins and the wife of Dark Cloud, noted as one of the principal Indian models of Federick Remington, the artist.

The three Indians appeared in the costumes of their respective tribes. Chief Yowlache was arrayed in the full regalia of a chief of the Yakimas, while the costume of White Bird is of a type that has become extinct among the Cherokees, being the only one of its kind in existence. It was made more than 100 years ago, before Cherokee dress and customs had become modified by contact with the whites. It is made entirely of elk skin, richly ornamented in the Indian fashion, and has won its wearer many prizes at exhibition of Indian clothing and ornaments.

Chief Yowlache is a baritone of much ability and his offerings at

yesterday's meeting won enthusiastic applause. The chief has studied music in some of the country's best conservatories and has appeared in concerts in many cities. He sings exclusively in English though the music is all adapted from Indian melodies.

The Indians were invited to appear before the Lions' Club to acquaint the members with the objects of the American Indian Center Association, an organization that has recently been formed in Los Angeles to preserve and develop the Indian's art, music, literature and handicraft.

The organization is now engaged in the promotion of an Indian drama, entitled "Zuniana," which will be presented in Los Angeles some time during the coming summer.

INDIANS' STATUS DISCUSSED

Club Women in Resolution Seek Reorganization of Federal Bureau; Dance Rites Defended

The ~~right~~ ³⁶⁴ of the American Indian was taken up yesterday in a definite way by the General Federation of Women's Clubs, which for three years has interested itself—the only large body in the country to do so—in the problems of what is left of the first Americans.

A resolution was presented to the convention at the morning session asking for a reorganization of the Indian Bureau, the government body that has Indian affairs in its charge. At the afternoon session speakers told of the problems of the Indian and urged a broader action by the club women of the nation, who now are looked to as the chief champions of the redman.

ACTION SET FOR TODAY

The resolution will not be acted on until today, owing to the rules of the convention. It was presented by Mrs. Walter McNab Miller as chairman of the public-welfare committee, and it read:

"Whereas, after three years of intensive study of conditions as they pertain to the administration of the affairs of the Indian, the original American, the General Federation of Women's Clubs is aroused to the need of reorganization of the Indian Bureau. Therefore, be it resolved that this federation does earnestly petition the President of the United States to appoint a commission of outstanding and impartial and expert citizens to make a survey of conditions and return recommendations which shall insure justice to the Indians."

The movement for reform of the Indian Bureau is not confined to the club women. It has gained impetus of late by the effort of the bureau to abolish the tribal dances, all of which are religious, of the reservation Indians, which many friends of the Indians declare is a violation of the principle of religious liberty and designed to dissipate the tribal life in keeping with the general principle of government bureau.

Charles F. Lummis, founder of the Southwest Museum of Los Angeles, a writer and student of the Indian of the Southwest and special Indian welfare agent under President Roosevelt, has addressed a message to the clubwomen, a pamphlet distributed to all delegates, pleading for help in the fight to save the Indian from "this agony and outrage from a blind political beurocracy."

Also, John Collier of New York, executive secretary of the American Indian Defense Association, has been working with the Indian welfare committee of the Federation of Women's Clubs and yesterday spoke before the convention. He sketched the history of the fight for justice for the Indian and said the women's clubs now had taken up the chief burden of it in an effort to end "a century of dishonor."

"This trusteeship of the Indian," said Mr. Collier after telling how the Indian's wealth and conduct is controlled by the government bureau, "to be successful must be an experimental, creative piece of high art, and must meet the differing conditions of the 207 reservations with 100 differing civilizations, in all 123,000 square miles of rich land peopled by one-third of a million Indians."

BY ONE FORMULA

"But the United States government has tried to solve this complex problem by one formula—that the Indian is to be 'civilized' by dissolving his tribal unity, sending his youth to distant boarding schools and taking from him his culture, his superstitions, his customs, good or bad, and making

(Continued on Page 1, Column 1)

Do you know where the tall trees are
—and the high mountains?
Do you know the San Bernardino
mountains?
Do you know where the great gov-
ernment forests are?

Tall Pines

FEDERAL RELIEF NOW IS ASKED

(Continued from First Page)

of him a white man. His lands are divided into individual allotments to be held in trust for him by the Indian Bureau, and the lands can be and are leased and sold without his consent. He is not protected by the laws that the land must be advertised and sold at public bidding."

This Mr. Collier denounced as an "economic servitude—perhaps it is not too strong to say a peonage." He declared it was an "automatic and lawless trust management."

"Now the Indian's religion has been outlawed, a religion that is good and pure, and in this way the Indian has been alienated from Christianity, for Christianity does not seek to make converts by the rack and thumbscrew." This assertion occasioned much applause.

While Mr. Collier spoke, a dozen Indians in their native dress were on the stage, and one of them sang a tribal song. Most of these Indians are Pueblos from New Mexico brought to the convention by representatives of the Indian Bureau.

TERMS CUSTOMS IMMORAL

The next speaker was Mrs. O. Warren of Santa Fe, the only woman Indian inspector in the government service. She said because she represented the government bureau that was being criticised she did not care to discuss the question, but gave her place to Miss Ida May Adams of New York. Miss Adams said the Indians on the stage were Christian Indians and that they represented "a minority." She said that some of the tribal religious customs were "immoral."

CITES ACCOMPLISHMENTS

In his statement Mr. Lummis charged an attempt has been made to prevent the federation from taking any action on the Indian question. He asserted that supporters of the Indian Bureau's stand have appealed to religious prejudice and have inaccurately referred to the so-called renegade Indians as Christian Indians.

"Every Indian in every pueblo from which these 'renegade Indians' came," he said, "was a Christian, baptized, married and buried by a Christian church."

He also denied that the Indian rites are immoral. He said every anthropologist and ethnologist will join him in denouncing such an attack as an unfounded libel on a people "whose devoutness and reverence run through every phase of life."

Urging the convention to vote on the resolution, Mr. Lummis said: "I should judge this convention can be trusted to vote on such a resolution—I would like to see them given a chance."

Mrs. H. A. Atwood of Riverside, chairman of the Indian Welfare Committee of the federation, related the accomplishments of the work in benefit of the Indians. She said Congress recently appropriated \$125,000 for health work among the Indians, especially for combating a serious disorder of the eyes, to which they are subject, and tuberculosis. She told of the recent Indian citizenship bill, which, she said, was being studied to "see what it means" for the welfare of the Indians, and of the recent San Carlos dam project bill which will reclaim lands of Indians of the Gila Valley who were starving. She indorsed the fight for religious liberty of the Indians. Mrs. Warren is credited with authorship of the citizenship bill.

Much of the time at the industrial and social division luncheon was given over to discussion of Indian affairs.

Mrs. Mark Fowler of Chicago, made a report on the health conditions among the Indians, which she said were deplorable.

"The medical service is pitifully inadequate, in some cases farcical," she said. She advocated that the medical service be divorced from the Indian Bureau and placed on a basis similar to the United States Public Health Service.

Four girls from the Sherman Institute sang.

American Civil Liberties Union

1932

THE COMMITTEE ON INDIAN CIVIL RIGHTS

of the

AMERICAN CIVIL LIBERTIES UNION
100 Fifth Avenue
New York City.

May, 1932.

CIVIL RIGHTS FOR INDIANS!

Among the many bills pending in Congress to improve conditions among American Indians, four would assure civil rights to Indians on reservations. They are the first bills ever introduced to restore some of the old tribal independence to Indians and to free them of much of the direct and autocratic control of the Indian Bureau.

Today, all the quarter million Indians living on reservations in the United States are practically prisoners of the government. The Indian Bureau's authority over them is complete. Civil rights as commonly exercised by whites, hardly exist.

These bills propose:

1. To restore much of the authority of the old tribal councils by requiring their consent for spending tribal moneys and disposing of tribal lands.

2. To provide for the recall of unwelcome Indian agents on referendum vote of a tribe.

3. To provide for the incorporation of one tribe of Indians, the Klamath Tribe in Oregon, so that they may manage their own property and affairs without control of the Indian Bureau, but with supervision by a special commission. Incorporation for this one tribe is regarded as the forerunner for similar corporations to free the others.

4. Repeal of the numerous "espionage acts" passed years ago, which restrict the activities of Indians on reservations and their contact with outsiders.

5. To make it a penal offense to kidnap Indian children to be taken off to government boarding schools.

CIVIL RIGHTS FOR INDIANS!

Here are the bills and what they do:

I. TO PROVIDE FOR INDIAN TRIBAL COUNCILS. Senate Bill 3668. This bill, introduced by Senator Lynn J. Frazier and pending before the Senate Committee on Indian Affairs, provides:

1. That when 25% of the adult members of any Indian tribe on a reservation so petition, a general election shall be called to choose a constitutional committee for the purpose of drafting a constitution and by-laws for the tribe. The tribes now have no such regulations of their own, of controlling legal effect, except among the Pueblo Indians in New Mexico and Arizona.

The constitutional committee so selected shall draft and submit a constitution and by-laws to all the adult members of the tribe, which may adopt, amend or reject them. Each constitution shall provide for the establishment of a tribal council to be elected each year, and on petition of 15% of the adult members for a referendum to the tribe on any question of policy.

2. These tribal councils shall exercise the power of representing the tribes before Congress or departments of the government or in the courts. Expenses shall be paid out of tribal funds, not exceeding \$5,000 in any one year. The tribal councils alone shall have control of the moneys appropriated for their expenses.

3. No tribal lands of interests in land shall be sold, issued or contracted for by the Indian Bureau except under authority of the tribal council itself.

4. The tribal councils are authorized to employ lawyers without the approval of the Indian Bureau as at present, but the choice of counsel and their fees shall be subject to review by the Attorney General on application of any member of the tribe.

5. All proposals by the Indian Bureau for expenditures for tribal funds shall be submitted to the tribal council, and their recommendations shall be transmitted to the Bureau of the Budget of Congress.

6. Any employee of the Indian Bureau who interferes with the free exercise of the powers of these tribal councils shall be dismissed, and may also be tried for a misdemeanor.

This bill is designed to help restore independence and self-respect to the Indians, to aid in preserving their culture, and to allow them to deal with the government with far greater freedom.

CIVIL RIGHTS FOR INDIANS!

II. TO REMOVE OBJECTIONABLE GOVERNMENT OFFICIALS. Senate Bill 3717, introduced by Senator Lynn F. Frazier.

The bill provides that when 25% of the adult members of any Indian tribe on a reservation petition for the removal of any official or employee of the Bureau of Indian Affairs on the reservation, the general council of such a tribe shall assemble, and upon a majority vote calling for removal, the Secretary of the Interior shall remove such official or employee within sixty days.

The bill gives the Indian tribes control over ~~reservations~~ officials who may be their dictators instead of their friends. It will act as a check upon unwise appointments and end the notorious tyranny and mismanagement by Indian agents. It will give the Indians an entirely different attitude to the Indian Bureau, and should be welcomed by that Bureau as a marked step forward in elevating the Indians' self-respect.

III. TO INCORPORATE THE KLAMATH INDIAN TRIBE. Senate Bill 3588, introduced by Senator Charles N. McNary of Oregon.

The bill provides that the Klamath Indian tribe of Oregon may constitute itself a corporation to do business just like any corporation, with some of the powers of a municipality added. This is a model bill, now confined to this one tribe, which it is hoped to extend to all Indian tribes on reservations as a means to freeing them ultimately from government control.

The measure provides that when a majority of the adult members of the Klamath tribe so petition, the federal district court shall issue a certificate of incorporation. All adult members of the tribe become equal share-holders controlling all tribal property. The corporation is given full power to manage property, to sue and be sued, and otherwise to exercise the rights of business corporations, with a board of directors in charge. Indians quitting the reservations may sell their shares of stock back to the corporation, but not to other Indians nor to any white person.

Affairs of the corporation will be supervised by a board of three, one of whom shall be named by the President of the United States, one by the corporation, and one by the federal district court. This board may be composed of persons outside the tribe.

CIVIL RIGHTS FOR INDIANS!

Its function will be to assist the corporation in all business transactions, acting upon request of the board of directors, and to install a system of accounting and audit. As in the case of other corporations the profits from business operations will be paid to the stockholders in equal shares unless such profits are set aside for working capital or investment.

This bill would remove all jurisdiction of the Bureau of Indian Affairs over these Indians and make them self-respecting citizens handling their property like any other group with a minimum of government supervision.

IV. TO REPEAL THE INDIAN ESPIONAGE LAWS. SENATE BILL 4479. introduced by Senator Lynn J. Frazier and H.R.11568, introduced by Congressman Edgar Howard.

This bill provides for the repeal of twelve old sections of the Indian law, survivals of the days when Indians were first herded on reservations. The bills repeal these sections entirely. They are not now often invoked, but are dangerous as long as they remain on the books. They constitute a constant threat against the civil rights of Indians and their friends.

The sections to be repealed deal with

1. Sending "seditious" messages to Indians;
2. Carrying such messages to or from them;
3. Correspondence with "foreign nations to incite Indians to war against the United States";
4. "Alienating the confidence of Indians from the government of the United States";
5. Penalties for tribal Indians trespassing on the lands of Indians who have received private allotment;
6. Prohibiting "foreigners" from going onto Indian reservations without passports;
7. Providing for the removal of unauthorized persons from Indian reservations, or any person whose presence on the reservations is regarded as detrimental by the Indian agent.

CIVIL RIGHTS FOR INDIANS!

Such laws as these have no place in an enlightened code of dealing with Indians as citizens. They are mere survivals of the days when Indians were regarded as enemies, who had only been recently defeated and rounded up on reservations.

The Committee on Indian Civil Rights, organized by the American Civil Liberties Union, urges all friends of civil liberty to support these bills by writing to their Senators and to their Representatives in Congress. Write also to the Chairmen of the Senate and House Committees on Indian Affairs, Senator Lynn J. Frazier and Congressman Edgar Howard.

These bills can be passed if enough pressure is brought to bear. Their passage will enable Indians to go a long way to working out their own destinies. They are basic to all other reforms.

These bills naturally are not supported by the Indian Bureau, who do not want to see their powers decreased.

Those members of the Civil Liberties Union especially interested in civil rights for Indians, will please indicate it here, and we will put you on a special mailing list for further notices of when and how to act/along this legislation.

Tear off

American Civil Liberties Union
100 Fifth Avenue, New York City.

Date _____

1. Please put me on your mailing list for further information about pending bills for Indian Civil Rights. _____

2. I suggest as others interested: _____

3. Count on me for \$ _____ contribution to the special fund for printing and publicity on this issue, payable _____

4. Remarks: _____

Signed _____

Address _____

City _____

MEMBERS OF

The Committee on Indian Civil Rights

| | |
|--------------------------|----------------------|
| Nathan Margold, chairman | New York City |
| Dr. Leon N. Adler | New York City |
| George P. Ahern | Washington, D.C. |
| Harry W. Anderson | Kew Gardens, N.Y. |
| Mary Ellicott Arnold | New York City |
| A.C. Ballard | Auburn, Wash. |
| A.A. Berle, Jr. | New York City |
| Alice Stone Blackwell | Boston, Mass. |
| Alexander P. Blanck | New York City |
| Franz Boas | New York City |
| Raymond B. Bragg | Chicago, Ill. |
| Witter Bynner | Santa Fe, N.M. |
| Miss Chinquilla | New York City |
| H.E. Cohen | Charlotte, N.C. |
| Alice M. Cowan | Glen Cove, N.Y. |
| Virginus Dabney | Richmond, Va. |
| Robert W. Dunn | New York City |
| Haven Emerson | New York City |
| Charles T. Ennis | Lyons, N.Y. |
| Howard S. Gans | New York City |
| Robert Gessner | New York City |
| Florence Curtis Hanson | Chicago, Ill. |
| Albert Hirst | New York City |
| Mrs. Darlington Hoopes | Reading, Pa. |
| Judson King | Washington, D.C. |
| Mrs. Emily A. Madden | Buffalo, N.Y. |
| Jack McLellan | Medical Lake, Wash. |
| C.V. Muller | Edinburg, Texas. |
| Jay B. Nash | New York City |
| W. F. Ogburn | Chicago, Ill. |
| Henry W. Pinkham | Newton Center, Mass. |
| Paul Porter | New York City |
| Eliot D. Pratt | Glen Cove, N.Y. |
| Frederick B. Righter | Brooklyn, N.Y. |
| Father John A. Ryan | Washington, D.C. |
| Harold von Schmidt | Westport, Conn. |

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AMERICAN CIVIL LIBERTIES UNION

100 FIFTH AVENUE, NEW YORK CITY



Dec. 31, 1932.

To friends of American Indians:

Our interest in a number of bills pending before Congress extending what may be termed the civil rights of American Indians prompts us to ask those interested in such legislation to get together in an informal conference in Washington on Sunday, Jan. 15th, at the Cosmos Club, 16th and H Streets, beginning at 9:30 A.M. and running through the day.

The purpose of the conference is to determine how far those interested in the condition of American Indians agree upon the measures pending before Congress in order that we may bring greater influence and interest to bear on the passage of these bills in the present short session.

It is expected that some of the Senators and Representatives particularly interested in the condition of the Indians will be present. The officials of the Indian office have been invited, and invitations will go to any others not on the enclosed list whose presence is suggested as desirable. Have you any suggestions?

The conference is to be entirely informal, not open to the press, so the discussion will be unhampered. If any public statements are to be given out, we will agree upon them there. If possible, arrangements will be made for a hearing before the House or Senate Indian Committee, or the Senate's Indian Investigation Committee, the following day, so that the conclusion arrived at the conference may be transmitted to Congress.

While invitations are going to those connected with organizations, it is obviously not necessary to have any formal action by an organization. All of us will be attending as individuals. But any expression of an organization's views on the proposed legislation would be helpful. A memorandum on the bills is enclosed. Copies of any of the bills covered in the enclosed memorandum will be sent on request.

May we not hear from you at the earliest possible moment, stating whether or not you can attend?

Sincerely yours,

COMMITTEE ON INDIAN CIVIL RIGHTS

Nathan Margold *Robert Gessner*

Chairman

Secretary

List of persons invited to the conference on legislation
affecting Indians, Washington, D.C., Jan. 15, 1933.

- - - - -

| | |
|--------------------------|-----------------------|
| Leon N. Adler | Albert Hirst |
| ✓ George P. Ahearn | Percy Jackson |
| Mary Ellicott Arnold | Francis Fisher Kane |
| Adolf A. Berle, Jr. | ✓ Judson King |
| Alexander P. Blanck | Walter Liggett |
| Franz Boas | ✓ Nathan R. Margold |
| ✓ Alida C. Bowler | Robert Marshall |
| ✓ S.M. Brosius | ✓ C. Hart Meriam |
| Miss Chinquilla | ✓ Lewis Meriam |
| ✓ John Collier | Jay B. Nash |
| Alice M. Cowan | Paul Porter |
| Mr. & Mrs. Wade Crawford | Frederick B. Righter |
| Virginus Dabney | John A. Ryan |
| Gertrude Ely | Elizabeth S. Sergeant |
| Haven Emerson | ✓ Thomas L. Sloan |
| ✓ Howard S. Gans | ✓ M.K. Sniffen |
| ✓ Robert Gessner. | Herbert S. Welsh |
| Louis R. Glavis | |
| A.A. Grorud | |

ORDER OF BUSINESS

Conference on Indian Civil Rights, Washington, D.C.
Jan. 15, 1933.

1. Discussion of general policy underlying the pending legislation for Indian civil rights.
2. Repeal of the so-called espionage statutes (Senate bill #4479)
3. Bill to penalize kidnapping of Indian children.
4. Discussion of the bill to permit the establishment of Indian tribal councils and to define their powers in relation to the government (Bill #3668)
5. Bill to enable Indians to act on the recall of employees in the Indian service (Bill #3717)
6. Proposal for the incorporation of the Klamath tribe (Bill #3688)
7. Provision relating to civil rights in the pending appropriation bill; proposal for employment of attorneys by Indians in litigation to establish their rights, without control of selection of attorneys by the Indian Bureau.

72D CONGRESS
1ST SESSION

S. 3668

IN THE SENATE OF THE UNITED STATES

FEBRUARY 5 (calendar day, FEBRUARY 16), 1932

MR. FRAZIER introduced the following bill; which was read twice and referred
to the Committee on Indian Affairs

A BILL

Authorizing the creation of Indian tribal councils, and for other
purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That upon the filing with the Commissioner of Indian
4 Affairs of a written petition signed by at least 25 per centum
5 of the adult members of any Indian tribe residing on any
6 reservation under the jurisdiction of the United States, the
7 Commissioner of Indian Affairs shall call a general election
8 of the adult members of such tribe to be held within sixty
9 days from the date of the filing of such petition for the pur-
10 pose of choosing a constitutional committee to draft a pro-

1 posed constitution and by-laws for such tribe. Such com-
 2 mittee shall consist of not less than nine members. Within
 3 sixty days after its election such committee shall call a
 4 general meeting of the adult members of the tribe for the
 5 purpose of considering and acting upon a proposed con-
 6 stitution and by-laws for such tribe, and each adult member
 7 of the tribe shall be notified of the time and place of such
 8 general meeting. A copy of the proposed constitution and
 9 by-laws, together with a notice of such meeting, shall
 10 be distributed to each adult member of the tribe at least
 11 two weeks prior to the time fixed for such general meeting.
 12 At such meeting the proposed constitution and by-laws
 13 may be adopted, amended, and rejected, in whole or in
 14 part, but subject to the exception contained in section 7,
 15 each such constitution shall provide for (1) the establish-
 16 ment of a tribal council of not less than members
 17 and the powers to be conferred on such council; (2) a
 18 direct election at least once each year of the members of
 19 the tribal council by the adult members of the tribe or of
 20 the districts to be represented by such council members;
 21 and (3) a referendum on any question of policy on the
 22 petition of at least 15 per centum of the adult members of
 23 the tribe, the action of the adult members of the tribe on
 24 such referendum to be conclusive and binding upon the
 25 tribal council. The amount of any expenses incurred by

1 or on behalf of any tribe in carrying out the provisions of
 2 this section shall be paid out of any money in the Treasury
 3 not otherwise appropriated. There is hereby authorized to
 4 be appropriated such sum as may be necessary for such
 5 purposes.

6 SEC. 2. Such tribal councils shall be empowered to
 7 represent their several tribes before the Congress or the
 8 executive departments of the United States or in the courts.
 9 The expenses of any such tribal council shall be paid out
 10 of any tribal funds of its tribe, or out of any other moneys
 11 over which such council may have exclusive jurisdiction
 12 under section 6 but not more than \$5,000 may be expended
 13 for such purposes in any year from the funds of any tribe.

14 SEC. 3. All authority vested in Indian tribes or tribal
 15 councils by existing law shall be vested exclusively in the
 16 tribal councils provided for by this Act. Hereafter no tribal
 17 lands, or interest in lands, belonging to any Indian tribe,
 18 shall be sold, leased, encumbered, or in any manner dis-
 19 posed of, nor any permit granted therefor, nor any contract
 20 made for the use thereof, by the Secretary of the Interior,
 21 except by authority of the tribal council established pur-
 22 suant to this Act, or, in the absence of such tribal council,
 23 by authority of the general council speaking for such tribe.

24 SEC. 4. Said tribal councils are hereby authorized to
 25 employ legal counsel. Such employment shall not be sub-

1 ject to the approval or control of the Department of the
2 Interior, but the choice of counsel and the fixing of fees
3 paid to such counsel shall be subject to review by the
4 Attorney General on application of any member of the
5 tribe.

6 SEC. 5. The Secretary of the Interior shall submit
7 to the tribal council for each tribe all estimates for expendi-
8 tures from funds credited to said tribe in the United States
9 Treasury, and any recommendations made by the tribal
10 council with respect thereto shall be transmitted to the
11 Bureau of the Budget and to the Congress concurrently
12 with the submission of such estimates.

13 SEC. 6. All funds derived from the use or sale of any
14 tribal lands or property, including trespass fees and rights of
15 way, shall be deposited in the Treasury of the United States
16 to the credit of the tribe owning such property and draw
17 interest at the rate of 4 per centum per annum, and no such
18 funds shall be deposited to the credit of the fund entitled
19 "Indian moneys proceeds of labor."

20 SEC. 7. Funds appropriated from the Treasury of the
21 United States for the payment of the expenses of the tribal
22 council, or obtained through contributions by or assessments
23 against the members of the tribe, shall be under the ex-
24 clusive control of the tribal councils herein authorized.

1 SEC. 8. The Pueblo tribes of the States of New Mexico
2 and Arizona may retain their traditional and established
3 tribal governments in accordance with their established
4 customs, and all provisions of this Act relating to powers
5 and functions of the tribal councils shall, so far as consistent
6 with such governments, apply equally to such governments.

7 SEC. 9. The Secretary of the Interior shall dismiss any
8 employee or officer under his jurisdiction who shall, in any
9 manner, either directly or indirectly, interfere with any
10 tribe or any of its members in the free exercise of the
11 powers conferred by this Act.

12 SEC. 10. Any employee or officer of the United States
13 who shall, in any manner, either directly or indirectly, inter-
14 fere with any tribe or any of its members in the free exercise
15 of the powers conferred by this Act shall be guilty of a mis-
16 demeanor, and shall, on conviction thereof, be punished by
17 a fine of not more than \$500 or by imprisonment for not
18 more than six months, or both.

19 SEC. 11. All Acts or parts of Acts inconsistent with
20 the provisions of this Act are hereby repealed.

A BILL

Authorizing the creation of Indian tribal
councils, and for other purposes.

By Mr. FRAZIER

FEBRUARY 5 (calendar day, FEBRUARY 16), 1932

Read twice and referred to the Committee on
Indian Affairs

COMMITTEE ON INDIAN CIVIL RIGHTS

AMERICAN CIVIL LIBERTIES UNION

100 Fifth Avenue

New York City

Nov. 1932.

Proposed bill to penalize kidnapping of Indian school children by agents of the Indian Bureau.

The draft of a bill to be introduced in Congress to penalize the kidnapping of Indian school-children is given herewith. The practice is widespread and legislation is required to stop it.

THE FACTS.

Here is a statement by Dane Coolidge, author of more than thirty novels of western history, and with Mrs. Coolidge, of a recent book on the Navajo Indians. He said to a Congressional Committee (1931) :

"I am making a brief statement of my experience with what I consider the greatest shame of the Indian Service - the rounding up of Indian children to be sent away to Government boarding schools. This business of "kid catching," as it is called, is rarely discussed with outsiders, either by the Indians or by the Government employees, but during my numerous visits to the Navajo Reservation I have picked up a knowledge of its workings."

"In the fall the Government stockmen, farmers, and other employees go out into the back country with trucks and bring in the children to school. Many apparently coming willingly and gladly; but the wild Navajos, far back in the mountains, hide their children at the sound of a truck. So stockmen, Indian police, and other mounted men are sent ahead to round them up. The children are caught, often roped like cattle, and taken away from their parents, many times never to return. They are transferred from school to school, given white people's names, forbidden to speak their own tongue, and when sent to distant schools are not taken home for three years."

"Those children who are fortunate enough to be kept in the reservation schools are allowed to go home every summer until they have passed the lower grades. Then they are sent far away - to Albuquerque, Phoenix, or Riverside - where they remain until from 16 to 18 years of age. During all this time they are under institutional care, such as with us is considered fit only for orphans, at a minimum of expense; and they return to their homes with a white man's education but unable to talk to their parents."

"It is the claim of the Indian Service that this education is necessary "to fit the Navajos to meet the competition of the outside world," but most of them come back to herd sheep....."

"Back in the hogans of their people the returned schoolboys are quite unfitted for their life. They cannot even herd sheep. But generally the parents or some rich members of their clan will give them a start on shares and, marrying some returned schoolgirl, they will take up the life of an Indian. In exceptional cases they become truck drivers and traders or go into Government service, but for the girls there is almost no opportunity except in domestic service in town. They must start in all over again to learn to spin and weave and handle their sheep and goats."

"It is a question, therefore, whether the benefits of this compulsory education justify the separation of little children from their mothers at the tender age of six or seven. If they run away from school on account of homesickness, they are transferred to Phoenix or some far distant place to be kept there three years, unreturned."

"I have heard too many stories of cowboys running down

children and bringing them hogtied to town to think it is all an accident, due to the unthinking brutality of a superior race. It is a part of the regular system where the Indians are shy and wild - and no matter how crowded the buildings are, the children are caught, just the same."

"My reason for submitting these facts is that no Government employee, no matter how kind-hearted, would dare to mention the practice; while the traders and white residents of the reservation are even more compelled to silence. Yet it is a condition easily solved if day schools are installed and transfers to distant schools abolished. If they could see their children every day, as we see ours, the mothers would gladly send them to school. But if they are torn from their arms and transported far away, given strange names and taught an alien tongue, the mothers will sit and weep and watch the road."

THE LAW AND COURT DECISIONS

The Indian Bureau, in kidnapping Indian children and coercing Indian parents, is a law-breaker, violating an act of Congress and a controlling opinion by a Federal court.

It is well known that Indian parents are induced to let their children go to boarding schools under threats, sometimes veiled, sometimes not, that otherwise they will not receive from the Government their full quota of rations even though they are secured by treaty. Sometimes threats fail, or their use is deemed unavailing, so force is employed, as Dane Coolidge's statement makes clear.

What is not so well known is that such threats or force to coerce Indian children's attendance at schools off the reservations, are absolutely illegal. In the brief period 1893-94 this was not the case. Congress in the earlier year gave statutory effect to a policy enabling Indian agents to secure school attendance by the withdrawal of rations, clothing, annuities, etc., from parents whose children played hooky. But in 1894-95 it retraced this rather questionable step, required consent to be voluntary and declared:

"It shall be unlawful for any Indian agent or other employee of the Government to induce, or seek or induce, by withholding rations or by other improper means, the parents or next of kin of any Indian to consent to the removal of any Indian child beyond the limits of any reservation."

And subsequent legislation was along the lines of requiring the parents' voluntary consent - although the policy of enforcing school attendance by withdrawal of rations was again authorized in 1913 in the case of a single tribe, the Osage.

There is only one federal decision on the point in question. But it clearly defines the situation after enactments in 1894-95. Judge Shiras said, in a case involving the liberty of an Indian girl, removed from a reservation to a boarding school only a few miles away:

"The next question for consideration is whether the Indian agent has a right to compel the attendance of the Indian at the training school, regardless of the wishes of the parents or of the children themselves. My attention has not been called to any act of Congress making attendance upon this school compulsory upon the children of the reservation, or conferring upon the agent the power to take the children from their homes and place them in the school, and to enforce their remaining at the school by measures restrictive of their personal liberty: and I do not understand that this compulsory power is claimed to exist on behalf of the respondents. In the answer filed to the petition for the issuance of the writ, it is averred that:

"Under the laws of Congress, and in accordance with

the provisions of the rules and regulations of the Commissioner of Indian Affairs, it is the duty of the agent of said reservation and the superintendent of the Indian school, in so far as possible, to secure the attendance of said school of all children between the ages of 5 and 18.'

"And this statement, in my judgment, fairly defines the power vested in respondents as Indian agent and superintendent of the Indian school.

"But the duty to secure the attendance of the children at the school does not include the power to compel their attendance by force, contrary to the wishes of their parents. Certainly the right to supersede and override parental control in such matters cannot be based on anything less than congressional action to that end, even if that would be effectual unless it was concurred in by the Indians acting in their tribal capacity."

To summarize: In 1892 Congress authorized the Commissioner of Indian Affairs to enforce school attendance "by proper means." In 1893 it authorized improper means, but shamefacedly retraced its steps in 1894. Since then it has again justified the use of coercion against one single tribe (Osages). Such coercion is probably unconstitutional. While Congress has since given the Secretary of the Interior power to enforce such rules "as may be necessary" to secure school attendance, it cannot be inferred this was intended to authorize "improper means," and indeed an inference to the contrary must be drawn. Therefore any use of coercion to secure school attendance is wholly unlawful.

* * * *

A BILL to amend certain sections and to repeal certain other sections in Title 25 of the Code of the laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that Section 283 of Title 25 of the Code of the Laws of the United States be and hereby is amended to read as follows:

§283. Regulations for withholding rations for non-attendance at schools. The Secretary of the Interior may, in his discretion, prescribe regulations to prevent the issuance of rations or the furnishing of subsistence either in money or in kind to the head of any Indian family for or on account of any Indian child or children between the ages of eight and twenty-one years who shall not have attended school during the preceding year in accordance with such regulations. The amount and value of subsistence so withheld shall be credited to the tribe or tribes from whom the same is withheld, to be issued and paid when, in the judgment of the Secretary of the Interior, they will have fully complied with such regulations.

This section shall be applicable only with respect to Indian children whose homes are near enough to a day school which they are qualified to attend, to enable them conveniently and easily to travel from their homes to the school each morning and to return to their homes each afternoon or evening of every school day. (Mar. 3, 1893, c.209, § 1,27 Stat. 628,635.)

Section 2. Section 284 of Title 25 of the Code of the Laws of the United States is hereby repealed.

Section 3. Section 285 of Title 25 of the Code of the Laws of the United States is hereby amended to read as follows:

§285. Withholding annuities from Osage Indians for nonattendance at schools. The Commissioner of Indian Affairs is authorized in his discretion to withhold any annuities or other payments due to Osage Indian minors, above six years of age, whose parents or guardians fail, neglect, or refuse to place such minors in some established school for a reasonable portion of each year and to keep such children in regular attendance thereof. The Commissioner of Indian Affairs is authorized to make such rules and regulations as may be necessary to put this provision into force and effect.

This section shall be applicable only with respect to Osage Indian minors whose homes are near enough to a day school which they are qualified to attend, to enable them conveniently and easily to travel from their homes to the school each morning and to return to their homes each afternoon or evening of every school day. (June 30, 1913, c. 4, § 18, 38 Stat. 96.)

Section 4. Section 286 of Title 25 of the Code of the Laws of the United States is hereby amended to read as follows:

§286. Sending child to boarding school without written consent a misdemeanor. No Indian child living on any Indian reservation shall be sent to any boarding school without the voluntary written consent of the father or mother of such child, or, if neither of them be living, without the voluntary written consent of the head of the household in which the child resides. Such consent shall be signed and acknowledged before the agent or superintendent of the reservation, who shall send his certificate to the Commissioner of Indian Affairs that such consent has been given voluntarily, before such child shall be sent to any boarding school.

It shall be unlawful for any Indian agent or other employee of the Government to induce, or to seek to induce, by withholding payments under treaty, rations, distress relief funds, reimbursable loans, or individual moneys held in trust, or by the use of force or threats or by any coercive ^{or improper} means whatsoever, the parents of any Indian child or the head of the household in which such a child resides, to consent to his or her removal to any boarding school. (Aug. 15, 1894, c. 290, § 11, 28 Stat. 313; Mar. 2, 1895, c. 188, § 1, 28 Stat. 906.)

Any person or persons who shall violate, or conspire to violate, or aid, abet or in any wise participate in a violation of any of the provisions of this section shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$500. or by imprisonment for not more than six months, or by both, for each offence.

Section 5. Section 287 of Title 25 of the Code of the Laws of the United States is hereby amended to read as follows:

§287. Taking child to school in another state without written consent a misdemeanor. No Indian child shall be taken from any school in any State or Territory to a school in any other State or Territory against its will or without the written consent of its parents acknowledged and certified in the manner provided for in Section 286 of this Title. (June 10, 1896, c. 398, §1, 29 Stat. 348.)

Any person or persons who shall violate, or conspire to violate, or aid, abet or in any wise participate in a violation of any of the provisions of this section shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$500. or by imprisonment for not more than six months, or by both, for each offence.

Section 6. Section 302 of Title 25 of the Code of the Laws of the United States is hereby amended to read as follows:

§302. Consent of parents to placing child in reform school. The consent of the parents of an Indian child, or of the head of the household in which he or she resides, shall not be required before such child can be placed in an "Indian Reform School" on conviction for any crime or misdemeanor involving moral turpitude. (June 21, 1906, c. 3504, 34 Stat. 328.)

Nov. 1932

Comment on the foregoing bills by J. Henry Scattergood, Assistant Commissioner, Bureau of Indian Affairs, Washington, D.C. under date of June 15, 1932 to Roger N. Baldwin:

I have your letter of May 31st, enclosing the mimeographed statement in regard to certain bills affecting the civil rights of Indians. I see you have already prejudged us! -- to wit: "These bills are not supported by the Indian Bureau, who do not want to see their powers decreased."

I wish it were so clear an issue. I wish we could see these bills as a simple issue of Indian responsibility versus Indian Office "power". As a matter of fact, our chief objection to the first three on your list is that they are mechanical over-simplifications.

Number one on your list slaps down a standardized plan of tribal council control upon 193 odd tribes of Indians in various stages of organization or disorganization. To us it is as absurd as though some supreme power should insist that Norway, Rumania, Afghanistan and Mexico suddenly adopt the same type of government. We feel that group action can only be developed by an administration which is alert to the importance of the development of tribal responsibility. No set form can be followed -- in fact, in a few cases there is so little group consciousness left that a council revival would if anything be a step backwards.

(By the way, I hope that you are not under the impression that these tribal councils are an actual continuation of the original tribal governments. Your reference to the "old tribal councils" suggests a cultural revival; as a matter of fact, the tribal councils in existence, with the exception of those among the Pueblos, are artifices worked out through many years of Indian Bureau administration, and even the Pueblo governments are a Spanish adaptation.)

Giving Indians the right to recall employes who do not suit them gives them a purely negative part in the matter of personnel. Responsibility for selection of employes and maintaining their conditions of labor must go with the right to recommend dismissal. It is hard to see any intervening step between the present system of Civil Service appointment and complete self-government with full responsibility and liability. Of course, the present system to be reasonably satisfactory must be administered by officials who are alert to the wishes of the Indians; that is, success in dealing with the Indians must be one of the paramount requisites for a satisfactory performance by a Civil Service employee.

The incorporation plan has fascinated us for three years. We have worked on it persistently this year, but as yet have failed to find a plan which will safeguard the interests of the majority of the Indians concerned. You will realize that we cannot lightly use the

Mr. Scattergood's letter. page 2

Klamath properties (valued at upwards of \$10,000,000) as an experiment for other tribes. We may be able to try the incorporation plan for a smaller unit so that the risk to the ones being experimented with will not be so great. (The Klamath Indians, you know, are still quite divided on the subject; in fact, "incorporation" has become a symbol with such an emotional content that the Indian leader who most favors it told some of us that his people would not now accept any plan under that name.)

We have not reviewed the various "espionage" laws which you have unearthed. You certainly make us appear in the worst czaristic light. They are archaic statutes, of course. Indian law is cluttered with such anachronistic items. We have been trying for two years to get a complete recodification of Indian law. It certainly is needed.

oOo

American Indian Association, Inc.

1926-28

AMERICAN INDIAN ASSOCIATION, INC.
Flying Eagle G. Stagg, National Secretary,
P.O. Box, 1565, Denver, Colorado.

Recd. Jan 20, 1926

Dear Friends:

The American Indian Association, incorporated under the laws of Colorado, is strictly an Indian Organization, founded by educated Indians of America, for the purposes of educating the White People with true facts, and better understanding about the Indians of America. This work is independent of the government, and is entirely our own Indian Work.

Our aim is in the Reparation and Reconstruction work among the Indians and to establish an Indian Institute, on the banks of the Mississippi River, South of St. Louis, Missouri. To train Indian Youths as leaders and to preserve true Indian history, Indian names, Indian landmarks, Indian legends, Indian music, Indian art, and Indian craft, etc. Do you know there are hundreds of Indian Youths we could help, but lack the funds.

Few people realize that they are especially indebted to our native brother; they almost forget that the land belongs to the Indian, that was apportioned to him by the Government, oblivious to his real needs were taken and stolen from him. The majority of the food stuffs used on the American table today were Indian food; hundreds of herbs remedies and medicine in use today, and other things too numerous to mention. HE HAS GIVEN ALL AND WHAT RETURN CAN YOU DO TO HELP HIS ORGANIZATION?

From the earliest beginning our organization has aimed at building up the spiritual and moral fibre of our Indian Youths by providing them with a wholesome and cultural environment. We want to build a home on our 160 acres of land south of St. Louis, that add everything to develop in the Indian Youths the best qualities of manhood and womanhood.

The Public has helped the Near-East, and thousands of people has helped the Jewish Campaign, why not help the American Indian Association in its worthy campaign?

All we ask of you is to send us a contribution of ONE DOLLAR or more and we will send you as a memento our little Indian Hand Book, full of valuable things, explaining Indian symbolism for your assistance.

WE NEED YOUR HELP AT ONCE, PLEASE SEND SOMETHING, DON'T THROW THIS AWAY, WITHOUT SENDING AT LEAST ONE DOLLAR.



THE PROPOSED PLAN OF THE INDIAN HOME AND CAMP

MOON *Snow* SUN *IX* GREAT SUNS *MCMXXVI* A. D.

Dear Friends:

We are again writing you, asking you to renew your membership or subscription to the Indian Teepee Magazine: Associate Membership \$1.50; Magazine Subscription \$1.50; total \$3.00. We do hope you will renew both, or if you have only been a subscriber, we hope you will include membership. (Degree members pay four dollars a year.)

This is the eighth year of our publication, which would not have been possible without your co-operation. Printing the Indian Teepee, letter heads, postage, telegrams, mailing parcels, replying to letters, ink, stationery, etc., all costs money, and it is only by your dues, and small donations we receive from time to time, that we are able to continue the work. Then we help many Indians, which costs money and time.

We closed the year 1925 with Vol. 7, No. 4. The Indian Teepee will start with Vol. 8 No. 1, in January 1926; No. 2 in March; No. 3 in May; No. 4 in September and No. 5 in November. Every two months except July and August. In 1927 we hope to make a monthly issue possible. If your copy is not received, please notify us, it is usually the fault of the mail, as we are careful to send each copy. It is important that we have correct addresses.

We hope we may have your remittance with renewal at an early date, without a second notice being sent. You saw what we could do with the Indian Teepee by our last issue, with Indian pictures, but these cuts are expensive. Will you not try to interest other persons to become either associate members or magazine subscribers. This will aid us to continue the noble work of educational Indian Program.

Please renew now before you forget. And God Bless you: make all checks and money orders in name of American Indian Association. This notice means, your subscription or dues have now expired.

Plying Eagle Staggy
 GENERAL SECRETARY
 P. O. Box 1565
 Denver, Colorado.

*Recd Jan 20, 1926
 4.50 - rent - comm*



American Indian Order
P.O. Box, 1565 - Denver, Colo.

Indian Teepee
Magazine

THE PROPOSED PLAN OF THE INDIAN HOME AND CAMP

MOON *Snow* SUN *30* GREAT SUNS *1927* A.D.

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Henry Eagle
GENERAL SECRETARY
P. O. Box 1565
Denver, Colorado.

2d Teepee -- \$3.00
additional -- 1.00 Pd.
for C. Hart Merriam Jan. 31, 1927
1419-16 St. Washington, DC.

American Indian Association

(INCORPORATED)



EXECUTIVE OFFICERS

JOSEPH STRONG WOLF,
President-Head Chief.

FRANCIS VALLE BOYCE,
Acting Senior Counselor,
Wheeling, West Virginia.

MISS CHINQUILLA,
Most Great Sacajawea,
17 East 62d Street,
New York City, New York.

MEMBERSHIPS: Persons of Indian Blood, and the White Race

P. O. Box 1565
Denver, Colorado

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GEORGE C. STAGG,
National Secretary.

MAQWIA NEAS-NESE,
National Treasurer.

National Publication
Indian Teepee Magazine
103 South Osage,
Independence, Missouri.

Wheeling WVa
2/22/28

Dear Friend

Dues now due.
Will you please Renew
me need your help.

Check # 3.90
Sent Feb. 24, 1928.

Francis V. Boyce
Running Bear.
Ret Hester Bldg
Wheeling WVa



The Eagle
of the Skies

American Indian Association

(INCORPORATED)



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Indian Teepee Magazine
108 South Osage,
Independence, Missouri.

Wheeling W Va
3/27/28

Friends

We thank you so
kindly for your help.
may God Bless you

Sincerely
Punning Bear
O. S. L.



The Eagle
of the Skies

California - Indian Brotherhood

1929, n.d.

222+ East 25th. St., Oakland, Calif.
June 7, 1929

To The Officers, The Board of Directors, the Executive Committee and all actively interested members of the California Indian Brotherhood.

When your Secretary announced his intention of attending Collett's District meeting, held recently in Blue Lake it was his last report to you until this report is in your hands. To make a long story short we will say that the "Blue Lake Local Council of the California Indian Brotherhood" completed its organization on May 25, 1929 with the election of Miss. Eleanor Wilson as its first Secretary and Mrs. E. Gardner its first Treasurer. The President, Mr. J.H. Wilson of Blue Lake and Mr. Lafayette Donahue, Vice President, having been elected at a previous meeting.

I enclose two newspaper clippings to each member of our Board of Directors which gives an account of the meeting, for the benefit of others I will add that the meeting was exceptionally well attended and harmonious throughout.

The Officers elected are very well qualified to fill their positions and we may expect to hear great things from "the Blue Lake Local Council" in the future, their ability was proven by the most enjoyable dance and supper held after the meeting.

Our time proven friend, Buffalo B. Cliney, did not fail to be on hand and lend the Brotherhood assistance by a speech of well directed shots at the counterfeit "Collett" as well as the abortive Indian Bureau.

Hoopa is planning on a similar organization meeting and dance in the near future. We may count on this Hoopa meeting to vote away the "Power of Attorney" which they have previously given Collett as well as to organize in the Brotherhood, and for aught we know, they may eclipse Blue Lake in driving nails in the coffin of Collett.

It was necessary to have printed 100 posters to advertise the meeting but only about ten were used and as blank spaces are provided the posters can be used for future meetings of the Brotherhood all over the State, they cost \$6.75 receipted bill for which is herewith enclosed and I pray for an early remittance from our State treasury as I am working without pay and consequently am low on funds. No call for dues was made but Mr. Boyd L. Jackson voluntarily paid in dues of \$2.00 for himself and wife for one year. The Council also donated \$1.00 toward the expense of poster printing, check to our treasurer of \$3.00 herewith enclosed. I am hoping our President will permit me to have membership receipts printed so that I can mail our members decent receipts.

Blue Lake will hold another meeting at which a call for dues will be made, since the good work of the Brotherhood is now better understood there.

Law

Everywhere the question is asked. What will the Brotherhood pull off at its annual mass gathering this year at Tuolumne and what are the dates, so lets hear from Vice President and Director, Chief. William Fuller of Soulsbyville with the complete program so that our members may attend by the carload from all over the State this year.

In a letter under date of May 20th. 1929 the Indian Defense Association informs your Secretary as follows.

The enrollment as you know is progressing all over the State. There is no additional news of the Court of Claims bill except the probable returns from past analysis made by Mr. Goodrich place the final net returns as follows:

| | |
|---|--------------------|
| Claims measured by treaty compensation: | |
| Lands, estimated 7,500,000 acres, @ \$1.25 per acre | \$9,375,000 |
| Personal property, lower estimate, | 1,800,000 |
| Gross compensation | <u>-11,175,000</u> |

| | |
|-------------------------------------|--------------------|
| Offsets: | |
| To June 20, 1928, | \$4,251,747,93 |
| To date of decree, assuming 5 years | |
| @ \$55,000 per anum. | \$ 275,000.00 |
| | <u>4,526,000.9</u> |
| Net recovery | \$6,648,252.0 |

Sincerely,

(signed) Rachel B. Barker.

P.S. Commissioner Burke stays in office till July first as neither Commissioner Chas. J. Rhoads nor assistant Commissioner Henry Scattergood, could take office previous to that date, Mr. Burke, of course, is under Secretary Wilbur, who is a good friend of the Indians and striving hard for the solution of the problem.

R.B.B

AS SECRETARY OF the Brotherhood I am publishing and mailing about 200 copies of this little Bulletin, there is much other news of vital importance to our people which should be published and mailed out at least once each month and our mailing list should be increased to 500 copies each month in order to reach all the leaders in each section. It is hoped that the leaders will pass the information along that these Bulletins contain so that the harmful work of collecting Collett may be ended for all time.

I am paying all the costs of this work myself and if the news it contains is appreciated I would be very thankfull for donations even though small, in order that the good work may continue and to all who send in donations, I will place your name on the permanent mailing list for one year.

Very sincerely yours,

Everett E. Wilder.

Secty. California Indian Brotherhood

BY-LAWS OF THE CALIFORNIA INDIAN BROTHERHOOD

Article I....Name

This organization shall be known as the California Indian Brotherhood.

Objects.... Article II

Sec.1.--To encourage by all honorable means the organization of all the Indians of California into one United body.

~~Sec.2.--To gain our rights legally and morally.~~

Sec.2.--To advance the welfare of our race politically and socially.

Sec.3.--To gain our rights legally and morally.

Sec.4.--To gain from ^{our} local, State and National Governments compensation for our original rights in lands as well as well as all other rights of whatsoever nature.

Sec.5.--To cooperate with other organizations truly working for the betterment of our people.

Sec.6.--To endorse, by resolution, any bill, movement or organization truly working for the betterment of our people.

Sec.7.--To denounce and oppose by all available means any and every movement or proposal that may be detrimental to the wellbeing of the Indians.

Article III.--Officers

Sec.1.--The State Officers of the California Indian Brotherhood shall be a President, Vice President, Secretary and Treasurer.

Sec.2.--The State Officers shall hold office for one year or until their successors shall have been chosen, except the term of office for the first year after the adoption of the by-laws shall expire at the time of the annual mass gathering; date of gathering to be determined by the Board of Directors.

Sec.3.--The State officers enumerated shall be elected by the Board of Directors and removable at will by the Board of Directors or the membership.

Sec.4.--There shall be organized as many local councils of the Brotherhood as the membership shall choose to organize.

Sec.5.--Each Local Council shall elect a President, Vice President, Secretary and Treasurer and may choose as many local committees as they see fit.

Sec.6.--In those sections having an actual chief, all local council officers shall be chosen by the Chief and may assist him as he directs and are under the complete control of the chief.

Sec.1.... Article IV.--Government
The Governing body, under the membership, shall be a Board of Directors composed of 15 members, 10 of whom shall be elected at this meeting and the others to be added later by the Board of Directors as they see fit, or at the will of the membership.

Sec.2.--~~Each~~ Each member of the Board of Directors shall be elected by the membership of each district he or she represents.

Sec.3.--The Board of Directors shall hold office for one year and or until their successors shall have been elected.

Sec4.--Three or more members of the Board of Directors shall constitute a quorum.

Sec.5.--All powers not herein given and not usually exercised by Boards of Directors, are expressly reserved to the membership.

Article V. Membership and Dues.

Sec.1.--Any person of California Indian blood is eligible to membership.

Sec.2.--Those Indians of other than California Indian blood from adjoining States who may be connected with members of our California Indians by marriage, may be allowed full membership, but will not share in awards that we may receive from the United States Government or other sources.

Sec.3.--Membership dues shall be one dollar (\$1.00) per year, payable annually

~~XXXX~~

Article VI.--Finances

Sec.1.--All moneys collected as dues shall be receipted for and shall pass through the treasury of the California Indian Brotherhood.

Sec.2.--The California Indian Brotherhood shall not be responsible for any expenses incurred by any of its officers or members in the discharge of their duties or otherwise, unless the expenditures have been duly authorized or approved by the Board of Directors.

Article VII.--Meetings

Sec.1.--An annual mass gathering shall be held, subject to the financial condition of the California Indian Brotherhood.

Sec.2.--The exact time, place and minor details of the mass gathering shall be determined by the Board of Directors..

Article VIII.--Amendments

Sec.1.--These by-laws may be altered or amended, by a majority vote of those present and voting, at any annual mass gathering.

CALIFORNIA INDIAN BROTHERHOOD
office of the Secretary,
2224 East 25th. St., Oakland, Cal.

To the President, Board of Directors, Executive Committee,
Officers and active interested members of the California
Indian Brotherhood.

Dear friends:

Your Secretary is honestly striving to carry on the work of building up the Brotherhood so that we may rapidly become powerful enough to really be an important factor in securing benefits for our race, just as we planned when we organized.

I have just received a very trying letter from our President, under date of April 17, 1929, in which he accuses me, very severely, of trying to use the Brotherhood to pay Collett's debts and therefore requests my resignation. I am sorry misunderstandings like this should be read into letters of suggestion which were never meant to be taken in such an unmeritorious manner.

It becomes necessary to more clearly explain the situation as regards the trust fund holders. We would not assume the payment of any debt, logically, unless we secured value received in the transaction. One of the ways we could make certain of this would be to provide in our contract with Collett and the trust fund people, that dues must come into our treasury from that section in a greater degree than the amount we return to them in the form of payments. We could insure Collett and his followers quitting permanently too by some such similar proviso which would extend over a period of years and which would guarantee their goodwill to us, basing the carrying out of the contract upon their continued keeping of the terms which might be agreed upon. We would, of course, secure their mailing list, membership roll and other assets at once.

The immediate effect of such an arrangement should be to at once enable the Brotherhood to become Statewide and powerful as well as to eliminate the present division of effort on the part of us Indians with its costly waste of human strength and money in a regrettable inter-racial warfare.

Now we should be easily able to repay these trust fund holders by eliminating Collett's wasteful expenditures of money and never ever consider allowing the present Brotherhood dues paying members to repay one cent out of their dues, to the debts of Collett. You will realize that we can accomplish this because I have never come in contact with a more reckless spender than Collett, it would simply be a case of those who now pay heavier dues to Collett, paying their dues to us and getting more back from us than Collett ever returned to them. Collett being a confidence worker has to spend so much money covering up his crooked work which moncoys never benefits the California Indian in any way.

CALIFORNIA (page 2) INDIAN BROTHERHOOD

Then when we do become a powerful unified movement think of the good we can do for our people; Look at the rut if not actual slavery us Indians would find ourselves in, were it not for the accomplishments of the Indian Defense Associations, the Secretary of the Defense Association went into an agreement with the unspeakably, (shall we say crooked), Burke, then Commissioner of Indian Affairs, and as a result of that alliance, our Court of claims bill was enacted into law, Something we had tried to put across for years and failed, but the Defense Association went right on and finally succeeded in accomplishing Burke's removal from office. ---- Their accomplishments could be wonderfully increased if we back them up more effectively as one united race in this State.

As a matter of fact Steven I am confident we would secure much more than value received by conferring with these honest, hard working trust fund holders of our own blood who honestly tried to benefit their race with the risk of losing their own funds, and we have nothing to lose by talking this matter over with them.

The State Secretary has no voting power at all and any measure which he suggests has not the slightest chance of passing unless it is meritorious. The President has power and even so he at times attempts to assume more power than our by-laws give him, I will quote extracts from his letter under date of April 17, 1929.

"this latest proposition of yours is the limit and highly distasteful to the President and founder of the Brotherhood."

and again,

"it becomes my painful duty to request your resignation as Secretary of said organization."

Must we accept his dictum, even tho it may be contrary to the best interests of the Brotherhood and contrary to the will of the membership? Perhaps a solution for such a situation can be worked out at our next annual mass gathering by more clearly defining the powers and duties of our officers under the by-laws.

Our Board of Directors understand the duties of their office and if the Secretary informs them of the needs of his office or suggests an idea, they are entirely competent to reject it, if in their opinion rejection is advisable, without the necessity of the President requesting the Secretary's resignation. We would simply have a little Indian Bureau over again if the President had the power to effect the resignation of every State officer at his own whim. The Presidents office is not that of a supreme ruler you know.

CALIFORNIA page 3-) INDIAN BROTHERHOOD

A copy of our by-laws is being mailed out to each so that our Directors may see for themselves that the Board of Directors, and not the President, have the power to elect and, consequently and logically, only they have the power to remove State Officers, under the membership of course at all times, and that the Government of the organization is vested in them, See Section 3, of article III of by-laws

"The State Officers enumerated shall be elected by the Board of Directors and removable at will by the Board or the membership."

also see Sec.1, of Article IV...

"The governing body, under the membership, shall be a Board of Directors composed of 15 members, 10 of whom shall be elected at this meeting and the others to be added later by the Board of Directors as they see fit, or at the will of the membership".

I am confident that our Board of Directors, should they meet at Blue Lake, would not and could not do anything unwise or contrary to the will of the membership as you seem to fear. I fail to understand why you are so afraid to let the Board of Directors meet or vote by mail if they choose. You appear to want to do all the governing yourself and head off any motion that would allow the real governing body to pass on it.

The Board meetings being open and advertised in advance every person who took an interest could attend and give his views. (It would not be like the meeting of the State Executive Committee, where the State Secretary was not even allowed to appear in person at his own expense and explain the needs of his office, before they voted on the question.) Steven it is only by showing a willingness to listen to all sections of the State, that we can ever hope to grow into a large organization.

Please do not fail this time, to mail me the minutes of the last annual mass gathering as well as the minutes of the Board in case they met at that time, also all minutes of all meetings of the Executive Committee. I demand this as the right of a member and officer. ~~For~~ For the third time I request the address of Neacho Feliz and for the second time, the Address of Executive Committeeman, Sam Williams, since letters to them have been returned. For the second time I ask, should we have membership blanks printed as per the request of President Tripp.

Please don't get so worked up over differences of opinion, let's stick together in the fight against Collett, we'll straighten all this out peaceably in meeting when I shall be glad to read your letters out in full..... Sincerely,

Everett E. Wilder, Secty, Calif. Ind. Brohd.

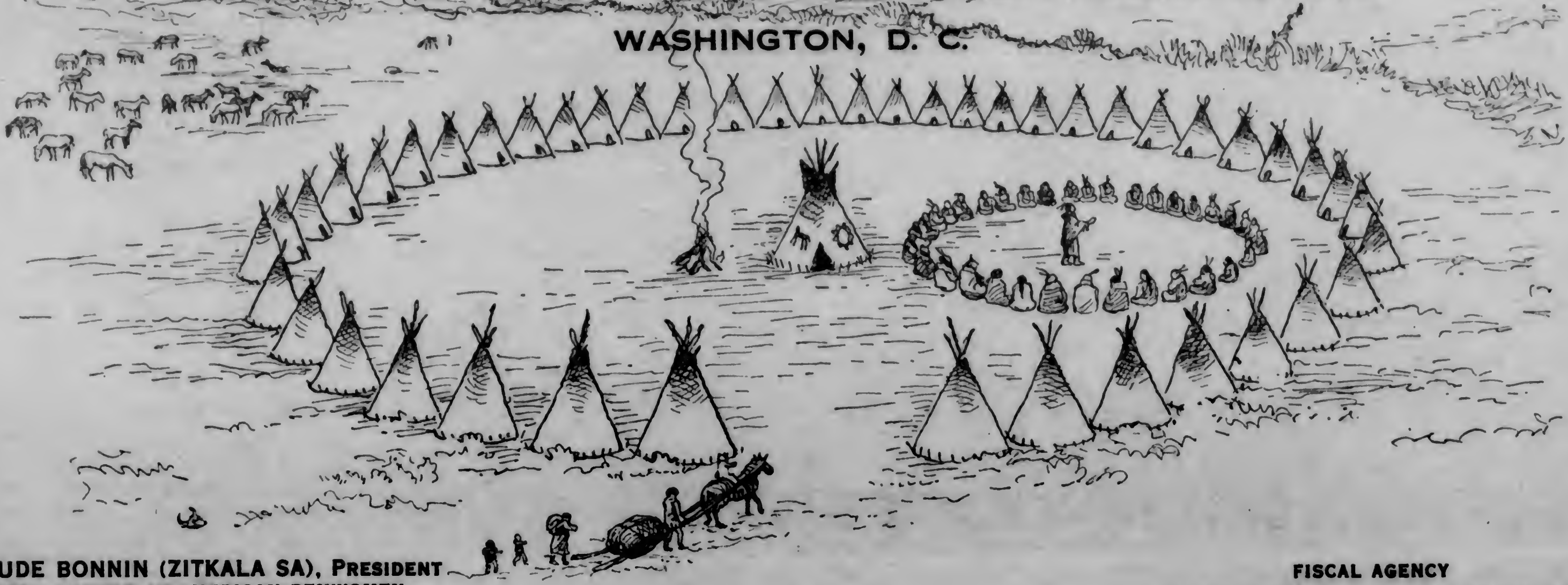
National Council of American Indians, Inc.

1927-33

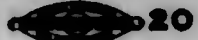
PURPOSE: HELP INDIANS HELP THEMSELVES IN PROTECTING THEIR RIGHTS AND PROPERTIES.

NATIONAL COUNCIL OF AMERICAN INDIANS, INC.

WASHINGTON, D. C.



GERTRUDE BONNIN (ZITKALA SA), PRESIDENT
MEMBER, LEAGUE OF AMERICAN PENWOMEN
IN "WHO'S WHO IN THE NATION'S CAPITAL, 1927"
JOSHUA WETSIT, VICE PRESIDENT, WOLF POINT, MON.
CAPT. R. T. BONNIN, SECRETARY-TREASURER



37 Bliss Building,
Washington, D. C.
November 22, 1927.

FISCAL AGENCY
WASHINGTON LOAN AND TRUST CO.
9TH AND F STREETS NORTHWEST
WASHINGTON, D. C.

Dr. C. Hart Merriam;

Thank you for your favor of the 18th with
inclosure of check for \$ 1.00 membership dues for 1927.

We are glad to know that you like our letter-head.

Please drop in and see us sometime that we may have an
opportunity to talk over Indian matters and visit also.

Inclosed herewith is your membership card.

With best wishes to Mrs. Merriam and your daughter I am,

Very truly yours

R. T. Bonnini
Secretary.

PURPOSE: HELP INDIANS HELP THEMSELVES IN PROTECTING THEIR RIGHTS AND PROPERTIES.

NATIONAL COUNCIL OF AMERICAN INDIANS, INC.

WASHINGTON, D. C.



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20

FISCAL AGENCY
WASHINGTON LOAN AND TRUST CO.
9TH AND F STREETS NORTHWEST
WASHINGTON, D. C.

37 Bliss Building
Washington, D.C.
November 16, 1927.

*Reckd. & dues sent
Nov. 19, 1927*

Dear Member;

THE NATIONAL COUNCIL OF AMERICAN INDIANS, Inc., was created February 27, 1926. In four months it will be two years old. Hurrah for Indian effort.

During its very young life much good has been gained. Be encouraged. Remember perseverance brings success.

In the summer of 1926, 10,600 miles were travelled by your President at no expense to the Indians or the Organization; and many Local Lodges of the National Council of American Indians were started through North Carolina, Oklahoma and South Dakota.

The National Council of American Indians supported Senator King's Resolution to investigate the Indian Bureau. In sympathy with this effort, the Federation of Women's Clubs, numbering more than three million voters, passed a resolution (June 2, 1927) calling for the support of "such legislation as is designed to give him (Indian) his rights as a citizen under the Constitution, in-

cluding the right to due process of law, peaceful assembly, religious liberty and a review of the acts of his guardian!" The resolution was adopted. For this cooperation, we are thankful.

In 1927 summer, your President visited western Indian reservations at her own expense, again travelling by auto some 9,000 miles. She passed through Salt Lake City, Utah. Visited the Ute Indians. Local Lodges were started. She also visited the Sioux of South Dakota, increasing the number of Local Lodges already begun among them.

Many Individual Indian cases have been handled without cost to them, through our Washington, D.C. Headquarters. This work involves much correspondence and research.

Last year, in the Short Session of Congress, we helped to win a victory on behalf of the Navajo Indians. The Oil Leasing bill which proposed to give them only 62½% of their royalties, was amended to 100% and passed.

The Flathead Power site, estimated to be worth thirty million dollars, was saved for the Flathead Indians, by timely protest against pending legislation designed to take it away from them.

The time fast approaches when Congress will convene in December. Our labors will then be intensified, attending Hearings on bills affecting Indian people and their properties. It is then we try to keep our field Lodges informed about current legislation concerning them vitally.

Have you paid your dollar dues this year? If not, DO IT NOW.

Fraternally yours

R. T. Bonnin
Secretary-Treasurer.

INDIAN NEWS LETTER

37 Bliss Building
Washington, D.C.

NUMBER 1
Jan 25, 1933

CONGRESS IN SESSION
HOPES IN ADMINISTRATION CHANGE
GOVERNMENT IN DEBT
TWO IMPORTANT INDIAN BILLS STILL PENDING
NCAI OFFICERS RE-ELECTED

Greetings Indian Kinsmen;

This is an acknowledgment of many repeated requests for our NEWS LETTER. As you know Congress has been in session since December 5, 1932 and will adjourn March 4, 1933. Then President elect Franklin D. Roosevelt will take the oath of office and become our new President of the United States.

WHEN THE NEW ADMINISTRATION takes over the reins of government, Indian people are expecting a favorable turn in their affairs. Congressional action is planned to give our new President wide powers in changing and completely re-organizing all administrative departments of the government which includes the Indian Bureau.

OUR GOVERNMENT IS IN DEBT. It is hard to understand because all the natural resources of the country are still here, and warehouses are filled with grains and goods. Yet people have no money. They are homeless and hungry. The American Farm Chief said today before Senate hearings that "a revolution will sweep the country in 12 months unless the farmers' plight is relieved." Fourteen million men are unemployed. A remedy is being sought which when found we hope will be available to our Indian people too. Indians do not expect food and clothing doled out to them indefinitely. What they want is an opportunity to work and make a living, as do the 14 million men unemployed.

When Columbus visited our continent, Indians were working out their own salvation but immediately after their treaty agreements with the government, the red race fell into voiceless captivity under the Indian reservation system. A survey made about 1928 by the Institute for Government Research began its 800 page-report with these words; "A vast majority of the Indians are poor, even extremely poor."

Today Indians behold with amazement that together with themselves millions of destitute white people are crying for federal aid.

"The so-called machine age has been a greater contributing factor in creating the depression than war debts or other ramifications of the World War." recently said Dr. Albert Einstein, the noted German physicist. It appears true as machine operated factories employ less men than formerly. Machines invaded the large farms and road constructions everywhere, and countless laborers found themselves jobless. "There is no way out without revision of standards of valuation." certain engineers tell us.

BUREAUCRACY AND THE MACHINE AGE are a destructive pair of overgrown twins. Their visitation upon our earth is called "World Depression." They are the white man's IYA TWINS. According to Indian mythology, IYA was a dreaded monster that swallowed entire villages alive. Thereafter within his belly could be heard faint sounds of barking dogs, whinnying ponies, voices of children and wailing men and women. So now as of old, IYA TWINS would have us believe humanity was made for their consumption. Ages ago Jesus declared that even "The Sabbath is made for man, -not man for the Sabbath."

Since government money is derived from taxes paid by the people, we can understand this much, that when the people are broke and the taxes are unpaid then the government runs into debt. Getting the people and the government out of debt is one of the problems our new President will have to assume after March 4, 1933. We wish him God-speed.

WHO WILL BE THE NEXT SECRETARY OF THE INTERIOR AND THE COMMISSIONER OF INDIAN AFFAIRS? Many names have been mentioned but no one knows who will be appointed!

VICE PRESIDENT CHARLES CURTIS, MEMBER OF THE KAW TRIBE, received praise and congratulations from Republican and Democratic Senators today, his birthday anniversary. Vice President Curtis is 73 years young! Forty years he has spent in Congress, till he mounted the high goal of Vice Presidency, a position second only to the highest in the land. As a small boy, he played with other Indian boys on a western reservation, and while yet a slender youth he ran away to see the big world outside. He was plucky in his search for new trails, and now at 73 years of age, he stands triumphantly on the pinnacle of his achievements. His success shines forth like a beacon light pointing the way for the weary Indian traveller lost in the wilderness of the 20th Century.

Vice President Curtis still holds his land in Trust, a good example for us Indians to follow.

INDIAN BILLS S. 3668 & S. 3717, one authorizing tribal councils and the other giving power to tribes to dismiss undesirable employes, are waiting for enactment into laws by Congress. They, like many other Bills, are crowded out in this Short Session. The Extra Session to be called in April may see them enacted into laws. These two Bills when they become laws will be the beginning of Indians' Declaration of Independence. We are grateful to our good friend, Senator Lynn J. Frazier for having introduced them.

Indians, are you blind, deaf and dumb human beings? No! Prove you are alive by self-help activities. You are grown up. Begin in your own hearts. Have more confidence in yourselves. Use your God-given powers. The way is open for improvement in your hearts, in your homes, your Lodges, and your daily duties. Muster enough courage to wake up, and exert yourself wherever you are.

THE BUDGET BUREAU, it is supposed, slashes appropriation estimates for economy's sake but it should not prevent passage of Indian Claims Bills as that is denying court review to citizen Indians of America. It is a sad commentary to make in these desperate years of depression that needy Indians are denied use of their own tribal funds to feed and clothe themselves, -to keep body and soul together while the Budget Bureau recommends and Congress appropriates from Indian tribal funds for federal salaries and administration expenses on reservations, without the knowledge and consent of Indians.

When European nations failed to pay their debts to the United States, America promptly called it a breach of good faith.

What is it when the Budget Bureau blocks admission to the Court for adjudication of Indian Claims against the government for unfulfilled treaties? What is it when the Budget Bureau prevents hungry Indians, shivering in rags and tatters, the use of their own tribal funds, while it dips into these tribal funds for salaries of government employes? Such use of Tribal funds is not "for the benefit of Indians" but for the benefit of employes and is a misappropriation of Indian tribal funds.

YOUR NATIONAL OFFICERS WERE RE-ELECTED May 9, 1932, at a meeting in Washington, D.C. by members of the NCAI who were here primarily on their own respective tribal matters. Six different tribes were represented, -Sioux, Klamath, Chippewa, Menominee, Choctaw and Cherokee. Changes in our Constitution and By Laws were suggested. Let me remind you that all your officers serve without salary. Our National Council of American Indians, Inc. is the only all-Indian organization with national scope in America. It is a valuable organization and one that is history making. It takes real courage to continue this effort upon our own initiative. There is no sham battle about it. It is a right good fight. Only the strong-hearted of the tribes have the honor of being its members.

Our growing membership has nearly snowed us under with their constant letters. We want to help all alike. Indians who have matters to forward to our Washington office must do so through their Local Lodges.

OFFICERS OF LOCAL LODGES, I want to express my appreciation of your faithful efforts on behalf of your tribes. Continue in your good work. Make the year 1933 the best of all. If Lodges have not yet elected new officers, or re-elected their officers, it is time to do it. Increase your membership. Kindly send to our headquarters in Washington, D.C. your corrected rolls of members together with their post office addresses. I wish you great success in this new year.

Yours for our human cause,

Gertrude Bonnin
President, National Council of
American Indians, Inc.

INDIAN NEWS LETTER

37 Bliss Building

Washington, D. C.

CONGRESS IN SESSION

WHAT WASHINGTON SAID ABOUT GOVERNMENT

SENATOR FRAZIER INTRODUCES CONSTRUCTIVE INDIAN BILLS.

Number 3

Feb. 22, 1932.

DEAR INDIAN KINSMAN:

"THE GOVERNMENT OF THE UNITED STATES IS NOT IN ANY SENSE FOUNDED ON THE CHRISTIAN RELIGION." are words of George Washington, our first President of the United States. The government is founded upon the Constitution of the United States. Dont let yourself be confused between the two. One says "THOU SHALT NOT KILL." The other provides for MAKING WARS. Religion deals with Spiritual Laws; Government deals with man-made laws.

The government has many things to do for the general welfare of the people. The people, through citizenship, choose and elect officials of the government, including the President of the United States. The people, through citizenship, help to make laws. Government runs only according to these man-made laws. Citizen Indians, Get busy. Citizens owe it to their Senators and Representatives to inform them of desirable legislation. Since Congressmen are not mind readers WRITE LETTERS to them. There is no law prohibiting Indians against writing letters.

Herewith inclosed are two important Indian Bills recently introduced by our good friend, Senator Frazier. Believing our motto: "Help Indians help themselves" it is up to each one of us to help by writing Senators and Congressmen to enact these Bills into Laws. (Congressman Edgar Howard is Chairman of the House Indian Affairs Committee).

THE BILL "S.3668." gives each tribe the right to act for the best interest of all concerned; it clearly sets out how to establish a tribal council, and thus prevent any controversy with Superintendents. It provides a recall if the council acts contrary to the wishes of the people at any time. We do not want ex-convicts, or unfrocked churchmen, or failures living on charity to be made members of our tribal councils.

THE BILL "S.3717" RELATING TO THE REMOVAL OF CERTAIN EMPLOYEES IN the Indian Service. Under existing law, it is almost impossible to oust unsatisfactory employees. Under our Bill, it will be possible to remove them, and greatly aid in carrying into effect the good intent of our Government toward us Indian citizens. It is to be expected the Indian Bureau will object to any diminishing of its powers. Even the Secretary of the Interior who said something about handing you a pickle and letting you howl, may object on a real show down. Such interference must not discourage you. "Keep your eye on the ball" and do good teamwork. By our own united efforts let us push on this constructive program to "HELP INDIANS HELP THEMSELVES". You have a mind, a heart and a life. Make USE of them daily. Our stay on Earth is short, after all. Make use of life wherever you are. ACT!!

Yours for the Indian Cause,

Gertrude Bonnin
President, National Council of
American Indians, Inc.

(This letter re-issued
by request.)

Sequoia League

1903-04

Regards of
Chas. F. Sumner

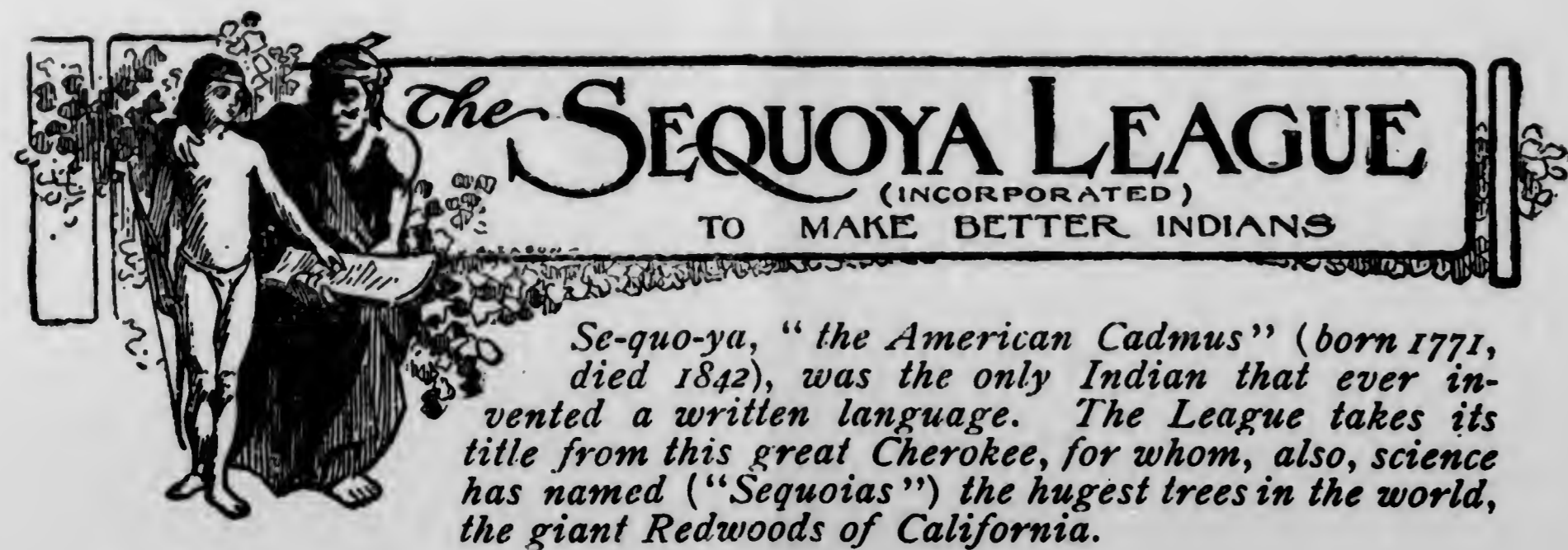
"TO MAKE BETTER INDIANS"

THE
SEQUOYA LEAGUE

LOS ANGELES COUNCIL

WHAT HAS BEEN DONE
WHAT NEEDS TO BE DONE

FROM "OUT WEST," JUNE, 1904
LOS ANGELES



EXECUTIVE COMMITTEE.

Dr. David Starr Jordan, President Stanford University.
 Dr. C. Hart Merriam, Chief Biolog'1 Survey, Washington.
 Dr. George Bird Grinnell, Ed. *Forest and Stream*, N. Y.
 Chas. F. Lummis, Los Angeles, Chairman.

ADVISORY BOARD.

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 Archbishop Ireland, St. Paul, Minn.
 U. S. Senator Thos. R. Bard, California.
 Edward E. Ayer, Newberry Library, Chicago.
 Miss Estelle Reel, Supt. all Indian Schools, Washington.
 W. J. McGee, Bureau of Ethnology.
 F. W. Putnam, Peabody Museum, Harvard College.
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 Geo. A. Dorsey, Field Columbian Museum, Chicago.
 Treasurer, W. C. Patterson, Pres. Los Angeles Nat'l Bk.

LIFE MEMBERS.

Amelia B. Hollenback, Josephine W. Drexel, Thos. Scattergood, Miss Mira Hershey.

FOUNDATION OF THE LOS ANGELES COUNCIL.

IN 1902 the National Sequoia League was incorporated "To Make Better Indians." It was founded in Los Angeles by persons familiar with the frontier, with Indians, and with the Indian policies which have made our "Century of Dishonor" an international byword. It was founded only after personal consultation with President Roosevelt, the Interior Department and the Indian Office, and the hearty promise by all these to co-operate with the general plans of the League. These were not hasty plans. They had been digesting for more than a dozen years. No practical person dreamed of attempting to carry them out under the ordinary political machine; but when there came to the Presidency a man of out-door understanding, of courage and decision—then it was worth while to propose an Indian policy based on Knowledge, Patience and Common Sense—the three things Indian policies have habitually lacked. The governmental procedure in Indian affairs has been mostly moulded by persons who know absolutely nothing about Indians—not even the initial fact that they are human—who expect to expedite Evolution with a buzz-saw, and who are so little fit to help others that they could not even help themselves if set down alone in the Adirondack woods or on the Western plains.

The Indian Service, once beyond question the rottenest member of our body politic, has been remarkably purged. It is not yet flawless; but the day when thievish agents and corrupt offi-

cial were the rule and a matter of course—that day has gone, doubtless forever. With exceptions, the Service today is administered by honest, active men. But the capacity and the integrity which would win success for the heads and clerks of a department store are not all that is needed in those who must administer upon the lives and fortunes of a race of human beings. The Indian Policy of the Government is to this day Remote, Uninformed, Unhuman and Unsatisfactory. It contents no one—not the Indians who are its victims, not the American public which has to bear the discredit of its results—not even the officials themselves. There is probably no other wheel in all the complicated machinery of this great Government, wherein an honest man with sense enough to pound sand has to retire at the end of his term with the sad conviction that while he has worked truly and hard, he has not really accomplished anything. Because the Indian is such a fool that he cannot learn? By no means—simply because this Superior Race has been trying to teach political economy, logarithms and Christian Science to an Infant Class. The Indian is wonderfully apt at learning. Both by attention and intention he surpasses our own students. One has only to become familiar with any Indian school, anywhere, to realize how much faster the Indian learns in proportion. In Spanish America, the Indian has become a scholar. There have been whole schools of Indian historians, scientists, theologians, poets, philosophers—not to mention statesmen and presidents. We ought to be able to do as well by the Indians as Naughty Spain did. We are able, if we Try.

The trouble here—as is the trouble wherever else the Republic limps—is the fault of the individual citizen. We have bad politics because we wiggle out of our own duty and leave it to be done by the politician. We have bad Indian policies because responsible citizens do not "Tote Even" by helping the Department. Washington is a long way off. It is not strange that it cannot comprehend the more intricate problem of the destinies of a race, when it cannot even grasp the plain figures of the United States census as toward an American community Fearfully Far from the Office. For an exemplary instance, here in Los Angeles, a modern American city of about 150,000, we have been for a decade praying out loud for a postoffice. We need one. We "have one coming to us." No other city in the American Union has ever grown so fast in population, or in postal earnings. Yet for five years Washington has declined to give us a postoffice adequate even for a town of one third our population. This is perhaps a homely simile; but perhaps it may serve to hint why Washington is equally antiquated in its policies concerning

a population less than twice as large in numbers, and with no votes at all.

We cannot take the Indian away from the Government; we cannot take the Government into our own hands. Nothing is left, then, except to co-operate with the Government to better its Indian policy. God knows it needs bettering. It will be bettered—when Americans do their individual duty.

Without too much notoriety, the Sequoia League has worked along these lines to several very important results, and some precedents of serious value. Its great achievement was in securing a new—and a better—home for the Warner's Ranch Indians, whom the Supreme Court of the United States evicted from their immemorial home. Except for the almost universal outcry of Southern California, these Indians would have been turned out upon the desert to starve. Even a year after the Supreme Court had taken away their lands, no provision had been made by the Government to give a new home to these nearly 300 exiles. But Southern California made a protest that did it honor; and in response to this public demand, Congress voted an appropriation to buy lands for these homeless people.

The Sequoia League was founded in that crisis, and bore the brunt of the long and arduous campaign. Exclusively through its leadership, a special Commission was appointed which served without compensation, worked like navvies for months, and succeeded in doing what was never done before done in the history of our Indian policy, so far as I know the records—in getting for the evicted Indians more and better lands than those from which they were ousted.

The Sequoia League comes unhesitatingly before the public for judgment; willing to stand or fall by its record in this case. It will stake its reputation and its future success on any expert comparison of the new reservation at Pala with the old reservation at Warner's Ranch, and on a judicial comparison of the whole matter with any other transfer of Indians in the record of our Government. It will not stand sponsor for things done by the usual red tape; but for anything in the League's handling of this case, it challenges comparison.

After a rather warm campaign of more than a year, too, the League procured the absolute revocation, by the President himself, of that incredible "Hair-Cut Order," which thought to "civilize" Indians by tying them up and shearing them as they were sheep. Practically every newspaper in the United States had ridiculed this educational innovation; but it remained in force until the League succeeded, after a serious and persistent attack, in getting it abrogated. In connection with this same campaign,

the League brought about radical reform in abuses which had long been notorious on the Moqui reservation.

The first Local Council under the League—the New York Council, headed by Geo. Bird Grinnell, Hamlin Garland, Mrs. F. S. Doubleday, and others prominent alike for real philanthropy and sound sense—has had a very large influence toward bettering many specific abuses in the Indian service. The famous Standing Rock case, reforms in the Indian Territory, and other matters of this magnitude, have been very largely due to the energy and the sanity of the New York Council. One of the most important of the recent measures, also, the creation of the office of Supervisor of Indian Reservations, and the appointment thereto of a man eminently qualified for his large task, is likewise to be set chiefly to the credit of the New York Council.

The founding of a Local Council of equally serious and competent people has been more recently accomplished in Connecticut, and it may be expected to do as valuable work.

The establishment of a Local Council in Los Angeles, the native city of the League, has been delayed for reasons which seemed good. There are now equally good reasons why such action should be delayed no longer; and the Los Angeles Council of the Sequoia League has been established under a leadership which promises success. With the successful record of the League in local accomplishment, tangible and open for the inspection of all who care to investigate, the Los Angeles Council can appeal to its intelligent public with full confidence of support. Important work has been done, and after a fashion which can safely challenge criticism, whether from the business or the humanitarian point of view. Equally important work remains to be done; and it will be the mission of this Council to see that it is done.

The Warner's Ranch Indians are now safely located on the best Indian reservation in the Far West; they haven't their old home, but they have a far better one; with land, water, timber and everything else that would make an American community of the same numbers prosperous. But there are three dozen Mission Indian reservations in Southern California; and, with the exception of Pala and Morongo, none of them are a credit to humanity. About half of them are a burning disgrace to our civilization, to the careless, far-off Government which does not take the pains to know better; and to us, on the ground, who are entitled to make it know better. Nearly one-third of these reservations are such impossible, barren, God-forsaken tracts that few travelers ever saw human beings starving upon their like.

One of the first activities of the Local Council must be to remedy this disgraceful state of affairs. The people of Southern California are canvassed annually to send supplies to these hun-

gry Indians, who have been crowded out of the most fertile portions of the American continent, and whom the Government has left suffering for a generation.

The same Commission which procured a fertile reservation for the Warner's Ranch Indians, saved \$23,700 of the money the Government, through its routine agents, was about to pay for a relatively worthless property. The League secured an overriding of technicalities, and got this \$23,700 made available to purchase lands contiguous to eight other Mission Indian reservations (including 720 Indians); and made recommendations as to the expenditure of this money. This was promised to be done. But now, after nearly two years' delay, information is received from Washington that \$5000 of this money has already been expended upon the Pala Indians, and that the rest is expected to be used for them also. That is, \$23,700 has been diverted from its lawful application. A natural function of the Los Angeles Council will be to secure the proper use of whatever shall remain unexpended of this sum; and then an agitation for the further appropriation by Congress of moneys to secure for the remaining Mission Indians lands upon which they can at least refrain from starvation.

Twenty-one years ago a special Commission from the Indian Bureau made a thorough investigation of the Mission Indians, and reported a condition so disgraceful that it caused a widespread sensation.

Like reports of the same conditions, from official and lay sources, have been presented to the Department practically every year since, and have been officially endorsed to Congress by the Interior Department; and in the agitation which led to the relief of the Warner's Ranch Indians, the matter was very sharply and clearly brought to official attention.

It is sickening, and almost incredible—but it is a literal fact that these conditions, which were a disgrace to this nation two decades ago, are practically unchanged today. The machinery of the Department, the appropriations of Congress, the reports of agents, Commissions and Mere Human Citizens—including United States Senators, bishops, editors, students, teachers, and others—have been thus far unfruitful. Particularly persistent agents have asked and secured individual grants of petty rations for starving Indians, and patchwork relief of this sort; but with the exception of action forced by public clamor, in a very few particularly outrageous cases, the United States Government might just exactly as well have been out of existence for the last twenty years, so far as any beneficial effect it has had upon the California Indians is concerned. To this day at least one thousand of the Mission Indians are in absolute destitution; at least ten thousand Indians in California are absolutely without that protection which it is the very first duty of a civilized Government to give to its wards; and there is absolutely no horizon of hope for better things in the course of routine.

The Department has no revelation of giving to these Indians the first thing that ought to be given to any human being—a safe home—and only the most spasmodic and undigested notions

as to the treatment even of the drifting pupil it expends so much money and so much honest effort to "do something for."

This seems a hard thing to say, and to many will seem unreasonable. We have a pleasant fashion of deeming that our Government is infallible—that is, till it deals with something that we know something about. What we think of it then, when our personal experience runs up against the remote red tape of Washington, we do not think to apply in generalizations.

The people of Los Angeles who have been for years trying to secure a postoffice and adequate service, in a city which leads all others of the American Union in growth of postoffice revenues, may possibly be able to conceive that the untraveled clerk may be as ignorant of harder things as he is of our own simple matters.

"The world is getting smaller every day"—but this shrinkage does not bring Washington appreciably nearer to the Far West. We cannot reasonably look for Reform from the Uninformed. Nothing has happened in Washington which prognosticates a change in the immemorial policies which have marked the Indian service.

The only conceivable solution of this problem, as of all other problems that are arising in the American Government, is not in praying for a divine revelation to the official, but in arousing the individual citizen to do his duty. When public opinion demands the suppression of graft, the man is found to indict the grafters.

When public opinion shall intelligently demand reform in the Indian service, and shall show how it may be brought about, the Indian service will be reformed. And today is the day. There is no question that the psychological moment has come for the realization of these things. "Everything is coming our way;" if we will arise to meet the opportunity, she is ours. An honest Department, a President who cares, public sentiment not only aroused, but becoming daily more intelligent—these are the chief factors.

It needs now organization and patient pressure. It needs a responsible exposition of conditions as they are; it needs a common-sense programme of how they may be remedied; and these things can be done by the "pulling together" of citizens who realize their responsibility in the affairs of a Republic.

The Sequoia League and its Local Council aim to assist in this work by showing exactly how conditions are on the Indian reservations of Southern California; by showing how they could be bettered; and by harnessing public sentiment to the demand that they shall be bettered.

The first thing toward educating, reforming, or uplifting any human being is to secure him safety and tolerable comfort in material affairs. In other words, to give him the rights which the Constitution of the United States holds to be inalienable to all men. Until the Indian has a home of his own, until he cannot be robbed, or evicted, or killed, or kicked (simply because he is an Indian, and without overt transgression on his part)—all the Indian Bureaus, and inspectors, and boarding schools,

and day schools, and Indian football teams, and Indian mandolin clubs, and Indian Mission schools may amuse the incumbents but will not seriously benefit the Indians. When the people who once owned all California can be given secure title in even a tolerably worthless corner of it; when the laws can be made to apply to them, not only for transgression but for safeguard—then we may seriously hope to educate and evangelize them.

The first, and, for a long time probably the major, work of this organization will be to aid the Indians of Southern California in securing their material, human rights. Incidentally, however, from the very outset such an Association can be of serious benefit by aiding the Indians toward self-support by their characteristic industries. The schools are teaching some of the Indians to be very fair carpenters and blacksmiths, housegirls and handy-men; and this is all right; but there is no special gain either to the race or to civilization in making a \$20 per month dish-washer of a girl whose mother would have made her a weaver that could make double that amount in basketry. The Government itself has taken cognizance of this essential fact, and from trying to eradicate from the Indians everything Indian, has at last the common sense to try to perpetuate in the Government schools the Indian handiwork. This Council of the Sequoia League can be of material local assistance in this matter. It can do much to encourage the fine old crafts, and to discourage the ridiculous perversion and vulgarization of them by chromo-minded patrons who have come near to spoiling all the Indian arts. Natural Man is always an artist. The old-time Indian baskets, blankets and other artifacts are incomparably more artistic—and incomparably more valuable, even in our modern market—than the sophisticated articles made today To Sell—with their hideous aniline colors, their tenderfoot patterns and their degraded handiwork.

The Sequoia League stands for a revival of the honest old work, and for giving the maker of a \$50 basket (for instance) something of the \$40 profit that now goes to the middle-man—but without raising the price.

The following have been elected officers of the Los Angeles Council:

President, Right Rev. Joseph H. Johnson, Bishop of Los Angeles.

1st Vice-President, Right Rev. Thos. J. Conaty, Bishop of Los Angeles and Monterey.

2nd Vice-President, Mrs. J. E. Cowles.

Secretary, Wayland H. Smith.

Executive Committee, Rev. C. J. K. Jones, Miss Cora Foy, Miss Mary B. Warren, Wayland H. Smith, Chas. F. Lummis.

Other officers will be elected later.

The larger the membership that can be built up, the more effectively the Council can prosecute its work. It needs funds for field investigations; it needs the weight of numbers to move the politician.

Membership fees are \$2 per annum; Life membership is \$50. Dues may be sent to Chas. F. Lummis, Los Angeles. All moneys will be credited in the magazine "Out West."

REPORT

OF

**INVESTIGATION OF CHARGES PREFERRED BY THE
SEQUOYA LEAGUE OF CALIFORNIA AGAINST
THE MANAGEMENT OF THE MOQUI
INDIAN RESERVATION.**

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THE MANAGEMENT OF THE MOQUI
INDIAN RESERVATION.**

DEPARTMENT OF THE INTERIOR,
WASHINGTON, *September 1, 1903.*

The COMMISSIONER OF INDIAN AFFAIRS.

SIR: I transmit for your personal consideration a copy of the report of Inspector James E. Jenkins, dated August 15, 1903, upon his investigation of certain charges against Supt. Charles E. Burton, of the Moqui Indian School, preferred by the Sequoya League, of Los Angeles, Cal.

Upon the testimony presented, a copy of which, with other papers, is also inclosed, it appears that Kampmeyer was guilty of brutality, and that Burton knew of this fact, and simply disapproved of it instead of reporting the same to the Indian Bureau and having Kampmeyer turned out.

The retention of such a man in the Indian Service is not to be tolerated, and I therefore have to direct that you take immediate measures to effect the removal from the Indian Service of H. Kampmeyer, formerly teacher at the Moqui School, but now engaged at the Yakima Indian School, Washington, and that J. L. Ballinger, teacher at Oraibi, be transferred to some other school in the Indian Service.

It is also directed that Superintendent Burton be reprimanded for neglect of duty in failing to notify you of the conduct of Kampmeyer two and a half years ago and recommending his removal at that time, and in not reporting the unfitness of Ballinger for his position.

Superintendent Burton's method of carrying out the hair-cutting order of your Office was ill-advised and improper, and he should be explicitly told that no threats and no force of any kind should be employed in reference to hair cutting, but that he must trust entirely to persuasion and example.

A report of the steps taken by you, and the return of the inclosed papers, is desired.

Very respectfully,

E. A. HITCHCOCK, *Secretary.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, September 2, 1903.

The SECRETARY OF THE INTERIOR.

SIR: I have the honor to acknowledge the informal receipt of your communication of the 1st instant, transmitting for my personal consideration a copy of the report of Inspector James E. Jenkins, dated August 18, 1903, upon his investigation of certain charges against Supt. Charles E. Burton, of the Moqui Indian School, preferred by the Sequoya League, of Los Angeles, Cal. You state that, upon the testimony presented, a copy of which, with other papers, was inclosed, you direct that immediate measures to effect the removal from the Indian Service of H. Kampmeyer, formerly teacher at the Oraibi School, but now engaged at the Yakima Indian School, Washington, be taken, and that J. H. Ballenger, teacher at Oraibi, be transferred to some other school in the Indian Service.

You also direct that Superintendent Burton be reprimanded for neglect of duty in not taking early measures in disciplining the two teachers named for infractions of the Indian-school rules, and especially for failure to call attention of this office to matters alleged against them; that Superintendent Burton's method of carrying out the hair-cutting order of this office was ill-advised and improper, and he should be explicitly told that no threats and no force of any kind should be employed in reference to hair cutting, but he must trust entirely to persuasion and example.

You request that I report what action, if any, has been taken by me in regard to these matters and the return of the inclosed papers.

I would respectfully report as follows:

First. Under date of August 26, you referred to this office a communication from Inspector Jenkins, in which he stated that, in connection with his report of the investigation of charges preferred against the management of the Moqui Reservation by the Sequoya League, he called attention to the case of H. Kampmeyer and John L. Ballenger, teachers at the Oraibi Day School. He found the charges against Kampmeyer sufficient to warrant a recommendation for his dismissal from the service, and that he also found that John L. Ballenger and wife are not fitted to control a school of the size and importance of Oraibi. Immediate action was taken with reference to these recommendations, and Charles H. Dickson, supervisor of Indian schools, who is now engaged in making an investigation at the Yakima Agency, was wired to await letter from this office preferring charges against Kampmeyer, and on the same day the charges as made by Inspector Jenkins were sent to the supervisor with instructions to furnish Mr. Kampmeyer with a copy of the same, and allow him three days in which to make such answer as he might desire under the rules. Sufficient time has not elapsed to receive his reply and take the further steps looking to his removal from the service. John L. Ballenger and wife have been transferred to San Juan Day School, under the jurisdiction of the superintendent of the Santa Fe Indian School, New Mexico.

Second. Relative to your instructions to reprimand Superintendent Burton for neglect of duty, etc., I respectfully state that such a reprimand will be forwarded to him at once.

After a personal consideration of the report of Inspector Jenkins

it seems that he has made a most careful and exhaustive investigation of the sensational charges preferred against Mr. Burton, and from the testimony submitted and from his own conclusions, drawn not only from the testimony, but from the manner and actions of witnesses on the stand, I believe that his findings are just.

The inspector naturally calls attention to the fact that the charges which brought about the investigation were given wide publicity in the public press and no doubt disturbed Mr. Burton's peace of mind, and I fully agree with him that it is only proper and the least the Sequoya League can do to in some way make up for the great wrong it has done Mr. Burton and the Government in this matter is to publicly acknowledge its error and publish a full retraction. As stated, the charges made by the Sequoya League have been scattered broadcast over the country, and if they are permitted to remain unanswered and Mr. Burton is retained at the Moqui School, it will place the Department and the Indian Office in the attitude of upholding an incompetent official in wrongful acts in relation to the Indians.

It seems to me that the full report of Inspector Jenkins, and especially the peculiar statement of Mr. C. A. Moody, representative of the Sequoya League, who stated to the inspector that, "After careful résumé of the testimony and satisfactory examination of the witnesses, and from my personal observation, I am convinced that the league's charges, so far as they concern Superintendent Burton, were unfounded, and I therefore withdraw the demand for Mr. Burton's dismissal or transfer," should be given to the press of the country generally, and that Mr. Lummis, the editor of the "Out West" magazine, in which the charges first appeared, in justice to all concerned, be requested to publish in full Mr. Jenkins's report.

I have the honor to return herewith the inclosures accompanying your letter.

Very respectfully,

W. A. JONES,
Commissioner.

[Out West—A Magazine of the Old Pacific and the New. Edited by Charles F. Lummis; Charles Amadon Moody, assistant editor.]

LOS ANGELES, August 12, 1903.

DEAR MR. JENKINS: My telegram will doubtless have sufficiently surprised you. It meant that on reexamining the evidence and comparing it with the charges actually made, I was amazed to find that instead of failing to establish the charges, almost every one of them which the league considered vital was fully sustained by the testimony of Burton himself and his trusted and trustworthy employees. My eyes were clouded by the number of minor accusations either flatly disproved, impossible to prove, or of no consequence at all; by the poor showing made by many of the league's witnesses on the stand; by the obvious personal prejudice sticking out of the affidavits offered by the league, and by the completeness with which Burton cleared his skirts from any charge of personal brutality.

These things, together with the harmony among the employees, their evident respect and affection for Burton, and the charming courtesy with which I was treated under difficult circumstances, combined to blind me to deeper facts and to conditions much more vital to this case. Yet these were clearly established on the testimony of Burton himself and that of friendly witnesses. In now writing this reversal of an opinion which I believed was carefully matured and not to be

shaken, I shall rely almost wholly on that testimony, and not on any coming from "league" witnesses. You will probably remember that at the very start of the investigation, I told you frankly that I expected to prove our case out of Burton's own mouth. That I should have done exactly that thing and yet failed to see it at the moment is a rueful mystery.

Now note, to begin with, that the charges on which the league most relied are not of personal brutality or cruelty, but of failure to prevent this on the part of employees, for whose conduct rule 46 makes him responsible; of direct violation of rule 249, and of far exceeding instructions given him by the Department.

Now, as to rule 249 there can be no possible dispute. It says, "*In no case shall school employees resort to * * * corporal punishment * * **" Mr. Burton showed his rawhide whip, told how he had instructed that it should be used—"across the shoulders"—and details were given of cases of whipping—in one case of enough whipping so that the wife of the man doing it believed that the boy receiving it needed cold water thrown on him to revive him. Now, it makes not the slightest difference whether in your judgment or mine the boy deserved the whipping or whether it did him good or not—unless the rules are of that pinaforish type where "never" means "not very often."

If there are in fact secret orders or personal and private understandings by which an officer of the Department, or rather an official under the Department, is entitled to go flatly in the face of public, unqualified, and unmistakable prohibition, why, the public is entitled to know that fact. I had no right whatever to withdraw the league's charge on that point. Indeed, it makes no difference what I said or thought about it. The charge was exactly true and was proved by the testimony of the accused persons under oath.

Secondly, there is no more doubt that the charges of illegal violence were fully established against Kampmeyer and Ballinger at this trial and against Voorhies previously. There is not the least need of going over the evidence, since there was no question in your mind or my own. It is no defense to say that Burton did not know of these things. It was his business to know them, and rule 46 makes him explicitly responsible for the conduct of an employee. How quickly he found out things of which he wanted to know was shown by his coming to us on our first day there with the word that Mrs. Gates and her party (each of whom he named) had started from Canyon Diablo for Oraibi. If he did not know these things till near the end of the four years, during which he was responsible for K's conduct, then he is not a fit man to be trusted with any such responsibility.

But there is worse than this, I should think, from the Department's standpoint. He not only does not help the Department to detect and "fire" incompetent servants—he actually impedes that work and resents it so long as the people affected are "loyal" to himself. This appeared from his failure to recommend K. for dismissal, wanting apparently only to get a troublesome fellow off his own hands. From the admitted fact of his reproaching Miss Watkins with assisting in gathering evidence against Voorhies, which she did under instructions from Supervisor Wright, and from his active interference to protect, defend, and apologize for Ballinger. You will not have forgotten the public protest which he made to your answer to the Indians on the question

as to whether the employees were entitled to carry firearms, nor the little note you passed over to me in comment. Now, I am not sure but that this is a more unfitting quality for a man in charge of things than actual personal cruelty. Certainly it can work much more widespread and lasting mischief.

On this charge, then, the league's case was fully established, and something more with it, to boot, namely, that the Department can not rely on Burton's holding his employees to reasonable conformity with his own standards of action, or those prescribed by the rules, nor on his reporting fully on serious misconduct.

About the "hair-cut order," we may waive all question of threat or violence. Mr. Burton certainly used what he calls "constructive force" in many cases. This he explains as taking hold of people who were protesting that they did not want their hair cut, or having someone else hold them while he cut the hair. It is no answer to this charge (or rather no set-off to this admission, since this is Burton's own story of what happened) to say that a good many of the people cut their own hair or allowed it to be cut without protest. Wherever this was the case he was within the letter and the spirit of the order. Whenever he went beyond this he was outside both letter and spirit. Indeed, he exceeded both when he told the Indians that it was an order from Washington that the hair should be cut and must be obeyed. Indeed, that seems to me to be direct falsehood, though I wholly acquit Burton of lying intentionally. Our charges were fully proved on this point.

Finally, Burton's own letter to the Department reporting the "raid" at Oraibi agrees in the essential fact (though differing in details) with the league's account. It is true that the town was surrounded with armed policemen during the night; that white men (some of them armed) went up there at daybreak; that children were literally wrested from their parents' arms and taken away on that zero-cold morning, and that certain Moquis were "tapped on the head" with revolver butts. I sadly missed in thinking that the letter from the Department approving his conduct as reported relieved him from the weight of this charge. We do not know whether the "approval" came from the Secretary, the Commissioner, or the woodenest fossil in the whole Office. We want to know. If the Department intends to "stand for" such action, then clearly enough the league will have to make its case not against Burton before an inspector, but against the Department itself before the bar of public opinion.

I have written letters to Mrs. Balfour and to Burton himself covering substantially the same ground, and wired Mrs. B. asking that the story she sent in be held until my letter could reach her. I do not ask that she modify it at all, but only that my better eyesight may have a chance so far as I am quoted.

The only relief to my humiliation at such blundering on my part is my firm belief that you will see the matter in the same way as soon as your attention is called to it. I hardly need assure you that no outside pressure could have changed my opinion in this matter. It was merely that as the digestion of the evidence went on my mind reached the hard facts I have been setting out in this letter, and related them directly with the charges. Indeed, these letters are wholly of my own suggestion, and neither League nor any individual has so much as hinted that I should write them or suggested a line of them.

May I ask that you hand this letter to the Secretary personally with your own report, or if that has already gone in, then let him have it at once. And for fear that you may have gone on to Asheville, or wherever you were next to go, I will ask that you wire me acknowledging the receipt of this. Failing such a wire, I shall have to wire the Secretary to suspend judgment awaiting my letter. However slightly this may weigh with you or the Department, it would not be justice to anyone that in final action it should appear that the League or its representative was convinced that the charges were only fit to be withdrawn. I did think so and did say so repeatedly and publicly. I blundered and have tried to convict myself conclusively of that blunder in this letter.

Yours, very truly,

C. A. MOODY.

OUT WEST, EDITOR'S OFFICE,
Los Angeles, Cal., August 24, 1903.

Hon. E. A. HITCHCOCK,
Washington, D. C.

DEAR SIR: Touching the investigation of C. E. Burton, superintendent and disbursing agent of the Moqui at Keames Canyon, Ariz., I beg to say:

The representative of the Sequoya League—my own assistant, and a man of the highest character—equally with Inspector Jenkins, seems to have been carried away by the undenied fact that many of the petty details alleged against the *administration* of Burton were proved not to be true as to Burton *personally*. It seems to me that both of them read the League's charge somewhat superficially, and that both took for specific individual charges against Burton the League's direct specific charges against his administration. This is unimportant, however. The Department, I am sure, and the League I can officially say, desire the main truth regardless of side issues.

Not to tax your time, and to make a long story short, I beg to remind you that while many abuses of his administration were not proved to be personal to Burton, *every vital allegation was absolutely maintained*.

Despite the fact that Mr. Burton has had three months to prepare himself—and I have enough of his personal letters in my hands to show what effort he made to forestall the investigation—despite the familiar tendency of witnesses to fall down in the presence of their official superior; despite the notorious timidity of the Indians in Mr. Burton's presence, it is absolutely proven—and mostly by Mr. Burton's own testimony—that the League's accusation of stupid and brutal administration is completely established.

It was proved that many things charged against Burton's régime were not true of Burton *per se*.

It was proved beyond peradventure—and I think Inspector Jenkins will admit this promptly—that Burton has maintained at least three subordinates of notorious and outrageous cruelty. Kampmeyer he held nearly four years, a brute of the last stamp; and after being cornered for Kampmeyer's brutalities shirked his duty to get him dismissed the service and only asked his transfer. Inspector Jenkins recommends his summary dismissal. Vorrhies, another scandalous and disreputable brute, Burton maintained for some time. At the present investigation

it is on record that Burton blamed the employee who at the request of an inspector gathered evidence against Vorrhies.

Ballenger, the fit successor of Kampmeyer, has not only been supported ever since by Burton in an almost equally brutal procedure, but at the investigation Burton defended and apologized for him. Inspector Jenkins recommends that Ballenger be degraded in the service.

Here then are three men, Burton's principal subordinates, indicted by this present investigation and by your confidential agent, Mr. Jenkins, for brutality under Burton's régime.

We absolutely established also that to fill the Oraibi School, Burton raided the town with a force of armed Indians and whites; that they dragged the little children from their homes; that he ordered his posse to pull their guns; and that under his leadership several of the parents of these children were cracked over the heads with the kind of six-shooters used in the wicked West.

We have absolutely proved that in direct contempt of the Department's rule 249 Burton has had corporal punishment administered upon Moqui children repeatedly, and in one case so severely that the flogger's wife threw water in the face of the victim to revive him.

I beg to say that I have known the Moqui nearly twenty years; that in my work as a student of American history I have traced them more than three hundred years, and that I have never seen in my life a kindergarten of American babies where force was so wanton and so gratuitous as it was in the Moqui case.

I beg to say further that though overwhelmed with work that I would not leave for the presidency, I would give a \$12,000 bond to take the Moqui Agency, go there without a weapon of any sort, banish every firearm, and undertake to carry out every policy of the Department that I can myself, as a reasonably educated white man, subscribe to, without a club, whip, or threat. The very name Hopi, a name immemorial and applied before the first of your ancestors or mine landed in the New World, means "People of Peace," and they are peaceable and more tractable than my three-year old boy.

I have called them the "Quaker Indians;" you are surely familiar with the uncombative people, and I know them by heredity, being of half Quaker descent—I am free to admit that that half seems to have lapsed in this generation.

You will see in this magazine that we attempt to treat the matter judicially and fair. Our representative stands up so straight that he falls over backward. I am free to confess that it would be easier to deal with a worse agent. We have stated all along that we believed Mr. Burton to be a nice man—who was doing great harm. It is not proved that Mr. Burton is a scoundrel. It was charged that he was an unfit agent for these gentle and child-like Indians. It has been proved that under his administration brutalities have been practiced which would sweep any official out of place if laid before the American public.

And I beg you not to be lost—as two very good men seem to have lost themselves—in what was *not* proved, but to observe what *was* absolutely proved as to Mr. Burton's administration.

Sincerely yours,

CHAS. F. LUMMIS.

Permit me to congratulate you on your fine stand *re* the Indian land swindles.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, September 5, 1903.

CHARLES E. BURTON,
Superintendent Moqui School, Keams Canyon, Ariz.

SIR: United States Indian Inspector James E. Jenkins has filed with the Secretary his report upon the investigation held by him of certain charges preferred against you by the Sequoya League, of Los Angeles, Cal. From my personal inspection of this report and the statement of the inspector, you are fully exonerated from all of the personal charges against your administration of the Moqui school and agency preferred by the Sequoya League.

The Secretary of the Interior states that upon the testimony presented I am directed to take immediate measures to effect the removal from the Indian service of H. Kampmeier, formerly teacher at the Oraiba School, but now engaged at the Yakima Indian School, Washington, and that J. H. Ballenger, teacher at Oraiba, be transferred to some other school in the Indian service. He further directs that you be reprimanded for neglect of duty in not taking early measures in disciplining the two teachers named for infractions of the Indian school rules, and especially for failure to call attention of this office to matters alleged against them.

He also states that the methods employed by you in carrying out the so-called "hair-cutting order" were ill advised and improper, and that you should be told explicitly that neither threat nor force of any kind should be employed in reference to hair cutting, but that you must trust entirely to persuasion and example.

In accordance with these directions, your attention is hereby called to the fact that you should have taken prompt measures to have compelled the teachers above referred to to obey the rules, especially in relation to the charges made of cruelty to Indian children and to adult Indians. You are therefore cautioned to see that the new teachers, and those filling these positions, carefully observe the Indian school rules and regulations in the spirit in which they are intended, and that they refrain from the conduct of these two teachers, which is considered so reprehensible by the inspector. You will endeavor to see that the management of all the subordinates under your direction, whether school or agency, in their personal contact with the Indians, shall be conducted in a manner above reproach.

You are informed, as heretofore, that no threats and no force of any kind must be employed in reference to the cutting of the hair of the Indians under your charge, and you must obey the spirit of the circular on this subject, which clearly indicates that "hair cutting" must be done by persuasion and example.

The full matters of Inspector Jenkins's report concerning yourself will in all probability be transmitted to you at a very early date.

Very respectfully,

W. A. JONES, *Commissioner.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
September 10, 1903.

CHARLES F. LUMMIS, Esq.,
Los Angeles, Cal.

MY DEAR SIR: I duly received your favor of the 24th ultimo, touching the investigation of C. E. Burton, superintendent and special disbursing agent for the Moqui Agency, Keams Canyon, Ariz., and am greatly surprised at its contents.

Inspector Jenkins and Mr. Charles A. Moody, the latter suggested by you to represent the Sequoya League at the investigation, were both selected by you, and I quote from your letter to Mr. James E. Jenkins, United States Indian inspector, dated Los Angeles, Cal., July 23, 1903; the last paragraph of which reads as follows:

With you in charge, and with him (Moody) to present to you (for sifting) the evidence the League has collected, I am perfectly willing to abide the result—

which it now appears you are not willing to do.

Your publication in the August number of the "Out West," and at length, with introductory comments, of the charges against Mr. Burton prior to the investigation which was held at your request, was most unusual and a great injustice to Mr. Burton, who was, at least, entitled to a hearing before condemnation.

Your sincerity in appearing desirous to get at the actual facts by representatives of your own selection and indorsement, and your unwillingness to accept the verdict thus rendered, I prefer not to comment upon.

Permit me to further remark that your willingness to make in advance, and the fact that you did make prior to the investigation, serious charges couched in excited and unwarranted language correspondingly diminishes the value of your representations to the Department.

From the report of the inspector I quote as follows:

Final hearing was given at the agency August 4 and 5, at which time and place Mr. Moody, the League's representative, stated publicly to those assembled that "after a careful résumé of the testimony and satisfactory examination of witnesses, and from his personal observations, he was convinced that the League's charges, so far as they concerned Superintendent Burton, were unfounded and that he therefore withdrew the demand for Mr. Burton's dismissal or transfer." He also at this time expressed great satisfaction with the demeanor of the Government employees and the general management of the reservation.

This statement is confirmed by the closing paragraph of Mr. Moody's recantation as it appears by his letter addressed to Mr. Jenkins, dated Los Angeles, August 12, the last paragraph of the same reading as follows:

* * * However slightly this may weigh with you or the Department, it would not be justice to anyone that in final action it should appear that the League or its representative was convinced that the charges were only fit to be withdrawn. I did think so, and did say so repeatedly and publicly. I blundered, and have tried to convict myself conclusively of that blunder in this letter.

Mr. Moody's assent to Inspector Jenkins's findings, in the first place, and his subsequent retraction when he got home, in which he admits this absolute change of mind on his part, when not a new fact had been produced, renders his opinion neither creditable nor valuable.

I inclose a printed copy of Mr. Jenkins's report as well as—in justice to him—of Mr. Moody's recantation, and leave to your sense

of justice the propriety of publishing this whole matter, as herewith sent to you, in the first number after the receipt thereof of the "Out West," including, of course, the charges which should accompany the report of the investigation which they necessitated.

The report of Inspector Jenkins has been approved, and Mr. Burton will not be removed. The latter, however, has been reprimanded for neglect of duty in failing to notify the Commissioner of Indian Affairs at the proper time of the conduct of Kampmeyer, with a recommendation for his dismissal, which has now been directed, and also for not reporting the unfitness of Ballenger for his position, which will be changed.

Superintendent Burton's method of carrying out the hair-cutting order was ill-advised and improper, and he will be explicitly told that no threats and no force of any kind shall be employed with reference to hair cutting, but that he must trust entirely to persuasion and example. With the exception of the matters above referred to, Superintendent Burton's conduct and management appears, in all other respects, most commendable.

I will thank you to advise me by wire, upon receipt of this, whether or not the printed inclosures herewith sent will appear, as requested, in the Out West; otherwise, in justice to Mr. Burton, he will be furnished such copies of the same as he may desire.

Yours, respectfully,

E. A. HITCHCOCK, *Secretary.*

[Excerpt from No. 2, Vol. XIX, Out West, a magazine of the Old Pacific and the New, edited by Charles F. Lummls, for the month of August, 1903, pages 171-175.]

BULLYING THE "QUAKER INDIANS."

The Commissioner of Indian Affairs has promised the thorough investigation asked by the Sequoya League in its charges against Charles E. Burton, the narrow-between-the-eyes agent who has for four years been terrorizing, abusing, and by six-shooter suasion haggling the hair of the Hopi Indians of Moqui. If the investigation is strictly carried out, the reign of the pin-head tyrant will soon be at an end. And Commissioner Jones has agreed to have the trial conducted by one of the persons suggested by the league. Indian Inspector J. E. Jenkins will be in charge. **He is an alert and competent man, and was named for this task by the league in recognition of his honorable record.** Formal complaint against Burton was made by the league in the following form:

To the honorable Commissioner of Indian Affairs, Washington, D. C.

Sir: The Sequoya League, incorporated to assist Indians in common-sense ways—one of which ways is to furnish their official protector, the Department, with accurate, competent, and disinterested information as to actual conditions in the field—after eight months' careful investigation, with its authorized agent on the ground for five and a half months, now, through its executive committee, respectfully requests you to order a full and searching investigation into the charges hereinafter preferred against Charles E. Burton, superintendent and special disbursing agent for the Moqui and Navaho, stationed at Keams Canyon, Ariz.

We respectfully ask that this investigation be open and under oath, and conducted by officials familiar with and respected in the West; and very respectfully suggest that, though none of these gentlemen are personally known to this executive com-

mittee, Supervisor A. O. Wright, or Special Agent J. E. Jenkins, or Superintendent S. M. McCowan, of the Chilocco School, all have such reputation in this region that their verdict would command public confidence.

We respectfully request that the witnesses whose names are subjoined be summoned, and any others whose testimony can serve to bring out the truth and the equities of the case.

We respectfully request that a representative of this league, to be named by the executive committee, be summoned to be present at said investigation, and authorized to assist the officials of the Government in bringing out the evidence this league has been gathering for more than eight months.

CHARGES.

We charge that Charles E. Burton, superintendent and special disbursing agent for the Moqui and Navaho, at Keams Canyon, Ariz., is an incompetent and unsuitable person for such position, for the following reasons, among others:

General incompetence.—This does not refer to routine ability, of which the Department has the best opportunity to judge, but to qualifications no less important in a man who has to control or direct pupils or a people—particularly to civilize and educate them. Mr. Burton has been about four years in this spot under Government pay to guide these 2,600 Indians in the plan of civilization formulated by the Department with so much pains. In that time he has gained neither the respect, the confidence, nor the good will of his wards, nor of those who know them. He has not tried to understand the Indians, and does not understand them. He is still unable to communicate with them, except through incompetent interpreters. But the Indians understand him. The 1,800 Moqui (properly called Hopi) fear and detest him as an unfeeling, unwise, and despotic oppressor. Their judgment of his mental equipment is, as expressed to his face (not angrily, but as a mere statement of fact), "you talk and act as a boy." The 800 Navaho under this agency despise him because he coerces the submissive Hopi, but does not pretend to coerce the spirited Navaho—and all Indians detest a coward. He has absolutely failed to enlist or to interest either tribe in the Government plans for their advancement. He can not lead them a step in any direction, and no man can drive any people far. He has no influence save by compulsion or intimidation; the Indians will do nothing at his instance save as they have to. He still "induces" little children to come to school by armed raids of the immemorial and dreaded enemies of their people. For centuries the nomad Navaho raided, murdered, and plundered the house-building, agricultural Moqui, and he uses these traditional foes as his "policemen." Intimidation and force are his only "civilizing agencies." Yet the Moqui are notoriously the gentlest, most inoffensive, and most tractable Indians in this country, and have been for centuries. Their very name, Hopi, means "the peaceful people." Other persons (in the service and out) have been able to help these Indians in civilization by winning their respect and trust. Any person wise and patient can lead the Moqui forward; and a superintendent adding these qualities to the prestige of his office among a people whose reverence for authority is profound and who obey their own laws more scrupulously than any American community obeys American laws, could work wonders here. A man who, after four years with the same pupils, has no other hold upon them than show of weapons, beating, dragging, and otherwise coercing them is not qualified as a teacher anywhere.

This league is dominated not by "old women of either sex," but by practical men of far longer experience with the frontier and with Indians than Mr. Burton has had. They understand the difficulties of his position; they know the people he has in charge; and they are not sentimentalists. But as practical men of experience with Indians, with schools, and with other matter-of-fact things, they believe the way to get a horse to drink is to bring him to the water without abuse, and induce him to feel that he wishes to drink. We have never known a horse to be beaten or kicked into thinking he was thirsty. We believe there can be no education anywhere save by the trust and willingness of the pupil; and that these can not be clubbed into him. We believe they can be secured only by such measures as the regulations of the service repeatedly and wisely inculcate—"tact and perseverance," "inducing," "patience," etc., as well as "firmness." This ability and this tact Mr. Burton absolutely lacks; and his firmness is only toward the humble Moqui, never for the uncowed Navaho. If he were disarmed of his six-shooters and Winchesters he could not fill the Moqui schools to half their present enrollment, if at all. It is the weapons, not the man, that still rule—after four years. No people are more responsive to justice, friendliness, and tact; and anyone with common sense, experience, and

reasonable consideration and adaptability could carry out the Department's policies here if there were not a gun in Arizona.

Arbitrary and despotic conduct.—We charge that Mr. Burton has not only intimidated the Moqui so the children flee in terror when he or his subordinates are seen approaching, and adults retire to their houses—whereas both hasten out to greet other persons (including teachers) who are trying with real patience and tact to uplift them. We charge that he has also intimidated the employees under him, threatening to withhold their credits if they discuss his policies among themselves at all, and rebuking those who seem to be gaining the confidence of the Indians; that his despotic action toward reputable Americans justifiably visiting the reservation has often been complained of. We charge that he is habitually hostile to those teachers and those visitors who show consideration for the Indians, or whom the Indians seem to trust; and that though the Moqui are in serious destitution he has hampered efforts to aid them—even refusing the offer of a responsible citizen to increase at his own expense their wretched, inadequate, and laborious water supply, which is insufficient not only for irrigation, but for drinking and washing. The league does not uphold ignorant and meddlesome tourists, many of whom should be ordered off any reservation.

Illegal violence.—We charge that Mr. Burton's administration steadily has been and habitually is marked by physical violence—assaults, druggings, shovings, kickings, blows with the fist, floggings, destruction of property, and other actions directly in violation of the rules of the service, clearly illegal and inhuman, and absolutely needless and wanton, as toward the inoffensive Moqui. Mr. Burton has been far too prudent to attempt these measures with the Navaho. Rule 46 makes him "responsible for * * * the conduct and efficiency of the employees." We charge that under his responsible direction and with his knowledge fathers, mothers, and children have been violently handled—struck, dragged, driven, torn roughly apart, menaced with firearms, shot after, and given "cruel and degrading punishments." We charge that one of his teachers smashed all the crockery in a house and cut the blankets to pieces with a knife because the unprotected mother and daughter fled in terror at his approach. We respectfully ask that Mr. Burton's two subordinates, H. Kampmeyer (recently transferred to a school in the State of Washington) and ——— Ballinger, Kampmeyer's successor as teacher at Oraibi, be included in this investigation, both on charges of brutality, and that if they be found guilty, they be summarily dismissed from the service.

Violations of rules of the service.—We charge that Mr. Burton violates the entire spirit and meaning of the regulations established by the Department for "the preparation of Indian youth for the duties and privileges and responsibilities of American citizenship," the "formation of character" and "moral responsibility." The reign of terror he has established and maintained there obviously does not develop any of these desirable qualities. We specifically charge him with disregarding rules 3, 12, 13, 14, and particularly with gross and repeated violation of rules 248 and 249.

"248. Disciplinary measures shall be devised with reference to local and individual needs, and on the principle that the school is a formative, and not a penal institution.

"249. In no case shall the school employees resort to abusive language, ridicule corporal punishment, or any other cruel or degrading measure."

We charge that in contempt of this sensible and authoritative order of the Department, pupils in his power have been struck and whipped; a 10-year-old boy knocked down, and kicked when down; children not five years old, dragged or driven long distances in the snow, insufficiently clad; one boy whipped until he fainted, and was kept in the teacher's room over night to recover (his offense having been using a word of Hopi at the table)—and many similar "disciplinary measures." We charge that not only have the children been violently castigated, but that parents have been habitually punished because their children were in terror of their masters; punished by imprisonment, personal assault, and other "cruel and degrading" punishment.

We charge that Mr. Burton has habitually applied the so-called "hair-cut order" (advised by the Department for the "civilization" of the Indians), as a punitive measure—the precise thing for which the King of Spain in the year 1621 emphatically rebuked certain of his "Indian agents" in this same region. The order referred to, and its supplementary order, both commend agents to "induce" and to use "tact, judgment, and perseverance;" and they were given until June 30 to report progress. We charge that Mr. Burton suppressed the second and interpretive order (which made clear the noncoercive spirit of the first); that armed with the first order he hastily, eagerly, and bullishly coerced the Moqui; surrounding their towns with armed Navaho and whites, herding the unwilling men into their council chambers; having them held, and forcibly shearing them against their indignant protests, as they had been sheep, in at least one instance so wounding a man that he wore the

scars upon his face months later. We charge that as a punishment because his 5-year-old boy was in mortal terror of Kampmeyer, who had flogged him, and would not come down to school, but clung to his father. The father was dragged down from the cliff to the school, his hands bound behind him with baling wire, and his hair forcibly haggled off by the teacher.

We are convinced that these and many like procedures are not what was contemplated by the Department when it enjoined using "tact, judgment, and perseverance." We believe that cutting a father's hair by force and as a punishment is not only "degrading and cruel" among Indians or whites, but that it is in direct contempt of the Department and damaging to its dignity and to the success of the policy by which it aims to make the Indians "fit for American citizenship." And we desire the investigation to note how many Navaho Mr. Burton has "persuaded" to have their hair cut, outside a few who keep their "jobs" under him only on that condition.

We respectfully but particularly request that witnesses in this case be officially assured of protection—and then given protection. We urge this in the most respectful spirit, solely because we are long familiar with the methods an agent often employs to "punish" anyone, Indian or white, who dares testify adversely. The Hopi have been so often officially threatened that unless they would come to school, or get their hair cut, or make some other important compliance, their towns should be shelled by United States troops, and their children taken from them forever—and have, in fact, been so often so roughly handled for their slowness in becoming white men—that they are ready to believe almost any promised calamity can and will be inflicted on them if they dare speak against their agent. As for employees, traders, and missionaries, the standing threat of losing their positions, or their leave to remain and teach the Indians, is no vague contingency. All realize that it is hanging over their heads. We have reason to believe that certain recent removals made by Mr. Burton were purely to "get rid of people that knew too much," or to punish them for having ventured to speak to him or to fellow employees concerning some of the gross abuses of his administration. This is in direct violation of the rules of the service; and we ask that these dismissals be made part of the matters to be investigated, particularly those of Miss Watkins and Mrs. Dandridge.

We respect the Department's predisposition in favor of its employees, particularly of those who make satisfactory reports and fill their schools—the means not always being specified in their reports; at Moqui the schools are filled at the point of the six-shooter. No branch of the public service could be administered without due protection of its agents against irresponsible gossip, ignorant or hysterical meddling, and personal grievances. But we are neither irresponsible, impatient, nor uninformed. We have waited quietly and patiently, long after the matter became a scandal, and still waited until full investigation by disinterested, competent, and reliable agents had verified the almost universal protest of the Indians and of practically all Americans familiar with the case. As to the common sense and unimpeachable veracity and reliability of the special agent who has, under our authority, conducted the larger part of the investigation, we can produce overwhelming evidence. Meantime, as offset to the not wholly disinterested representations Mr. Burton may have made to the Department concerning this surveillance, it is perhaps sufficient to hand you the appended voucher from Right Rev. Bishop Tuttle, of Missouri, who is, we believe, personally known to the honorable Secretary of the Interior as a trustworthy person. We also beg to call your attention to the fact that the memorial appended indorsing the league's petition for an investigation is signed by some employees, and by seven or eight citizens of high standing, who are personally familiar with the facts.

With this brief outline of the more important things we expect to be able to prove, we respectfully ask that Mr. Burton be suspended as superintendent and special disbursing agent pending investigation of these responsible and serious charges.

(A list follows of witnesses asked to be subpoenaed.)

Signed by the executive committee of the Sequoya League.

A strong indorsement by scientists, travelers, teachers, and others familiar with the facts accompanied this paper.

EXHIBIT A.

LOS ANGELES, CAL., July 23, 1903.

Mr. JAMES E. JENKINS,
U. S. Indian Inspector.

MY DEAR MR. JENKINS: Our old-time king pin of Arizona is "impossibilitated" by his daughter's sickness, and can not leave San Francisco. But in his stead I am sending you as good and as interesting a man in another way; a man whose brains and heart you will admire and respect. He is square as a die, uncommitted in the case, and perfectly competent to decide against me if the evidence justifies it. That, of course, is just what I desire—the cold truth, no matter whom it hits. I think I know whom it will hit; but if I am mistaken you will find that I know how to say so. Let me present Mr. Charles Amadon Moody. I think you will like him personally, and I know you will find him absolutely O. K. on the business side involved. With you in charge, and with him to present to you (for sifting) the evidence the league has collected, I am perfectly willing to abide the result.

Sincerely yours,

CHAS. F. LUMMIS.

**REPORT OF JAMES E. JENKINS, INDIAN INSPECTOR, ON THE
CHARGES PREFERRED AGAINST THE MANAGEMENT OF THE
MOQUI INDIAN RESERVATION.**

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
In the Field, August 15, 1903.

SIR: In accordance with Departmental instructions, dated June 27 and July 16, 1903, I have the honor to report that I have made a thorough investigation of the charges preferred by the Sequoya League against the management of the Moqui Reservation.

As requested by the league, I notified its chairman that its representative would be allowed to be present during the investigation, and I was met by such representative, Mr. Charles A. Moody, of Los Angeles, several miles out of Holbrook, Ariz., July 26, on my way to the Moqui Agency. (See letter introducing Mr. Moody, Exhibit A.)

Mr. Moody accompanied me from that time; was with me at all the hearings, questioning all persons freely; was given the freedom of the reservation and access to books and records as he desired.

We arrived at the agency the evening of July 27 and proceeded to the third mesa (Oraibi) the 30th, where an open hearing was conducted for two days, then proceeded to the second and first mesas, where open hearings were also held. Full opportunity was given at these hearings for all witnesses and Indians having complaints to be heard, and all material testimony was taken down in writing, same being satisfactory to myself and the league's representative.

Final hearing was given at the agency August 4 and 5, at which time and place Mr. Moody, the league's representative, stated publicly to those assembled that "after a careful résumé of the testimony and satisfactory examination of witnesses, and from his personal observations, he was convinced that the league's charges, so far as they concerned Superintendent Burton, were unfounded, and that he therefore withdrew the demand for Mr. Burton's dismissal or transfer." He also at this time expressed great satisfaction with the demeanor of the Government employees and the general management of the reservation.

This closed the investigation, Mr. Moody accompanying me to the railroad at Holbrook the second day following. We parted Sunday night with expressions of mutual respect and satisfaction over the outcome of the investigation.

THE CHARGES.

1. *General incompetence.*—Under this head Superintendent Burton was charged with having been in control of "these 2,600 Indians" about four years, "yet in that time has gained neither the respect, confidence, or good will" of such wards or of his employees. That "he has not tried to understand the Indians and does not understand them;" that "he is unable to converse with them, except through incompetent

interpreters;" that "the Hopi fear and detest him as an unfeeling, unwise, and despotic oppressor." That the "800 Navaho under this agency despise him because he coerces the submissive Hopi, but does not pretend to coerce the spirited Navaho." That he "can not lead them a step in any direction, and has no influence save by compulsion or intimidation."

These charges are signed by Charles F. Lummis, Richard Egan, Charles Cassat Davis, David Starr Jordan, and D. M. Riordan. Not one of these men has ever been on this reservation, at least not within the knowledge of any of the present inhabitants.

The charges are formulated by a woman—Mrs. Gertrude Lewis Gates—at the instance of Charles Lummis, editor of a California magazine and chairman of the Sequoia League. Mrs. Gates has the appearance of being a well-meaning Christian lady, and I have no doubt her intentions were the best when she took up the work of investigating how a reservation should be managed, although her methods of procedure were peculiar, to say the least. She went to Oraibi (third mesa), camping on the mesa alone in a tent, where she remained five months, devoting most of her time, as she states in her testimony, to the study of ethnology. About a half hour per day, she says, was spent investigating the management of the reservation. Her method of doing this was to write down complaints of two or three hostile Indians and of several discharged and disgruntled employees. She states in her testimony that she did not personally investigate the truth or falsity of these complaints, nor did she ever personally see or know of any act of cruelty on the part of Superintendent Burton.

There are 4,000 Indians on this reservation (2,000 Moqui and 2,000 Navaho). The Moqui live in seven villages on the three mesas referred to, while the Navaho are scattered about the reservation, leading a nomadic life, tending their flocks of sheep and goats. It would be quite impossible to handle the children of wandering bands of Indians as conveniently or economically as those of village tribes. Further, the Moqui day schools were built for Moqui children, and Superintendent Burton can not properly be censured for first filling these schools with Moqui children.

I found matters quiet on the reservation, affairs were running smoothly, no serious complaints were made by Indians or employees—in fact, much in way of compliment was said by all of Superintendent Burton and his methods. The charge that he had gained neither the "respect, confidence, or good will of these Indians" was absolutely unfounded. That he has not tried to understand the Indians, does not understand them, and has no other means of conversing with them, except through incompetent interpreters, was also unfounded. Mr. Burton knows as much of the Indian tongues as is advisable, and his interpreters were found to be as accurate as the average. During the investigation four interpreters were made use of much of the time, and the regular agency interpreter was found as competent as any of them. The charge that the Indians "fear and detest him" is almost too absurd to refer to. On the contrary, I have never seen Indians treat their agent with more genuine respect and confidence. There was not the least showing of fear or disrespect, and nothing in the evidence to warrant such a statement. The charge that the Navaho despise him because he coerces the Hopi but does not them, was

equally unwarranted. No evidence substantiating such a claim was produced, and it was not shown that Superintendent Burton had coerced the Hopi. It was brought out that on numerous occasions Navaho had been punished by Mr. Burton, and that he had shown sufficient courage and discretion in every case. The charge that Superintendent Burton "can not lead the Indians a step in any direction, and has no influence except by intimidation," was unwarranted. The evidence shows that much good has been accomplished on the reservation, that the Indians are better pleased with schools, that they send their children to the schools willingly (more and more each year), that their homes are cleaner and more comfortable, their morals better; that a number have engaged in business and mercantile pursuits, and that there has been general improvement. All this has been accomplished, as the evidence shows, by gentle persuasion, good advice, and good example. The charge that Mr. Burton lacks tact, patience, and firmness, might be partially true with reference to his lack of tact, but he certainly has exercised patience and firmness (almost too much patience) in every case. He has been tactful to a reasonable degree in most cases, although his peculiarity of manner might sometimes be mistaken for lack of tact or patience by strangers or fault hunters.

2d. Arbitrary and despotic conduct. Under this head it is charged that "children flee in terror and adults retire when Mr. Burton or his subordinates approach their houses." On the contrary, it was found that all Indians and children welcomed him smilingly and none fled. That "employees have been intimidated" was equally absurd, as the demeanor and testimony of employees clearly showed. The charge that "reputable Americans visiting the reservation have complained of his despotic action" is unwarranted. Many letters are on file attesting Mr. Burton's unflinching courtesy to all such. One or two pottery diggers have come on the reservation without authority or notice and were properly removed. It was the complaints of such that gave rise to this charge. The charge that "he is habitually hostile to those teachers and those visitors who show consideration for the Indians or whom the Indians seem to trust" is untrue as well as uncalled for. Mr. Burton's letters to Mrs. Gates and others in this case as well as his well-known sympathetic nature give the lie to such a malicious statement. As is known to all Indian service workers, there are numerous impractical but well-meaning people who are extravagant of the ways and means to "help the poor Indian," yet exceedingly economical of the actual cash. So it has been here. The numerous offers to "help" generally had strings to them, as they generally do, and no doubt even Superintendent Burton's patience was oftentimes exhausted, but his letters and the records show and the facts are that he was willing to accept aid, only asking that it be distributed in a practical and helpful manner. The charge that "though the Moquis are in serious destitution he has hampered efforts to aid them—even refusing the offer of a responsible citizen to increase at his own expense their wretched water supply"—is unwarranted. One Peter Gates, husband of the Mrs. Gates herein referred to, offered to dig a well or wells on the reservation. This Mr. Burton could not, of course, allow without first obtaining permission of the Department. The statement that the Moqui are in "serious destitution" is likewise untrue and unwarranted and made without knowledge of the facts. That Mr. Burton hampered anyone in efforts to help the

Indians in any reasonable way was shown to be untrue, he having assisted the missionaries in distributing a carload of supplies, one-half of which still remains on hand uncalled for. It was also brought out in the evidence that the Moqui would not have suffered seriously even without this outside aid, Mr. Burton, through the Department, giving their proper wants the usual attention.

3. *Illegal violence.*—Under this heading it is charged that "Mr. Burton's administration has been steadily marked by physical violence, assaults, draggings, shovings, kickings, blows with the fist, floggings, destruction of property," etc. The evidence shows that about two and one-half years ago the Oraibi teacher, Mr. Kampmier, destroyed an Indian's property in a fit of anger and committed other similar acts of violence, also that Mr. Burton censured him for it and did not approve of his methods. Also that Kampmier struck and threatened parents, displayed firearms, etc. Also that Ballinger, present teacher at Oraibi, struck an Indian, who had clinched him, with the butt of a pistol, and had shoved or kicked a large boy from the schoolroom; also that at the boarding school the disciplinarian (who is a Quaker, and a mild-mannered little man) had resorted to the use of a rawhide riding whip to punish unruly boys, never severely, with possibly one or two exceptions; also that the principal teacher at the boarding school did on one occasion use doubtful means of discipline, although the facts were not obtainable as to this case. In no case was it shown that Mr. Burton advised or approved of corporal or severe methods of punishment or made use of such methods himself. The charge that "fathers, mothers, and children have been violently handled, struck, dragged, driven, torn roughly apart, menaced with firearms, shot after and given cruel and degrading punishments," is simply an excessive and unwarranted use of language. As stated, some years ago H. Kampmier, teacher at second mesa, did use threats and violence and show of firearms in several instances, which were disapproved of by Superintendent Burton. It is true that in many instances when children were being placed in school the parents have howled and protested, and some have clung to their children until pulled away from them, but there was no uncalled-for rudeness or striking, nor have they been dragged or violently handled, as the casual reader might infer; nor was there any truth in the statement that Navaho policemen were used to intimidate the Moqui, or that said policemen struck, kicked, or roughly handled any of the Moqui at any time. Some force has to be used on nearly every reservation to get some children, and the howl of some parent does not necessarily indicate that any violence has been used.

In this connection it was found that H. Kampmier did use cruel and unnecessary methods of securing pupils and enforcing order, showing himself unfit for the service, and that J. L. Ballinger's management of the Oraibi school shows that he is not qualified to conduct so large a school. Kampmier will be recommended for dismissal and Ballinger for transfer.

4. *Violation of rules of the service.*—Under this charge, Superintendent Burton is accused of violating the "entire spirit and meaning of the regulations established by the Department for the preparation of Indian youth for the duties and privileges of American citizenship—the formation of character and moral responsibility"—stating that the "reign of terror he has established and maintained there"

does not develop any of these desirable qualities. It is really a pity that the entire membership of the Sequoya League could not be allowed to visit this reservation. The representative who was sent could not help but express his disgust on numerous occasions for such language, when he was repeatedly shown evidences to the direct contrary. Instead of a "reign of terror," we found a most quiet, peaceable, harmonious, happy "reign of contentment." On all sides it was seen that kindness ruled. Daytimes all were busy with their work, and when evening came children and employees joined in songs and games, the rocks reechoing their shouts of laughter—older Indians satisfied and visitors commenting on the pleasant picture of a happy family. That "a 10-year-old boy was knocked down and kicked, children not 5 years old dragged or driven long distances in the snow, one boy whipped till he fainted," etc., were all disproven to the satisfaction of myself and of Mr. Moody, the league's representative, who expressed repeated surprise that such charges should have been preferred upon such evidence as that collected by Mrs. Gates.

The only possible excuse for these wholesale charges might be found in the so-called "raid" which occurred on the 4th of February last and which was so touchingly described in the Kolp affidavit. At this time it was found that some fifteen or twenty families at Oraibi resisted the vaccination order as well as the order to place their children in the school at the foot of the mesa. In order to save numerous trips and further delays Superintendent Burton decided to complete the work in one effort. Oraibi is 35 miles from the agency and the trips back and forth are tedious. Taking with him Dr. Murtaugh, Mr. Staufer (general mechanic, formerly a missionary on the reservation), Mr. Ballinger, and some eight or ten policemen, they approached the village before any of the Indians had left the mesa, and proceeded to vaccinate those requiring vaccination. None were armed, except the usual arms of the police, and Mr. Ballinger. Superintendent Burton had a pistol in an overcoat pocket which one of the others was carrying. There was no general resistance, no clubbing or dragging or display of force until the party got toward the edge of the mesa with 10 school children. At this point the Moqui joined together and attempted to "rush" the employees over the edge of the cliff, whereupon Superintendent Burton got his pistol, Mr. Ballinger his, and the police drew theirs, all in an attitude of self-defense. Their predicament was indeed dangerous, and there could be no objection to a show of arms at this time. The Moqui fell back and the children (10 of them) were taken down to school in a wagon, all comfortably wrapped in blankets. Next day the Indians came down bringing their children, 53 in all, since which time all have attended regularly and there has been no further trouble. A week or two after this "raid" Superintendent Burton sent for the 17 Indians who had resisted him and sentenced them to thirty days' hard labor (sawing wood) at the agency jail. These were the 17 who were, as the charges read, "driven like cattle" through the snow to the agency. (See Superintendent Burton's report to Indian Office of this affair, February 9, 1903.) Whether or not the methods employed in this "raid" were justified probably remains for the Department to decide. I am satisfied it was the only proper thing to do at the time; that it was done thoroughly, without injury or humiliation to anyone, and, on the whole, the end has justified the means. Mr. Epp, the missionary who signed some of

the charges, admitted on the stand it was the only means of getting those families to send their children to school, as does Mr. Staufer, who has lived on the reservation twelve years, a Christian man, formerly in the mission work here, and a great friend of these Indians. In fact Mr. Staufer was taken along on the trip because he was the Moqui friend and could talk their language. Such precautions on Mr. Burton's part would not indicate a "reign of terror" or "bullying methods." At no time was it shown that the Navaho police struck, kicked, or intimidated children or parents, while on the other hand a number of Moqui did strike or push the policemen.

As to the so-called "hair-cut order." There may be some question whether Superintendent Burton was not overzealous in carrying out the exact letter of his instructions. He did not "hastily, eagerly, and bullishly" coerce the Moqui into getting their hair cut, nor did he "surround their towns with armed Navahos and whites, herding the unwilling men into their council chambers" where their hair was forcibly cut. There are many Moqui without their hair cut, and had the means described been employed all would certainly have been shorn. Only three or four instances were noted where force was used in cutting hair, and while one Indian was told by Mr. Burton that "maybe the Government would send troops to enforce this order if they disobeyed him" it was not used as a threat, although I consider it a foolish remark. There was no such statement as that attributed to Mr. Burton that "the soldiers would take their children away from them forever" if they persistently disobeyed the hair-cut order. In this connection I would say that 80 Navahos had their hair cut, and that as a rule the Navahos are as obedient to Mr. Burton's authority as to other Navaho agents.

One or two instances only of cutting hair for punishment were noted. Still it must be admitted that there has to be law and order even on an Indian reservation.

* * * * *

The charge that employees, missionaries, and traders on the reservation "live under the standing threat of losing their positions" if not friendly to Superintendent Burton was not borne out by the testimony. Certain employees were dismissed, viz, Laura Dandridge, Adaliza De Vee, and Flora Watkins, because of their unfitness for the positions they held, in which action I heartily concur. All employees and missionaries testified to Superintendent Burton's unflinching courtesy to them and kindly treatment of the Indians. (See testimony, pp. 56-66.)

The charge that the Moqui schools have been filled by Mr. Burton "at the point of the six-shooter," is found to be another use of spectacular language wholly unwarranted. The evidence discloses the display of firearms on two or three different occasions during the past year, and then only at Oraibi. On all these occasions not more than a dozen pupils were secured, including the so-called "raid" of last February, where pistols were displayed when employees were being threatened at the edge of the mesa, and not to secure pupils. The comparative record of attendance at the different schools will show how well Mr. Burton has succeeded in filling the schools and an honest, intelligent investigator will have to admit that there has been no "reign

of terror" and no "bullying methods" employed to make this commendable showing, viz:

| Name of school. | Attendance, 1899. | Attendance, 1903. |
|---------------------------|-------------------|-------------------|
| Boarding school | | |
| First mesa | 83 | 175 |
| Second mesa | 24 | 45 |
| Third mesa (Oraibi) | 19 | 96 |
| Total | 22 | 175 |
| | 146 | 491 |

There was no protest on the ground of parents or children as to Mr. Burton's methods of filling the schools, no evidence was submitted showing that Mr. Burton had been anything but kind and patient in securing this attendance, and it was shown that the few acts of cruelty or bullying on the part of employees were without his knowledge or approval, practically all of them taking place several years ago and at the mesas 20 to 35 miles distant from the agency.

REVIEW OF TESTIMONY ON WHICH CHARGES WERE BASED.

These charges were based on the affidavits or statements of the following-named persons:

Adaliza De Vee, a "Dowieite," and an employee who was removed because of disobedience to departmental orders.

Laura A. Dandridge, a mulatto woman, whose record in the service is that of a mischief maker.

J. L. Allen and wife, Mormons, and employees of a former trader.

Belle Axtell Kolp, whose experience of five weeks in the service and removal because she "couldn't do the work," seems to have been grounds for making an affidavit about things she admits she did not see, simply "heard," after stating her complaints were from what she had "seen with her own eyesight."

Mrs. Gertrude Lewis Gates, a no-doubt well-meaning woman of a sentimental turn of mind, who had frequently visited the reservation and was on familiar terms with Mr. Burton and family, yet had never noted the "reign of terror" or the "bullying methods" until she got to participating in objectionable Indian dances and was prevented from further dancing by an order from Mr. Burton. **These dances, as stated by Reverend Epp, missionary and Sequoya League's witness, are not of proper character for a woman to take part in.** Also see Mr. Wood's letter herewith (Exhibit B), describing the dance.

All this so-called evidence upon which these charges are based is therefore found to be incited by feelings of personal disappointment, hatred, or revenge, and not for the good of the service, nor in the end to help the Indian. An unprejudiced observer must admit that not one of the persons named is competent to judge in the case, and the hearing disclosed the fact that none of their statements were reliable or trustworthy. The Sequoya League's representative expressed himself a number of times during the hearing as heartily disgusted with the character of evidence submitted by the league, and although Mrs. Gates was occupying a house not 200 yards from where the hearing was held, she was present only occasionally, offered no new evidence and stated on oath that during her more than five months' residence upon the reservation for the purpose of reporting upon Mr.

Burton's management, she had never seen one act of cruelty or brutality.

Personally I am opposed to show of arms or the military method of handling Indians. I believe that absolute unwavering firmness, tempered with reason and kindness, will accomplish more with Indians than show of guns or force of arms. From this point of view, and after visiting the grounds, hearing evidence of Indians, missionaries, employees, etc., and noting existing conditions, I am satisfied that the charges against Supt. Charles E. Burton, as presented by the Sequoya League, were without foundation in fact and should be dismissed in toto.

AS TO SUPERINTENDENT BURTON'S QUALIFICATIONS.

With reference to Superintendent Burton's qualifications and the advisability of his remaining in charge of this reservation, I have to say now that I am convinced it would be a serious error to transfer Mr. Burton at this time. No person has questioned Superintendent Burton's integrity, his moral character, the cleanness of his personal speech and habits, his good example, or his industry. An examination of his books and accounts and of his business dealings shows him to be fully competent to handle the property of the Government and to direct the Indians along those lines. The only criticism can be that he has shown himself to be "narrow" in some of his views, and some of his actions savor of the "bigot." In other words, he is not a "diplomat" and never "two-faced." I can not see where the Department or the Indians have suffered because of these peculiarities, and as all men must have faults, perhaps it is better that an Indian agent's be along these lines than others that might be mentioned.

Since my visit to the reservation in May, 1901, I can see that Mr. Burton has improved materially, and I think the investigation just closed will help him greatly.

The charges which brought about the investigation were published broadcast and no doubt disturbed Mr. Burton's peace of mind, but he kept his own counsel and out of print. During the investigation he conducted himself with becoming dignity. Mr. Burton's home life is a model; he has a charming wife whose good sense, intelligence, and Christian example would be a benefit to any community. Their four children are commendable examples of a model home. In all his relations—home, social, business, or official—Mr. Burton is the same quiet, unassuming, Christian gentleman. That he is or has been arbitrary, violent, ungentlemanly, or anything that savors of the "bully" or "tyrant" is absurd, as all know who know the man.

In closing this report it would seem proper to suggest that the very smallest thing the Sequoya League could do, to in some way make up for the great wrong it has done Mr. Burton and the Government in this matter, would be to publicly acknowledge its error and publish a full retraction.

I was assured by Mr. Moody, the League's representative, who accompanied me during the investigation, that this would be done. I trust that it may find itself strong enough and honorable enough to do so.

Very respectfully,

JAMES E. JENKINS, *Inspector.*

The SECRETARY OF THE INTERIOR,
Washington, D. C.

AT THE first public meeting (May 27th, 1904,) of the new-founded Los Angeles Council of the Sequoya League, the following messages were read:

From the President of the United States.

Chas. F. Lummis, White House, Washington, D. C., May 25th, 1904.
Los Angeles, Cal.

Through you let me congratulate the Los Angeles Council of the Sequoya League, and wish it all possible success in its righteous work.

Theodore Roosevelt.

From the President of Stanford University.

Mr. C. F. Lummis, Stanford University, Cal., May 20, 1904.
Los Angeles, Cal.,

Dear Mr. Lummis:

The work of the Sequoya League towards "making better Indians" by treating decently those we have, deserves the good will of every good citizen. It is a large task to retrace all the false steps in a Century of Dishonor. but as we have a fresh, clean century to do it in, it is surely worth while to try. The best way to reach the large problems is to value the small ones first. To treat the Indians of Southern California as they should be treated would be to open the door of justice to all our other wards.

Very truly yours, David Starr Jordan.

From General Otis.

"The Bivouac," Los Angeles, May 26, 1904.

Rt. Rev. Joseph H. Johnson,
President of the Sequoya League, Los Angeles, Cal.

Dear Sir:

I wish to express to you, and through you to the League, my regrets because I cannot be present at the meeting tonight, as I will be called out of town this afternoon.

I applaud this movement in behalf of the Indians—of all Indians who deserve the assistance of their white brothers. The League ought to put enough sentiment into its work to give its inspiration, and enough practical hard sense and business method to bring results. The League can win through these processes, and by keeping "everlastingly at it," until success shall have been achieved. The task before the Society is no light one, and cannot be done save through determination, persistence, organized effort, harmony and close co-operation on right lines.

I trust the meeting of tonight will be a great success as a "starter."

Yours very truly, Harrison Gray Otis.

Just too late for the meeting, the following telegram was received:

From U. S. Senator Bard.

Chas. F. Lummis, San Francisco, Cal., May 26, 1904.
Los Angeles, Cal.

I earnestly commend the purposes of the Sequoya League. It serves to bring to the consciences of the people, and to the government, a realization of the true condition of the Mission Indians, and gives important suggestions for their amelioration. Its well performed work in the past is assurance of the success of its further efforts. Thomas R. Bard.

Nearly 1,000 persons were present at this mass-meeting; many prominent citizens served as vice presidents. It was a representative audience, intelligent, alert and interested through two hours and a half of program. Rt. Rev. Joseph H. Johnson presided. The other speakers were Charles Cassatt Davis, Esq., long prominent in matters of local education and good government; Rev. C. J. K. Jones, president of the Board of Directors of the Los Angeles Public Library; Mrs. Arturo Bandini and Chas. F. Lummis. Sixty slides were shown, illustrating Indian types and conditions and the work of the Sequoya League; several Indian songs were reproduced by phonograph; and a small but extremely choice collection of Indian arts and crafts was shown.

these factors what can be the product but a people reticent, self-satisfied, sad, selfish, with passions uncontrolled and the instinct for family prestige, and protection so abnormally developed as to make family feuds common. The occasional church and less occasional school-house, with their meager and unsatisfactory teachings and the county newspaper which contains little and that little unintelligible to more than one member of the family are the feeble rays of light which penetrate the darkness of ignorance in which live the dwellers in isolated portions of the mountains of Western North Carolina, Tennessee and Kentucky.

*Southern Workman, Vol. XXXI, p. 182,
April 1902.*

**The Sequoya
League**

An important movement in behalf of the Indians, and one that is likely to be far-reaching in its results has recently been inaugurated in the far West. It is worthy of note that the interest in behalf of the red man and the desire to secure for him fair play and an equal chance in the battle of life, is as broad as the land, and that it is not alone in the East that this interest is manifested.

The Sequoya League is incorporated in California with Dr. David Starr Jordan, President of Stanford University, for its president, and W. C. Patterson, President of the Los Angeles National Bank for its treasurer. It takes its name from the famous Cherokee Indian who was the first aboriginal leader of his people towards education. The purpose of the society, as outlined in its constitution, is "to make better Indians and to secure better treatment for them." It proposes to work with rather than against the government, and, by co-operating with the Interior Department and the Indian Bureau, to secure fairer legislation and to carry out policies that are based on common sense and informed with knowledge of the Indian—of his nature, his needs, his possibilities and his environment.

The organization will act through an executive committee composed of Dr. Jordan, President, and Dr. C. H. Merriam of Washington, D. C., Dr. George Bird Grinnell of New York and Messrs. Chas. F. Lummis, D. M. Riordan, Richard Egan and Cassatt Davis, all of Los Angeles. Its policies will be directed by an advisory board of some twenty members including such well-known friends and students of the Indian as Archbishop Ireland of Minn., Senator Bard of Cal., Major J. W. Powell of the Bureau of Ethnology, Miss Estelle Reel, Supt. of Indian Schools, F. W. Putnam of the Peabody Museum at Harvard, Miss Alice C. Fletcher, of Washington, Mr. Hamlin Garland, the noted author, Mrs. F. N. Doubleday of New York and Hon. A. K. Smiley of the Mohonk Conference. Membership in the League is open to any person who will subscribe to the constitution and pay the annual fee of two dollars per year.

By furnishing authentic and disinterested information; by maintaining a friendly watchfulness over the manner in which policies

off the same plot besides what we used. This had a very good effect on the people of this community and many who had not cared for gardens, raised the finest vegetables the next year. Less than half a dozen of the large number of country boys and young men who have attended my school have left the farm. Very few are obliged to mortgage anything to run their crops and most of them own the land they tend.

**The Real
Southern Question**

President E. C. Branson of the State Normal School at Athens, Ga., writes in the *World's Work* for March on what he calls the "Real Southern Question." He says that eight-ninths of the children of Georgia live in the country. He is right in saying that they and not the city children constitute the educational problem which is the real problem of the South. President Branson rightly says: "No scheme of education can justify itself which is not related directly and helpfully to the social and economic needs of community life." "If," says the writer, "we can gradually set up in every farm community a well-ordered school, where ordinary academic instruction is intelligently given, and where at the same time some of the long hours of the school day are given to such forms of handicraft as can easily be transferred to the homes of the community and become a source of occupation and income; and if, in addition, nature studies, school libraries, mothers' clubs and village industries of all sorts gradually come into existence, then we shall have a different kind of country village in the South."

The Indian day schools which have been started on our Western reservations, and which have been described in the *SOUTHERN WORKMAN*, seem to meet more fully than any other agency the needs of backward rural communities. These schools are also homes where a man and his wife keep house and carry on a small farm. The schoolroom furnishes only a part of the training given. The boys work on the farm, the girls prepare their noon-day meal which they sit down and eat in orderly fashion. The school is a social settlement, where not only a knowledge of books is given, but what is vastly more important, a knowledge of decent living. If, instead of placing our country schools out in the woods, we could connect them with a decent farm, could make the schoolroom an annex to the home, and employ as teachers an intelligent farmer and his wife, there would be created a social as well as an industrial centre that would revolutionize our country communities.

It is a sad picture which Mr. Branson gives of the Georgia Cracker: "On the edge of a small clearing, with a cotton patch on one side the pine forest behind him, and a reed thicket or a gallberry swamp in the direction of his spring, he lives in solitude unbroken." A similar picture is given by Miss Wright in her article, in this issue, on the Highlands of North Carolina. "Isolation," she says, "for two or three generations invariably produces ignorance and poverty, and from

are carried out in the field; by assisting to awaken public sentiment; by direct, practical and familiar dealing with the Indians so that they may better understand for themselves the measures that are undertaken in their behalf; by promoting among the aborigines the right kind of home life; by encouraging the Indians to acquire as much education as they can reasonably use and in the directions in which they can possibly use it; and by reviving, encouraging and providing markets for the products of the red man's native industries—by each and all these methods the Sequoya League can, and doubtless will, do much to aid the Indian in his struggle for civilization.

**The Benefit of
Native Industries**

The value to the Indians of the native industries and the importance of a market for their products was strikingly illustrated recently in Oklahoma. A correspondent writing from the Mohonk Lodge in Colony some weeks ago says:—

"After the breaking up of the big sun-dance near Geary, our Indians poured in here hungry, poor, sick from exposure, their ponies dying from starvation, and all as wild as hawks. They had drunk, gambled and danced nearly naked in the bitter Northers, until we all had a hard task to reduce them to any kind of order. * * * Just as we were drawing a good long breath, the government cut off the rations from all our Indians except about fifty of the old, sick, and unfit. This was in mid-winter, when there was no work on the land, little with stock, and little of any kind. The Indians were like a lot of bewildered children, but took hold all right, and if the cut had come in the summer there would have been no difficulty at all, in our district, in making the transition. As it was, our doors were at once besieged by the women for work. We have over seventy regularly employed, and their lodges are practically dependent, and must remain so until early summer, upon what these women can earn for food."

Thus the Mohonk Lodge, which was started for the purpose of making the bead-work and other native industries a source of income to the Indians, demonstrated in an emergency the practicability of its plan. Its efficiency was crippled at the time, however, as the correspondent subsequently points out, by the need of a business manager to push the workers and to handle the products. It is gratifying to note that the need has since been supplied through an appointment by the Commissioner. But the moral pointed by the tale is that the Indians need business training and that until they can acquire it they must have honest agents to market their products for them if they are to reap any profit from their skilled labor.

**The Folk-Lore
Concert**

Carnegie Hall was crowded to overflowing to hear the students from Hampton who came to present the folk-lore songs of their people to a New York audience. Miss C. M. Folsom had arranged the program and carefully trained the company of singers so that they entered into it heart and soul. It was interesting to see how little the audience of thousands of peo-

ple affected the singers. The old plantation church with its rough benches became to them a very real thing and their songs were given with an earnestness that made them telling. The interest shown by a great audience in the North in these folk-lore songs will have its effect upon the minds of the young people at Hampton.

For more than twenty years Hampton has been sending its students North to tell the story of their struggles and to sing the old-time songs. Besides keeping up an interest in the school which these students represent, this custom has helped to create a certain respect in the North and West for the two races that are being educated at Hampton. Lack of faith in the black and the red man is one serious hindrance to the progress of these races.

The costumes and scenery helped to make real to the audience the conditions under which these songs were sung in the old days, and Mr. Harris Barrett's admirable paper gave an interesting account of the origin of the various kinds of songs which were presented. While the spirituals are much more numerous than any other class of Negro songs, the corn-shucking, road-making, dance and game songs served to give variety to the program. The Indian songs and dances were especially interesting because of the contrast which they presented to those of the blacks. The slow movements of these children of nature, in no way affected by the noise and bustle of a great city, was most striking.

Hampton is indebted to Dr. and Mrs. Schieffelin and the other members of the committee of the Armstrong Association of New York City for their earnest endeavors which resulted in bringing together one of the finest audiences that has ever been seen in New York. It is estimated that more than two thousand people were unable to gain entrance to the house. The Old Dominion Steamship Company did everything in their power to make the trip to New York a success. The opportunity of meeting Prince Henry at the Waldorf Astoria, of singing to him and of listening to his pleasant words in response was fully appreciated by the young people. The Prince expressed a wish for a copy of the plantation-song book and told Mr. Washington, with whom he conversed for some time, that he and his wife are in the habit of singing these songs in their home when they can get hold of them. He added that few things in America had rested and pleased him so much as the singing of the Hampton students, and that he hoped the Negro race would take care to perpetuate their folk-songs.

There have been so many expressions of pleasure at the presentation of these folk-lore songs that it has seemed best to have the concert repeated at Hampton at anniversary time. On the evening of Tuesday, April 22nd, the New York program will be repeated in the school gymnasium. It is probable that Mr. Ogden and his party will stop at Hampton on their way to Athens, Ga., where the annual Southern Educational Conference will be held from the 24th to the 28th of April. A number of the distinguished ladies and gentlemen

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FOURTEENTH ANNUAL REPORT

OF THE

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(for 1892-1893) _____ 1896

By J. W. POWELL, Director

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American Ethnological Society.

ANNOUNCEMENT.

The American Ethnological Society is about to begin a series of publications which is to contain authentic material collected among native tribes of America. The volumes are to appear at irregular intervals.

Notwithstanding the large amount of work that has been done on American ethnology, comparatively little material has been collected regarding the customs, beliefs, and ideas of the natives in their own words. Most of our collections have been obtained indirectly through the assistance of interpreters, or are discussions of information collected from individuals more or less familiar with English or with the trade jargon.

Knowledge possessed by the Indians is of great importance as well to the ethnologist as to the student of the early history of the American Continent. For this reason authentic records of information given by the Indians seem to be of prime importance for a thorough study of these subjects.

The American Ethnological Society, in beginning its series of publications, is desirous of collecting and preserving for future use such records, and it is hoped that this undertaking will meet with the support of the public.

The following volumes of the publications of the American Ethnological Society are in preparation:

PUBLICATIONS OF THE
AMERICAN ETHNOLOGICAL SOCIETY.

E. J. BRILL, *Publisher.*

- VOL. I. WILLIAM JONES, Ph.D., Research Assistant, Carnegie Institution, ^{\$} 2 6 0
FOX Texts. *In press.* vi + 383 pp.
A collection of historical tales, myths, and accounts of personal religious experiences collected among the Fox Indians, a branch of the Algonquian stock. Recorded in original text, and published with translations.
- VOL. II. EDWARD SAPIR, The Upper Chinook. *In press.*
An account of the Chinook Indians of the Upper Columbia River, and a collection of myths and personal accounts. Original texts and translations.
- VOL. III. ROLAND B. DIXON, Ph.D., Instructor in Anthropology, Harvard University, Myths of the Maidu Indians of California.
- VOL. IV. FRANZ BOAS, Ph.D., Professor of Anthropology, Columbia University, Myths of the Tsimshian Indians of British Columbia.
- VOL. V. ROLAND B. DIXON, Ph.D., Professor of Anthropology, Harvard University, Myths of the Shasta Indians of Northern California.

It is hoped that the following collections will also be published at an early date:

LIVINGSTON FARRAND, Ph.D., Professor of Anthropology, Columbia University, The Alsea Indians of Oregon.

H. H. ST. CLAIR, 2D, Texts collected among the Coos Indians of Oregon.

The price will be approximately \$2.00 for a volume of 300 pages, and proportionately for larger or smaller volumes. It is hoped to bring out about two volumes a year.

JAMES GRANT WILSON, *President.*

FRANZ BOAS, *Vice-President.*

HARLAN I. SMITH, *Corresponding Secretary.*

MARSHALL H. SAVILLE, *Recording Secretary.*

GEORGE H. PEPPER, *Treasurer.*

THE SELECTION OF CHIEF OF THE U. S. BUREAU OF AMERICAN ETHNOLOGY

THE United States Civil Service Commission states that the position of chief of the Bureau of American Ethnology, Smithsonian Institution, is vacant, through the recent retirement of Dr. J. W. Fewkes, and that, in view of the importance of the position, and to insure the appointment of a thoroughly qualified man for the work, an unusual method of competition will be followed to fill the vacancy. Instead of the usual form of civil-service examination, the qualifications of candidates will be passed upon by a special board of examiners, composed of Dr. C. G. Abbot, secretary of the Smithsonian Institution; Dr. A. V. Kidder, ethnologist of the Carnegie Institution, and Mr. Frederick W. Brown, assistant chief of the examining division of the U. S. Civil Service Commission, who will act as chairman of the committee. For the purpose of this examination, all of these men will be examiners of the Civil Service Commission.

The examination will consist solely of the consideration of qualifications by the special board. The minimum qualifications for consideration are recognized eminence in American ethnological research, and experience of a length and character to demonstrate high ability in the direction and prosecution of ethnological research, administrative capacity of high order and thorough familiarity with the literature of American ethnology and archeology, and with the activities of scientific and professional organizations and institutions concerned with the subject. The applicant must possess the personality and demonstrated capacity for leadership, which will enable him successfully to lead and direct the personnel of research units and to enter into successful cooperative relations with other research and administrative agencies and the general public.

The entrance salary for this position is \$5,200 a year. Applications must be on file with the U. S. Civil Service Commission at Washington not later than May 31.

SCIENCE. p.457-8; May 4, 1928.

Stevenson, Matilda Coxe

MRS. MATILDA COXE STEVENSON, for the last twenty-five years ethnologist in the Bureau of American Ethnology, died on June 24, at the age of sixty-five years.

Science, n.s.vol. xlii, p. 50, July, 9, 1915

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nology, Mr James Mooney, was already engaged in researches concerning some of the tribes affected by the fantasy, and he was commissioned to make detailed inquiries concerning its rise, spread, and decadence. The accompanying memoir comprises the results of these inquiries.

Perhaps the most striking feature of the ghost religion is the rapidity with which it extended from tribe to tribe and from stock to stock over an area including nearly one-third of the United States; and this feature appears the more striking when it is considered that the cult was propagated through personal contact among representatives of a primitive race traveling in primitive ways and little more rapidly than they might have traveled before the advent of white men. Another striking feature of the cult was its potent influence on character and conduct of its devotees; individuals were seized with ecstasy so complete as to suspend normal mental processes and dominate bodily functions for hours and days; docile and contented Indians became morose, suspicious, bloodthirsty; peaceful tribes plunged into conspiracy and open rebellion against the guardian nation—indeed the influence of partially acquired culture, of partially recognized and habitually obeyed law, of hereditary association with the superior race was swept away and temporarily forgotten, and thousands of tribesmen reverted to a primitive condition save that it was made worse and lower by reason of the increased capacity of its victims. The record of this curious evanescent cult, which seems rather a travesty on religion than an expression of the most exalted concepts within human grasp, is a dark chapter in the history of the aborigines.

The rapid spread and potent influence of the ghost cult indicate a remarkable receptivity on the part of the Indians who became its devotees; the reason for this receptivity is to be found in the peculiar mode of thought characteristic of the Indian mind, as already set forth. Habitual appeal to the unknown for the explanation of simple facts; habitual assumption of ill-defined mysterious doubles of all real things; habitual materialization of natural forces in strained imagination; habitual peopling of the air, the earth, and the waters with

shadowy images; habitual indulgence in visionary revery, coupled with occasional, vision-producing fasts—in short, habitual warping of imagination and weakening of judgment in a variety of ways tended to produce liability to mental infection of the kind displayed in connection with the ghost dance. This memorable fantasy is a striking illustration of one of the dangers attending mental development under primitive conditions, and its testimony is in harmony with innumerable less striking examples.

One of Mr Mooney's chapters is devoted to other fantasies and more definite religious movements of historical note. His aim in preparing this chapter was to place before students the data for detailed comparison; and so far as practicable the original accounts are given verbatim, without comment. It may be observed that caution should be exercised in comparing or contrasting religious movements among civilized peoples with such fantasies as that described in the memoir; for while interesting and suggestive analogies may be found, the essential features of the movements are not homologous. Most of the primitive peoples of the earth, including the greater part of the American Indians, represent the prescriptorial stage of culture (some of the characteristics of which were set forth in the last report), while white men represent the scriptorial stage. Now, the passage from the earlier of these stages to the later, albeit partially accomplished among different peoples, probably marks the most important transition in the development of human culture or the history of the race; so that in mode of thought and in coordination between thought and action, red men and white men are separated by a chasm so broad and deep that few representatives of either race are ever able clearly to see its further side. Again, there are several stages in the development of religious belief which have been set forth elsewhere; the earliest of these is hecastotheism, in which powers are imputed to animals, vegetals, and minerals; the second is physitheism, in which the natural forces and agencies are deified, and the third is psychotheism, in which the spiritual concept is for the first time formulated; and the primitive peoples of the earth, including the American Indians, are

in the first or the second of these stages, and nothing more than a feeble germ of the third stage is found among them. Now, studies of mythologic and religious systems indicate that the earlier two stages overlap among different peoples, and also that the psychotheism of the more advanced among the primitive peoples is closely akin to enlightened religious concepts, but that the second and third stages are more widely distinct. Accordingly, red men and white are separated by the broadest known chasm in the development of belief, a chasm so broad that few representatives of either race are able definitely to bridge it in thought. Thus, many of the movements described in this chapter were among people separated from the ghost dance enthusiasts by the widest known cultural break as well as by the widest known break in fiducial development; and whatever the superficial resemblance in the movements, there is a strong presumption against their essential homology.

In its extent and intensity the ghost-dance fantasy of 1889-1892 is a unique illustration of one of the characteristics of the aborigines which has long been under investigation in the Bureau of Ethnology, and the accompanying memoir is a contribution toward the final results of these researches.

Synonymy of N. Am. Tribes

6th Ann. Report
OF THE BUREAU OF ETHNOLOGY.
(for 1884-1885) 1888

XLIII

OFFICE WORK.

The work upon a synonymy of the Indian tribes of North America, which has been mentioned to some extent in former reports, has been continued with increased energy.

Every tribe of Indians of any size and importance has been treated of by historians under a variety of names. The sources of these different appellations are manifold. In very many instances the names of tribes or other bodies of Indians communicated by themselves have been imperfectly understood and erroneously recorded; misspelled names and typographical errors have been perpetuated.

Traders, priests, and colonists have called the same tribes by different names and the historian has often added to the confusion by handing down these synonyms as the names of other and different tribes. Not a few tribes well known under established names have received new names upon a change of residence, especially when they have removed to a great distance or have coalesced or allied with other tribes. Added to these and to other sources of confusion are the loose and dissimilar applications of the terms clan, band, tribe, confederacy, and league, the same term having been used with various meanings by different authors.

As a consequence the student of Indian languages and customs finds himself in a tangle, as regards tribal names, which it is beyond the power of the individual worker, unaided, to unravel. The scope of the work in question includes the attempt to trace the several names back to their sources and to ascertain their original and proper application, to define their meaning when possible, and to relegate each tribe under its proper title to the linguistic family to which it belongs. In the completion of this work the whole force of the Bureau assists.

The need of a volume giving the results mentioned has long been felt, and it is believed that it will prove to be one of the most important contributions to the accurate study of Indian history ever made. The classification of the languages of the North American Indians is closely connected with the synon-

ymy of tribal names, each work assisting the other. During recent years the number of students who have directed their attention more or less exclusively to the study of Indian languages has been constantly augmented, and as a result of their labors the number of vocabularies has been correspondingly increased; hence the demand for a more comprehensive and satisfactory classification than now exists.

Prior to Gallatin's time little or nothing had been done in the direction of a systematic classification of Indian languages. In 1836 Gallatin issued his treatise in which he classified all the languages which he was able to study by a direct comparison of vocabularies. His classification was an immense advance over anything previously done and has proved a boon for scholars, having served, indeed, practically as the basis for most of the work in the same line performed since his time. No fixed rules of nomenclature, however, have ever been adopted by linguistic writers, and authors have named and re-named linguistic groups without regard to the names imposed upon the same or similar groups by earlier writers. As a result great confusion has followed not only respecting the status of the various linguistic families, but also respecting the identity of the languages which have served as a basis for the several groups proposed. The remedy for this state of affairs is the adoption, with strict adherence thereto, of a code of nomenclatural rules similar in scope to those prevailing among zoölogists.

There would appear to be no good reason why the rule of priority of name, for instance, should not be followed in linguistic as well as in zoölogic classification, or why the same beneficial result of fixity of nomenclature should not be expected to result from the adoption of this rule in the one case as in the other. Students who may attempt to unravel the many perplexing nomenclatural problems arising from unnecessary change of names will certainly agree that such a rule is no less desirable in linguistics than in zoölogy.

Accordingly, the rule of priority of name, within certain limitations, together with some other rules, has been adopted by the Bureau. These limitations and rules, together with a dis-

cussion of the subject, which would still be premature, may be presented by the Director in his next annual report.

Mr. H. W. HENSHAW, when not in the field, was specially engaged in the organization and details of the office work upon tribal synonymy and linguistic classification above described. A careful examination of all the literature pertaining to these correlated subjects was necessary and also the preparation of tentative tables of synonymy. He has prepared such tables and made in connection with them a brief historical résumé of the literature. Much longer time and the work of the whole official force will, however, be needed for the completion for publication of the results of this vast and complicated undertaking.

Mrs. ERMINNIE A. SMITH was occupied, while not engaged in the field as reported above, in the revision for publication of her Tuscarora dictionary, the material for which had been collected during several years.

Col. GARRICK MALLERY continued the collection and classification of material on the two correlated subjects of sign language and pictographs. His two preliminary papers on those subjects have appeared in former annual reports. It is intended, while increasing the data obtained from the Indian tribes of North America, bearing upon these subjects, to supplement and illustrate the mass of information collected from those tribes by comparison with everything of a similar character to be found in other parts of the world and to publish the results of the collection and study in the form of monographs.

Dr. W. J. Hoffman, when not in the field, continued to assist in the work mentioned.

Mr. JAMES C. PILLING's preparation of the Bibliography of North American Languages continued during the year. In October and November he visited several libraries in Boston and Providence, for the purpose of clearing up a number of doubtful points. During the year pages 839-1135 were received from the printer, which completed the volume. In the spring a limited number of copies were struck off by the Public Printer, and these have been sent to various libraries, public institutions, and to individuals interested in the subject, for

the purpose of obtaining additions and corrections, with the intention, if these should prove to be numerous, of resetting the matter.

Mr. FRANK H. CUSHING was stationed at Washington at the commencement of the fiscal year and was engaged in the classification of his field material in preparation for its publication. During the fall he completed a short paper on Zuñi culture growth as evidenced by studies of Pueblo ceramics, which was published in the Fourth Annual Report of the Bureau. In this paper he maintains, with a large amount of linguistic evidence, that the Zuñi culture is mainly autochthonous, and that its growth, especially the growth of architectural, agricultural, ceramic, and other arts and industries pertaining to it, has been largely accomplished within the desert areas of America which still form the habitat of the Pueblo Indians, and probably, also, within a period more limited than has usually been supposed essential to such development.

He prepared also a paper on the "Ancient province of Cibola and the seven lost cities," in which he not only identifies the seven cities of Cibola above referred to with seven ruins near the present Zuñi village, but also furnishes interesting examples of the permanence of Indian tradition and of its value, when properly used, as a factor in ethnographic and historic research.

Among the later and perhaps more important results of his studies during the year are investigations of the myths and folk tales abundantly recorded by him during previous years among the Zuñi.

By the extended comparison which he is able to make between these folk tales and myths, now first brought together as a whole, and by the application to their study of the linguistic method employed by him in the preparation of the two papers already mentioned, he is able to trace the growth of mere ideas or of primitive conceptions of natural or biotic phenomena and of physical or animal function into the personæ and incidents which go to make up myths, as well as to trace the influence of these growths on the worship of the Zuñi.

~~ecture in detail, particularly in the case of the modern pueblos, where many of the constructional devices of the old builders still survive. The examination of these details will be found to throw light on obscure features of many ruined pueblos whose state of preservation is such as to exhibit but little detail in themselves.~~

In connection with the classification and arrangement of new material from Canyon de Chelly, a paper was prepared on the cliff ruins of that region.

Mr. COSMOS MINDELEFF has been in charge of the modeling room during the last year. Upon his return from the field a series of models to illustrate the Chaco ruins, architecturally the most important in the Southwest, was commenced. Two of these, viz, the ruin of Wejegi and that of a small pueblo near Pueblo Alto, have been finished and duplicates have been deposited in the National Museum. The third, a large model of Peñasco Blanco, is still uncompleted. All of these models are made from entirely new surveys made in the summer of 1884. The scale used in the previous series—the inhabited pueblos and the cliff ruins—though larger than usually adopted for this class of work, has shown so much more detail and has proved generally so satisfactory, that it has been continued in the Chaco Ruin group, bringing the entire series of models made by the Bureau to a uniform scale of 1:60, or one inch to five feet. In addition to this the work of duplicating the existing models of the Bureau for purposes of exchange was commenced. Three of these have been completed, and two others are about half finished.

Mr. E. W. NELSON was engaged upon a report of his investigations among the Eskimo tribes of Alaska. A part of this report, ~~consisting of an English-Eskimo dictionary, he has already forwarded.~~

Synonymy of Indian Tribes

As hereinafter explained, the year was principally devoted to the synonymy of the Indian tribes, the special studies of several officers of the Bureau being suspended so that their whole time might be employed in that direction. In the year

1885, however, and at subsequent intervals, their work was as follows:

Col. GARRICK MALLERY, U. S. Army, continued the study, by researches and correspondence, of sign language and pictography. A comprehensive, though preliminary, paper on the latter subject has been printed, with copious illustrations, in the Fourth Annual Report.

Mr. H. W. HENSHAW was engaged during the year in work upon the synonymy of Indian tribes, as specified below.

Mr. ALBERT S. GATSCHET continued to revise and perfect his grammar and dictionary of the Klamath language, a large part of which work is in print. He also took down vocabularies from Indian delegates present in this city on tribal business, and thus succeeded in incorporating into the collections of the Bureau of Ethnology linguistic material from the Alibamu, Hitchiti, Muskoki, and Seneca languages.

Rev. J. OWEN DORSEY pursued his work on the Cegiha language. Having the aid of a Winnebago Indian for some time he enlarged his vocabulary of that language and recorded grammatical notes. He also reported upon works submitted to his examination upon the Tuscarora, Micmac, and Cherokee languages.

Mr. JAMES MOONEY, who had been officially connected with the Bureau since the early part of the fiscal year, was also engaged upon linguistic work.

SYNONYMY OF INDIAN TRIBES.

The Director has before reported in general terms that the most serious source of perplexity to the student of the history of the North American Indians is the confusion existing among their tribal names. The causes of this confusion are various. The Indian names for themselves have been understood and recorded in diverse ways by the earlier authors, and have been variously transmitted by the latter. Nicknames arising from trivial causes, and often without apparent cause, have been imposed upon many tribes. Names borne by one tribe at some period of its history have been transferred to another, or to several other distinct tribes. Typographical errors, and im-

proved spelling on assumed phonetic grounds, have swelled the number of synonyms until the investigator of a special tribe often finds himself in a maze of nomenclatural perplexity.

It has long been the intention of the Director to prepare a work on tribal names, which so far as possible should refer their confusing titles to a correct and systematic standard. Delay has been occasioned chiefly by the fundamental necessity of defining linguistic stocks or families into which all tribes must be primarily divided; and to accomplish this, long journeys and laborious field and office investigations have been required during the whole time since the establishment of the Bureau. Though a few points still remained in an unsatisfactory condition, it was considered that a sufficient degree of accuracy had been attained to allow of the publication for the benefit of students of a volume devoted to the subject. The preparation of the plan of such a volume was intrusted to Mr. H. W. Henshaw, late in the spring of 1885, and in June of that year the work was energetically begun in accordance with the plans submitted. The preparation of this work, which to a great extent underlies and is the foundation for every field of ethnologic investigation among Indians, was considered of such prime importance that nearly all the available force of the Bureau was placed upon it, to the suspension of the particular investigations in which the several officers had been engaged.

In addition to the general charge of the whole work, Mr. Henshaw gave special attention to the families of the northwest coast from Oregon northward, including the Eskimo, and also several in California. To Mr. Albert S. Gatschet the tribes of the southeastern United States, together with the Pueblo and Yuman tribes, were assigned. The Algonkian family in all its branches—by far the most important part of the whole, so far as the great bulk of literature relating to it is concerned—was intrusted to Col. Garrick Mallery and Mr. James Mooney. They also took charge of the Iroquoian family. Rev. J. O. Dorsey's intimate acquaintance with the tribes of the Siouan and Caddoan families peculiarly fitted him to cope with that part of the work, and he also undertook the Athapascan tribes.

Dr. W. J. Hoffman worked upon the Shoshonean tribes, aided by the Director's personal supervision. Mr. Jeremiah Curtin, to whom was assigned the California tribes, also gave assistance in other sections.

Each of the gentlemen named has been able to contribute largely to the results by his personal experience and investigations in the field, there being numerous regions concerning which published accounts are meager and unsatisfactory. The main source of the material to be dealt with has, however, been necessarily derived from books. A vast amount of the current literature pertaining to the North American Indians has been examined, amounting to over one thousand volumes, with a view to the extraction of the tribal names and the historical data necessary to fix their precise application.

The work at the present time is well advanced toward completion. The examination of literature for the collation of synonyms may be regarded as practically done. The tables of synonymy and the accounts of the tribes have been completed for more than one-half the number of linguistic families.

ACCOMPANYING PAPERS.

LINGUISTIC FAMILIES OF NORTH AMERICA.

In harmony with custom, three scientific papers accompany this report, designed to illustrate the nature, methods and spirit of the researches conducted by the Bureau. The first is on the "Classification of the North American Languages." It is by no means a final paper on the subject, but is intended rather to give an account of the present status of the subject, and to place before the workers in this field of scholarship the data now existing and the conclusions already reached, so as to constitute a point of departure for new work. With this end in view Mr. Pilling is engaged upon the bibliography of the subject and is rapidly publishing the same, and Mr. Henshaw is employed on the tribal synonymy. Altogether it is hoped that this work will inaugurate a new era in the investigation of the subject by making available the vast body of

material scattered broadcast through the literature relating to the North American Indians.

In the course of these ethnic researches an interesting field of facts has been brought to view relating to the superstitions of the Indians. Already a very large body of mythology has been collected—stories from a great number of tongues which embody the rude philosophy of tribal thought. Such philosophy or opinion finds its expression not only in the mythic tales, but in the organization of the people into society, in their daily life and in their habits and customs. There is a realm of anthropology in this lower state of mankind which we call savagery, that is hard to understand from the standpoint of modern civilization, where science, theology, religion, medicine and the esthetic arts are developed as more or less discrete subjects. In savagery these great subjects are blended in one, as they are interwoven into a vast plexus of thought and action, for mythology is the basis of philosophy, religion, medicine, and art. In savagery the observed facts of the universe, relating alike to physical nature and to the humanities, are explained mythologically, and these mythic conceptions give rise to a great variety of practices. The acts of life are born of the opinions held as explanations of the environing world. Thus it is that philosophy finds expression in a complex system of superstitions, ceremonies and practices, which together constitute the religion of the people. The purpose of these practices is to avert calamity and to secure prosperity in the present life. It is astonishing to find how little the condition of a life to come is involved. The future beyond the grave is scarcely heeded, or when recognized it seems not to affect the daily life of the people to any appreciable degree. That which occupies the attention of the savage mind relates to the pleasures and pains, the joys and sorrows of present existence.

Perhaps the chief motive is derived from the consideration of health and disease, as the pleasures and pains arising therefrom are forever present to the experience or observation. Good and evil are also involved in those gifts of nature to man by which his biotic life is sustained, his food, drink, cloth-

ing and shelter. These bounties come not in a never-changing stream, but are apparently fitful and capricious. Seasons of plenty are accented by seasons of scarcity, and thus prosperity and adversity are strangely commingled in the history of the people. To secure this prosperity and avert this adversity seems to be the second great motive in the development of the superstitious practices of the people. A third occasion for the development of this primitive religion inheres in the social organization of mankind, primarily expressed in the love of man and woman for each other, but finally expressed in all the relations of kin and kith and in the relations of tribe with tribe. This gives rise to a very important development of primitive religion, for the savage man seeks to discover by occult agencies the power of controlling the love and good will of his kind and the power of averting the effect of enmity. To attain these ends he invents a vast system of devices, from love philters to war dances. A fourth region of exploitation in the realm of the esoteric relates to the origin of life itself, as many of their practices are designed to secure perpetuity of life by frequent births and less painful throes.

It will thus be seen that life, health, prosperity, and peace are the ends sought in all this region of human activity as they are presented in the study of savage life. The opinions held by the people on these subjects are primarily expressed in speech and organized into tales, which constitute mythology, and they are expressed in acts, as ceremonies and observances, which constitute their religion, their medicine, and their esthetic arts. These arts consist of sculpture and painting, by which their mythic beings are represented, and they also consist of dancing, by which religious fervor is produced, and they give rise to music, romance, poetry, and drama. Thus it is that the esthetic arts have their origin in mythology. The epic poem and the symphony are lineal descendants of the dance, and the dance arises as the first form of worship, born of the mythic conception of the powers of nature.

Henshaw's work in California in

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XXXI

The subject matter of all these records is genuinely and exclusively Iroquoian.

The Mohawk manuscript was copied about the year 1830 by Chief John "Smoke" Johnson from an earlier original or perhaps copy. The orthography of this copy is quite regular and is that of the early English missionaries, being similar in many respects to the well known Pickering alphabet.

One of the Onondaga manuscripts was found in the possession of Mr. Daniel La Fort and the other in that of Mrs. John A. Jones, both of the Onondaga reserve, New York. These two copies differ from each other in orthography and substance, the Jones manuscript being probably a full detail of a part of the other.

The orthography of the La Fort manuscript is very irregular and difficult to read, but that of the Jones manuscript is regular and legible. The Mohawk manuscript contains a detailed account of the rites and ceremonies, speeches and songs, of the condoling and inducting council of the Iroquoian League in the form in which that council was conducted by the elder brothers or members of the Onondaga, Mohawk, and Seneca divisions, which have been generally called tribes, but are more correctly confederacies, their villages being the tribal unit. The La Fort Onondaga manuscript comprises a similar ritual of the same council as carried out by the younger brothers, viz, the Cayuga, Oneida, and Tuscarora members or confederacies of the league. The Jones Onondaga manuscript is the charge of the principal shaman to the newly elected or inducted chief or chiefs.

During the remainder of the year material was collected and work continued on the Tuscarora-English part of the Tuscarora dictionary.

WORK OF MR. H. W. HENSHAW.

Mr. H. W. Henshaw visited southern California for the purpose of pursuing linguistic studies in the group of languages spoken by the Santa Barbara Indians. Although these Indians became known at a very early day, being mentioned with particularity in the relation of Cabrillo's voyage along

the California coast in 1542, but little has been ascertained in respect to their language and its relations to the speech of neighboring tribes.

Few vocabularies were collected by the early Spanish missionaries and those gathered were very imperfect, so that no conclusions can be based upon them with confidence.

As a result of the policy pursued by the various missionaries among these docile tribes, aboriginal habits were soon exchanged for others imposed by the priests. Tribal organizations were broken up and the Indians were removed from their homes and located about the missions. In addition the Spanish language was early introduced and so far as possible made to replace the aboriginal tongue. As a consequence Spanish became familiar to a large number of the proselytes, and all the surviving Santa Barbara Indians speak Spanish fluently, or rather the Mexican dialect of Spanish. Indeed, the impression prevails generally in California that none of the Indians can speak their own tongue. As a matter of fact, however, in their own families and when away from the white men they discard Spanish entirely.

The attempt to preserve the language was begun none too soon, as of the large population attributed to this part of the California coast Mr. Henshaw was able to discover only about fifty survivors, and these were widely scattered over several counties. A number of the dialects of the linguistic family are now extinct, and only a month before Mr. Henshaw's arrival at San Buenaventura an old woman died who, it is believed, was the last person to speak the dialect belonging to the Island of Santa Cruz. In Santa Barbara and Ventura counties six dialects of the family were found, which are believed to be all that are now extant.

In the case of the dialect of Santa Rosa island, but one Indian remained to speak it. Two more dialects are spoken by two or three individuals only. The existing dialects, named according to the missions around which they were spoken, are as follows: San Buenaventura, Santa Barbara, Santa Rosa Island, Purissima, Santa Inez, and San Luis Obispo. With the exception of the last named the several dialects are very closely

related, and, although each possesses a greater or less number of words not contained in the others, their vocabularies show many words which are common to all.

The dialect formerly spoken at San Luis Obispo differs much from any of the others, and a critical comparison is necessary to reveal a sufficient number of words possessing identical roots to render their common parentage obvious.

Extensive vocabularies of the dialects of San Antonio and San Miguel were obtained, there being about a dozen Indians who speak these languages around the old San Antonio mission. These languages have been supposed to be of the Santa Barbara family (as it has hitherto been termed, now called Chumashan family), but the material obtained by Mr. Henshaw disproves this, and, for the present at least, they are considered to form a distinct family.

Mr. Henshaw visited Los Angeles and San Diego counties for the purpose of determining the exact northern and southern limits of the Shoshonian family, which extends quite to the coast in California.

At San Diego and San Luis Rey he obtained vocabularies representing four dialects of the Yuman family.

Ibid., 8th Ann. Rept. (for 1886-1887), p. xxviii, 1891

Mr. HENRY W. HENSHAW has continued in charge of the work upon the synonymy of the Indian tribes of the United States, which was alluded to in some detail in the annual report of last year. This work has been temporarily suspended, and Mr. Henshaw has assisted the Director in the preparation of a linguistic map of the region north of Mexico and in the classification of the Indian tribes, a work which properly precedes and forms the basis of the volume on synonymy. XXVIII

Mr. H. W. HENSHAW was engaged during the fiscal year, in addition to his administrative duties, in assisting the Director in the final preparation of the linguistic map of North America north of Mexico, with the accompanying text, which are published in the Seventh Annual Report of the Bureau. He also commenced a final revision of a synonymy or dictionary of Indian tribal names. 1893-1894 XX XI

Ibid., 10th Ann. Rept. (for 1891-1892), p. 1894

13th Ann. Rept. (for 1891-1892), p. xxx, 1896.
 WORK OF MR H. W. HENSHAW

On May 14, 1892, Mr H. W. Henshaw proceeded to New Mexico and California for the purpose of collecting material for the tribal synonymy, and also with the view of collecting such linguistic information as to permit more trustworthy classification of certain southwestern tribes. He was also commissioned to make collections for the World's Columbian Exposition. He was able to make a considerable collection of objective material, which was arranged in the National Museum and conveyed to Chicago as a part of the exhibit of the Bureau of Ethnology. He also obtained a considerable body of linguistic and other data pertaining to the tribes of southern California; but unhappily his health became impaired, and, while he remained in the field until the close of the fiscal year, the results of his work were not so voluminous as anticipated.

xxxv

Mr H. W. Henshaw was largely occupied during the earlier part of the fiscal year in the general administrative work of the office. In addition to these duties, he was employed, up to the middle of May, in the preparation of the tribal synonymy, which has been described in previous reports. In this work Mr Henshaw had the assistance of Mr F. W. Hodge, who devoted particular attention to the Piman and Yuman linguistic stocks, as well as to the several stocks represented among the Pueblo Indians. Satisfactory progress was made in the accumulation of material for this work, which is recorded on cards in such manner as to be either available for publication at any time, or accessible for reference until the work is so far completed as to warrant printing. The cards are arranged in drawers in cases provided for the purpose. They are already of great and constantly increasing use, not only to the collaborators of the Bureau but to students of ethnologic and historical subjects from other governmental bureaus and departments. In connection with the administrative work, Mr Henshaw was occupied for some time in preparing the exhibit of the Bureau for the World's Columbian Exposition at Chicago.
~~by which much of the time was absorbed.~~

belts of Apache warriors. They are also worn as amulets by other members of the tribe. In dances for the cure of sickness the shaman applies the powder to the forehead of the patient, then to his breast in the figure of a cross; next he sprinkles it in a circle around his couch, then on the heads of the chanters and the assembled friends of the patient, and lastly upon his own head and into his own mouth. It is also used in other ceremonies described. Capt. Bourke points out the similarity between the use of the tule pollen and that of the kunque or sacred corn meal of the Zuñi, and dwells upon many analogies to their practices found in both hemispheres.

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their antiquity, these etchings form a highly important addition to the collections before made, especially as they are in a region from which no representation of that nature had been reported. A petroglyph of interest near Machias, Maine, not before known, was also copied. A valuable collection was for the first time obtained of birch-bark pictographs which formerly were in general use and still are made by the Passamaquoddy and Penobscot tribes of the Abnaki in Maine, showing a similarity in the use of picture-writing between the members of the extensive Algonquian stock in the regions adjacent to and west of the Great Lakes and those in the northeast part of America and on the Atlantic coast. The correlation of the pictographic practice in manner and extent was before inferentially asserted, but no satisfactory evidence of it had been presented until the researches of this year brought into direct comparison the pictography of the Ojibwa with that of the Micmacs and Abnaki. Col. Mallery returned to Washington in October.

OFFICE WORK.

THE DIRECTOR was frequently engaged during the year in examining undetermined problems pertaining to his work upon the classification of the Indian linguistic stocks, the scope of which has been explained in his former reports. It was found necessary to defer decision respecting some of the stocks until after obtaining the result of additional field-work planned for the ensuing year.

COL. MALLERY, after his field-work before mentioned, was engaged in study of important and novel points developed thereby, and in continued research and correspondence on sign language and pictography.

MR. HOFFMAN, while assisting in the work last mentioned, prepared a topographic chart showing all the petroglyphs within the limits of the United States so far recorded by the Bureau, with the particulars of their workmanship, coloration, position, and other characteristics.

MR. HENSHAW was chiefly employed in a solution of problems relating to the geographic distribution of the linguistic

families of the North American Indians in the territory north of Mexico. When not engaged in this work or in executive duties he continued the preparation of a dictionary of the nature of a synonymy of tribal names of North American Indians, the general character and object of which have been set forth in a former report. While in general charge of that division of the office work, he specially attended to the Sahaptinian, Salishan, Chemakuman, Chinookan, and several other linguistic stocks of the Pacific slope.

Mr. ALBERT S. GATSCHE was engaged during the first five months of the year in digesting the results of his recent trip to Louisiana, Texas, and Mexico, and utilizing them in the compilation of the Indian tribal synonymy in course of preparation by the Bureau. His designated share in that work comprised the families of the southern Indians from the Rio Grande to the Atlantic seaboard of Florida, namely, the stocks of the Natchez, Atákapa, Shetimasha, Tonkawè, Pakawá (otherwise known under the vague designation of "Coahuilteco or Tejano"), Tonica, Yuchi, Timucua, and—most important of them all—the Maskóki. His work of correlating for the synonymy the information gained concerning these tribes was completed, though some important tribes can not be classified linguistically, e. g., the extinct Koroas and Pascagoulas, on account of the absence, in the documents of early chroniclers, of all information relating to them. The Adá-i, classed by Gallatin as a distinct family, is believed by Mr. Gatschet to be affiliated with the Caddoan stock as a dialect distantly related to Yátassi and Caddo proper.

After concluding his labors on the tribal synonymy, Mr. Gatschet resumed work on the grammar of the Klamath language of southwestern Oregon. He combined all the results of his recent studies of both dialects, the northern and the southern, with the facts previously acquired by him and composed a treatise on the morphology of the language. This was rewritten by him three times in order to secure completeness and accuracy. The "phonetics" and the chapters on radicals and on prefixion were stereotyped.

The work of the modeling room was continued in his charge throughout the year. No new work was taken up, all available labor being used in preparing a series of duplicates of models previously deposited in the National Museum. This work was continued from last year. The series is not yet completed, but the accumulations on hand at the end of the fiscal year were sufficient to enable the Bureau to make a creditable display at the Cincinnati Exposition without withdrawing, to any large extent, the models deposited in the National Museum. During the year eight models were added to the duplicate series and three other models were commenced.

Dr. WASHINGTON MATTHEWS, Surgeon U. S. Army, continued work upon a grammar and dictionary of the Navajo language.

Mr. W. NELSON was still engaged in the preparation of his paper, mentioned in the last report, upon the Eskimo of northern Alaska, comprising a dictionary with notes upon the grammar of the language and also upon the myths and customs of the people.

Mr. JOHN N. B. HEWITT has continued the study of the Iroquoian languages and the preparation of a Tuscarora-English dictionary. He also worked upon the comparison of words, radicals, and terms in the Iroquoian languages with those in the Cherokee and in determining the prehistoric habitat of the Iroquois.

For several years past it has been part of the work of the Bureau to take advantage of the frequent presence in Washington of parties styled "delegations" from the several Indian tribes, for the purpose of photographing all the individuals composing them. These are generally the prominent men of the tribes represented by them, and their photographs have biographic and historic interest as well as anthropologic importance. Mr. J. K. Hillers has been in charge of this branch of the work, and during the last year has secured ninety-nine photographs of prominent Indians in both full face and profile, in order to exhibit to better advantage all their facial characteristics. The subjects were from the following tribes, viz:

White Mountain Apache, 15 persons; Chiricahua Apache, 20; Jicarilla Apache, 8; Sac and Fox, 7; Utes, 4; Shawnee, 9; Omaha, 20; Dakota, 11; Oto and Missouri, 5.

It has been the practice to note, in connection with the name of each Indian photographed, his age, status in the tribe, and such biographic information as could be obtained.

ACCOMPANYING PAPERS

ETHNOLOGICAL RESULTS OF THE POINT BARROW EXPEDITION, BY JOHN MURDOCH.

Mr. John Murdoch was the naturalist and one of the observers detailed in 1881 by the Chief Signal Officer of the Army with the International Polar Expedition to Point Barrow, Alaska. That point was established as one of the stations in the work of circumpolar observation proposed by the International Conference on that subject. In addition to the specific duties of the expedition, which were connected with meteorology, researches were made by all of its members, during the two years of their stay, on the habits and customs of the Eskimo of the neighborhood, and full notes taken. The ethnological material obtained consisted of those notes and of the objects collected. The notes were so voluminous and the objects which required description and illustration were so many that it was impracticable to publish them in the report of the commanding officer of the expedition, Lieut. P. H. Ray, Eighth Infantry, U. S. Army, which was issued in 1885. In order that the valuable ethnologic results obtained should not be lost, the Chief Signal Officer permitted the continued employment of Mr. Murdoch to complete a special report upon them, and the late Secretary of the Smithsonian Institution furnished him important facilities for the work. It was decided to publish the report with full illustrations, as it now appears, in one of the serial volumes of Annual Reports of this Bureau.

The work of collecting the objects mentioned and of making the ethnological notes was continued for more than two years, and two more years were occupied by Mr. Murdoch in the analytical study of those objects and notes before the present report could be completed. In this report Mr. Murdoch has presented a simple and exhaustive account of the Eskimo of Alaska with commendable absence of theory. At the same time he

makes judicious comparisons between the people observed and the eastern division of the same race, including the Eskimo of Greenland, and also between all the American divisions and those of Siberia. These comparisons were made possible by his extensive reading and by his study of former collections deposited in the United States National Museum.

The ample illustrations of the text, 428 in number, are nearly all sketched or photographed from the articles brought to Washington by the expedition, and show in connection with them the numbers attached to those articles as now deposited and displayed in the National Museum. Thus the opportunity for verification and for further examination is proffered. The topics discussed are so many and varied that they can not be recapitulated here with advantage. An examination of the table of contents will be more satisfactory and useful. Such examination will invite the study of the paper, which will prove to be a compendium of all that is noteworthy about a body of peculiar people who have lately been included among the inhabitants of the United States.

THE MEDICINE-MEN OF THE APACHE, BY JOHN G. BOURKE, CAP- TAIN THIRD CAVALRY, U. S. ARMY.

Notwithstanding the length of time, nearly three centuries, during which Europeans have been in contact with the Indian tribes of North America, wholly erroneous ideas of their theology have prevailed and are still entertained. The popular conception of their religious belief, which has been ascribed to all the tribes of the continent, is that it was substantially monotheistic, a grade of theology connected with the higher civilizations and never appearing in the stages of savagery or barbarism, beyond which no Indian tribe had advanced at the European discovery of America. Captain Bourke recognizes this fact, and believes that the misconception has been disastrous in its influence upon the national treatment of the Indian tribes. The special influence to be considered and combated is that of the "medicine-man," a title for which that of shaman might have been substituted with advantage. The form of

belief and practice called shamanism is well known in many parts of the world as a phase in religious evolution. Although at first applied only to the practices observed among some tribes of northern Asia, it has of late been generally used by scholars to express the placation and control by magic and fetichistic rites of spirits or daimons who are supposed to rule all mankind and indeed the whole realm of nature. The shaman is not only a practitioner of sorcery, able to drive off the spirits which bring death, sickness, and misfortune, and to invoke others which confer success and love, but he is a priest, who by communion with the higher powers learns and afterwards teaches to others the articles of a creed. The term shaman means all that Capt. Bourke intends to express by "medicine-man," while that awkward compound, invented by early explorers in North America, must always mislead by conveying some implication of therapeutics.

Capt. Bourke, in twenty-two years of active service in the United States Army, has directed his attention to the observation and study of the Indian tribes of the Great Plains and of the Southwest. During a considerable part of that time he has enjoyed special facilities and opportunities as aid-de-camp to Maj. Gen. Crook. His familiarity with the tribes in general enables him to introduce many comparisons between the Apache, who are the special subjects of his paper, and many other tribes and to note parallels and contrasts in the practices of all. The extensive reading which is indicated by his copious list of authorities consulted has enabled him to supply analogies from foreign lands and remote ages, so that his paper is much more comprehensive than its title.

Among the many topics suggestively treated are those of the rhombus or bull roarer, the scratch stick, and the drinking reed, all considered ceremonially; but in especial the discussions upon hoddentin and the izze-kloth present unsuspected facts and permit curious inferences.

Hoddentin is the pollen of the tule, which is a variety of the cat-tail rush growing in all the ponds of the southwestern parts of the United States. It is a yellow powder with which small buckskin bags are filled and those bags then attached to the

belts of Apache warriors. They are also worn as amulets by other members of the tribe. In dances for the cure of sickness the shaman applies the powder to the forehead of the patient, then to his breast in the figure of a cross; next he sprinkles it in a circle around his couch, then on the heads of the chanters and the assembled friends of the patient, and lastly upon his own head and into his own mouth. It is also used in other ceremonies described. Capt. Bourke points out the similarity between the use of the tule pollen and that of the kunque or sacred corn meal of the Zuñi, and dwells upon many analogies to their practices found in both hemispheres.

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tribes and shorten and destroy the lives of many individuals among them.

FINANCIAL STATEMENT.

Classification of expenditures made from the appropriation for North American Ethnology for the fiscal year ending June 30, 1888.

[Amount of appropriation, 1887-'88, \$40,000.]


| Expenses. | Amount expended. | Expenses. | Amount expended. |
|---------------------------------------|------------------|---|------------------|
| Salaries | \$28,838.33 | Goods for distribution to Indians | \$511.30 |
| Traveling expenses | 3,637.66 | Office furniture | 85.00 |
| Transportation of property | 444.91 | Office supplies and repairs | 18.62 |
| Field subsistence | 242.06 | Correspondence | 6.49 |
| Field supplies and expenses | 2,431.04 | Specimens | 844.95 |
| Field material | 351.06 | Bonded railroad accounts forwarded to Treasury for settlement | .74 |
| Instruments | 32.50 | Balance on hand to meet outstanding liabilities | 1,280.10 |
| Laboratory material | 42.67 | Total | 40,000.00 |
| Photographic material | 116.17 | | |
| Books and maps | 181.00 | | |
| Stationery and drawing material | 9.10 | | |
| Illustrations for report | 926.30 | | |

26 Ann. Rep. Bureau Eth. (for 1904-1905) p. vi. 1908.

Dr Cyrus Thomas, ethnologist, was engaged during the year largely on the Handbook of American Indians, assisting Mr Hodge in the laborious task of preparing the manuscripts for publication. Among the articles written by Doctor Thomas during the year for this work are agriculture, calendar, counting, Five Civilized Tribes, fortifications, habitations, maize, migrations, mortuary customs, mounds and mound builders, population, reservations, and treaties, besides a number of biographical sketches and certain archeological articles of a more special character. The work of reading the proofs of Bulletin 28, which required especial acquaintance with the archeology and glyphic systems of the ancient Mexicans, was also intrusted to Doctor Thomas, and was completed before the end of the year. He was also frequently called on for data required in official correspondence relating to his special branches of research.

Mr J. N. B. Hewitt, ethnologist, at the beginning of the year began the preparation of various articles for the Handbook of American Indians, and continued the correction and elaboration of the material pertaining to the Iroquoian stock for the same work. ~~Among the articles in hand are those~~

Mr. Crocker

 Kroeber

THE NEED OF STUDYING THE INDIAN
IN ORDER TO TEACH HIM

AN ADDRESS DELIVERED BEFORE THE
BOARD OF U. S. INDIAN COMMISSIONERS AT WASHINGTON, D. C.

JANUARY 20 1897

BY

FRANK HAMILTON CUSHING

OF THE

BUREAU OF AMERICAN ETHNOLOGY

FROM THE TWENTY-EIGHTH ANNUAL REPORT OF THE BOARD OF INDIAN
COMMISSIONERS

WASHINGTON
GOVERNMENT PRINTING OFFICE

1897

ALBION, N. Y.
A. M. EDDY, PRINTER

1897

NINTH ANNUAL REPORT

OF THE

BUREAU OF ETHNOLOGY.

(for 1887-1888) _____ 1892

By J. W. POWELL, DIRECTOR.

PAPERS ACCOMPANYING THIS REPORT.

It has been before promised that the effort of this Bureau will be to prosecute work in the various branches of North American anthropology on a systematic plan, so that every important field may be cultivated, limited only by the amount appropriated by Congress. Each of the papers appended to this report has its proper place in the general scheme, the scope of which they, together with the other publications before noted, serve to indicate, and each was prepared with a special object. The line of research pursued by the several papers, with the circumstances attending their preparation, may be conveniently designated by some introductory remarks upon each of them in the order which they follow in this volume.

ZUÑI FETICHES, BY MR. FRANK HAMILTON CUSHING.

Mention was made in the First Annual Report that Mr. Frank H. Cushing, of the Smithsonian Institution, had proceeded to and was at the time residing at the pueblo of Zuñi, New Mexico, to study the language, mythology, sociology, and art of its inhabitants. During the winter of 1879-'80 he had by diligent study acquired a conversational knowledge of the language of the Zuñis, and had made numerous sketches and notes on their sacred dances and on the meetings of some of their secret societies, which he succeeded in observing.

During the succeeding summer and autumn he continued his investigations into the mythology, traditions, and sacerdotal as well as governmental institutions of the Indians, and explored many of the traditional ruins within a radius of 50 miles of Zuñi. Before the end of the year he had so far acquired knowledge of the Zuñi language as to take an important position in councils, and was made chief councilor of the nation.

This increased knowledge also enabled him to learn traditions bearing on historic matters.

Among these was one concerning the ruin of Ke'ia-kí-me, at the base of Tâ-ai-yállon-ue (Thunder Mountain), a mesa stronghold three miles east of Zuñi, which related to the death

of "The Black Mexican with thick lips," in whom he recognized the "Barbary Negro Estevanico," of Cabeça da Vaca and Marco de Niça, known to have been killed about the year 1539 in the neighborhood. Inquiries instituted by this recognition led to the specific determination of the sites of nearly all the "Seven Cities of Cibola," the principal of which—A-hacus, in Spanish (Ha-wi-kuhs, in Zuñi)—was situated at Ojo Caliente. He conjectured, also, that Cibola was derived from the Zuñi name of their country, She-wo-na or Shi-wi-na, which led to the belief, ultimately confirmed by old Spanish records, that there was no one city of Cibola, but that all together were known by that name.

During the month of January, 1881, he made a trip with one companion along the line of ruins marking the sites of the pueblos referred to in the Zuñi ritualistic recitals, as far west as the valley of the Colorado Chiquito. He not only discovered a series of monuments, but also verified the correctness of the recitals above referred to by a study of the mythologic pictographs with which many of them and the surrounding rocks were covered.

Some 15 miles south from the town of San Juan, or Bardeto, he found in the same valley a remarkable line of conical hills, containing craters, the caverns of which had been used by the ancestors of the Zuñis as sacrificial depositories. In these he had the good fortune to discover numerous well-preserved sacrificial plumed sticks, and many conventionally decorated prayer-slats or altar-tablets, bows, arrows, basket-work, and fabrics of the ancient inhabitants of the valley. One of his discoveries was that of ancient cigarettes of cane and corn-leaves, proving that the cigarette, as well as the pipe, was of American origin.

During the succeeding spring, with one soldier and a citizen, he again set out for the cave country, re-exploring not only the caverns before visited but also other important grottoes on the Rio Concho, and the caves still used as sacrificial depositories by the Zuñis, near La Laguna del Colorado Chiquito, north of San Juan. The collections, the greater portions of which were cached, aggregated over two thousand specimens.

monials stated, will be surprising, not only to persons who have been taught the old fiction of the Indian's monotheism, but to those who have regarded his religious philosophy to be vague and chaotic. The facts are presented with the same corroboration of etymologies in language used so successfully by scholars in the study of Eurasian myths, and with further verification by objects in the National Museum, figured in the illustrations.

MYTHS OF THE IROQUOIS, BY MRS. ERMINNIE A. SMITH.

The myths, mythic tales, and folk-lore of a savage or barbarian people correspond with the literature of civilization. In them, with proper attention to the archæology embraced in the language, scientifically studied, in which they are expressed, may be found all of its philosophy and all of its history and prehistoric customs that can ever be known.

These myths and tales are constantly repeated, often with publicity and ceremony, and the audiences having heard them many times, with the precise verbal memory characteristic of intelligent tribes to whom writing is unknown, are critical as to accuracy of rendition. Furthermore, certain words, especially names and titles preserved in the narratives, are sometimes archaic, requiring better etymologists than the modern Indians to ascertain their true meaning, and are only understood when the language has been reduced to writing by linguistic scholars. The narrators do not understand or pretend to explain what they have received as handed down to them, but simply produce what they have memorized. When collected with thorough understanding of the language, and with collation of the several versions, these oral traditions may be presented in substantial purity with intrinsic evidence of their antiquity.

Many tales have been published of the sayings and doings of the Indian gods and heroes, and some relating to their home-life, institutions, and customs, but few of these have been free from blunder or perversion. Generally the dubious medium of interpreters was necessary, and the disposition to poetize or

DESCRIPTIVE ETHNOLOGY

XLVIII /

As administrative duties permitted, Mr F. W. Hodge carried forward the Cyclopedia of the American Indians, his field work among the Pueblos in August and September yielding much information concerning the relations, and especially concerning the clan organization, of the southwestern Indians. In February Dr Cyrus Thomas, having completed his revision and extension of work on Indian land treaties, was transferred to the Cyclopedia, and during the remainder of the fiscal year he was employed in collecting and arranging material relating to the tribes of the Algonquian stock. The character of this Cyclopedia was set forth fully in the last report.

XLIX

17th Ann. Rept. Bur. Ethn. (for 1895-1896)
pp. XLVIII-XLIX, "1898" 1901

Bureau Am. Ethnology (W.H. Holmes, chief)

26th Annual

ADMINISTRATIVE REPORT

(for 1904-1905)

1908

XXIII

HANDBOOK OF AMERICAN INDIANS

Work on the Handbook, hitherto frequently referred to as the "Dictionary of Indian Tribes," has been vigorously prosecuted during the year under the immediate supervision of Mr F. W. Hodge, of the Smithsonian Institution, who, with the approval of the Secretary, has devoted most of his time thereto. Mr Hodge has had the almost undivided assistance of Dr Cyrus Thomas, and, as occasion required, nearly the entire scientific staff of the Bureau has aided both in the preparation of the anthropologic and kindred articles and in the revision and elaboration of the tribal descriptions found to be necessary by reason of recently acquired knowledge. So far as the funds of the Bureau afforded, the aid of ethnologists not officially connected with the Bureau was also enlisted. The services generously rendered by these, either gratuitously or for a merely nominal consideration, are highly appreciated.

As outlined in former reports, it was originally the plan of Major Powell to classify the linguistic families, tribes, and settlements north of Mexico and to identify the various names by which these had been known in the vast literature of the subject, with a brief description of each such group. This material, recorded on many thousands of cards, became known as the "Cyclopedia of Tribes, with Synonymy."

In 1903 the Secretary altered the scope of the work by directing the incorporation of brief separate articles pertaining to the habits, customs, arts, and industries of the Indians and of their dealings with the Government, together with biographies of noted individuals and a list of words of northern Indian origin that have been incorporated into the English language. No work so comprehensive in its scope had hitherto been attempted, consequently in making plans for the new departure it became necessary to begin at the foundation. The popular style of treatment was ever kept in mind, and considerable time was consumed in correspondence with experts best qualified for the preparation of many of the special articles called for by the enlarged plan. For these reasons it has not been possible to complete the work

at an earlier date. Owing to the fact that many of the specialists do not reside in Washington, it was difficult, within a limited time, to arrange for entire consistency in treatment and to prevent repetition through encroachment of one subject on another when written by many hands. On this account, and for the purpose of obtaining the views and criticisms of as many experts as possible, conferences were held, as already mentioned, three times each week, which were faithfully attended by the ethnologic staffs of the Bureau and the National Museum, as well as by other resident ethnologists; and ethnologists from elsewhere, while visiting Washington, often gave this committee of revision the benefit of their criticism.

As the articles prepared both by the regular attendants and by others were read at the conferences, and thus were accorded opportunity for criticism, the value of the meetings in promoting the authoritativeness of the forthcoming Handbook is inestimable. New subjects were constantly suggested, and in some instances much new light was shed on others, after having been written, by reason of the personal knowledge of one or another of the critics present.

In addition to the special articles elsewhere mentioned in this report as prepared by members of the Bureau, the following are among the more important of those that have been furnished by specialists not officially connected with it:

By Dr A. F. Chamberlain: Armor, Basque influence, Chinook jargon, Dutch influence, Eliot's Bible, English influence, fur trade, German influence, Hawaiian influence, Kutenai, linguistic families, "Lost Ten Tribes," maple sugar, Melungeons, Negro and Indian, race names, Scandinavian influence, Spanish influence, wild rice, and many articles pertaining to words of Indian origin incorporated into the English language.

By Mr Stewart Culin: Games.

By Dr William H. Dall: Russian influence.

By Miss Anna Dawes: Commission to the Five Civilized Tribes.

By Dr G. A. Dorsey: Ceremony, Sun dance.

By Mr Wilberforce Eames: Bible translations, dictionaries, periodicals.

By Dr Livingston Farrand: Marriage, and many articles descriptive of some of the linguistic families and tribes of the Northwest.

By Miss Alice C. Fletcher: Adornment, agency system, buffalo, camping and camp circles, civilization, dramatic representation, dreams and visions, earth lodge, etiquette, fasting, feasts, furniture, governmental policy, grass lodge, land tenure, masks, music and musical instruments, oratory, orientation, poetry, property and property rights, quillwork, soldiers, tattooing, totems, trading posts, war and war discipline, and articles descriptive of the Caddoan tribes.

By Mr Gerard Fowke: "Lansing man," and many articles on technological subjects.

By Dr George Bird Grinnell: Horses.

By Mr H. W. Henshaw: Atlantis, exchange, pictography, popular fallacies, slavery, and sweating and sweat houses.

By Mr F. W. Hodge: Adobe, Casa Grande, irrigation, kiva, and many tribal articles, especially those pertaining to the Southwestern Indians.

By Dr Walter Hough: Altar, clothing, collecting and excavating, dyes and pigments, fire making, food, illumination, preservation of specimens, and Snake dance, in addition to a large number of brief articles on various implements, utensils, materials used in manufacturing processes, etc.

By Dr Aleš Hrdlička: Anatomy, artificial head deformation, cannibalism, health and disease, mixed bloods, and physiology.

By Mr J. D. McGuire: Drilling, fishing, pipes, smoking, storage and caches, tobacco, and trails and trade routes.

By Dr Otis T. Mason: Arrows, bows, and quivers; arts and industries, basketry, beadwork, boats, commerce, domestication of animals, education, environment, featherwork, hunting implements, invention, needlework, traps, travel and transportation, weapons, and weaving.

By Dr Washington Matthews: Color symbolism, dry painting, ethics, family, magic, measurements, medicine, and mourning.

The Bureau was also fortunate enough to have the services of Dr A. L. Kroeber, of the University of California, who generously revised the accumulated material pertaining to many of the linguistic families of California, and in addition gave much valuable information respecting the Shoshonean and Yuman families and the Mission Indians. The remaining Californian stocks were reviewed or revised by Dr P. E. Goddard and Mr S. E. Barrett, also of the University of California, and by Dr Roland B. Dixon, of Harvard University.

With the exception of a few articles that had not been quite finished by those to whom the subjects were assigned, the manuscript of the body of the Handbook, recorded on more than 40,000 cards, together with about 800 illustrations, was submitted to the Secretary for transmittal to the Public Printer on July 1, 1905, for publication in two octavo volumes as Bulletin 30 of the Bureau. These cards do not include about 37,000 cross-references to the tribal synonyms, nor the bibliography, which are retained for use in reading the proofs of the text. After serving this purpose they will be ready to be put in type to appear at the close of the work.

26th Ann. Rept. Bureau Eth. (for 1904-1905), p. xli. 1908.

Shortly after his return from Europe, in September, the Chief found it necessary to undertake the preparation of a number of articles relating to aboriginal art and archeology for the Handbook of American Indians. Among the subjects treated at some length are antiquity, archeology, architecture, art, bonework, Bureau of American Ethnology, catlinite, cliff-dwellings, copper, engraving, graphic art, mines and quarries, metal work, ornament, pottery, sculpture, shell heaps, shellwork, and stonework. ~~It has been made, especially by the Department of the Interior. For years the Bureau has been collecting data relating to these remains, and whenever called on has furnished all available information for the use of the departments in carrying out this laudable enterprise. During the winter months Mr J. D. McGuire was engaged in collecting and collating data relating to the antiquities of Arizona and Utah, and in platting these on topographical maps furnished by the United States Geo-~~

WORK ON THE SYNONYMY OF INDIAN TRIBES

XLV

The preparation of this work, which has engaged the attention of nearly all the collaborators of the Bureau at various times, is well advanced. During the year Messrs H. W. Henshaw, F. W. Hodge, James Mooney, and J. Owen Dorsey have contributed to the work. The portions of the synonymy relating to the tribes of the following stocks are ready for publication:

Attacapan, Beothukan, Kalapooian, Karankawan, Kusan, Lutuamian, Muskhogean, Natchesan, Skittagetan, Timuquanan, Tonikan, Uchean, Yakonan, and Yuman.

In addition, the Algonquian and Iroquoian families—two of the largest and most important—require comparatively little elaboration by Mr Mooney (to whom these stocks were originally assigned) to make them ready for press.

When his other duties permitted, Mr Hodge devoted attention to the elaboration of material pertaining to the Piman family, as well as that of the Pueblo stocks (Zuñian, Keresan, Tañoan, and the Tusayan division of the Shoshonean). Very little work is now required to complete for publication the material relating to these tribes. In addition, Mr Hodge introduced into the descriptions formerly made of some twenty stocks (principally in California) a large body of new material made known by recent investigations.

Scientific researches concerning the aborigines were not undertaken until most of the tribes were affected in greater or less degree by acculturation. Especially was this true of the industrial arts, as already set forth. Again, the movements of nomadic and migratory tribes were affected by the advent of the white men so that some of their relations among one another and to their environment were obscured to scientific observation. For this and other reasons it has been found peculiarly advantageous to scrutinize the accounts of the discoverers and earliest explorers of different portions of the continent. Some of the explorers were illiterate or indifferent and left no record; others recorded the events in their journeys, usually giving much space to the strange and striking race found in possession of the soil. Most of these early records have been lost; a few have fallen into the hands of scholars and have been published in this country and abroad; it is probable that others lie buried in state and mission archives scattered throughout this country, Canada, and Mexico.

There were no keener observers of the Indian than the early Spanish explorers and missionaries who penetrated the unknown land stretching far north of Mexico in the sixteenth and seventeenth centuries. The narratives of De Soto, Ayllon, Ponce de Leon, Cabeza de Vaca, Coronado, and many others who with cross and sword explored the wilds now composing the southern half of the United States, are stories of marvelous intrepidity and suffering; yet they seemed never to lack courage, and only rarely were they too closely pursued by hunger or by the Indian to record with surprising fidelity whatsoever came under their observation.

It is to one of these expeditions that the memoir by Mr George Parker Winship is devoted. Mainly to the narrative of Pedro de Castañeda, a subordinate follower of Coronado's expedition, are we indebted for an account of the natives through whose country the army passed during its two years' journey from Culiacan in western Mexico to the buffalo plains of Kansas, and back to the lakes of Tezcucó.

The original manuscript of Castañeda's *relacion*, prepared at Culiacan about twenty years after the events which it narrates, is not known to exist, the Spanish archives at Simancas, Seville, and Madrid having been searched for it in vain. The copy from which was prepared the Spanish text, now for the first time published, was made at Seville in 1596, and is in possession of the Lenox Library, New York City, through the courtesy of whose trustees and librarian the present publication

has been permitted. A French translation from the 1596 copy was published at Paris in 1838 by Henri Ternaux-Compans; it contains a number of errors which have misled students of the expedition and of the Indian tribes encountered by it, and which are now brought to light. No English translation of the narrative has hitherto been published.

In his historical introduction Mr Winship presents an elaborate account of the reasons for the Coronado expedition, reviewing the results of the ill-fated expedition of Panfilo de Narvaez and the wanderings of Cabeza de Vaca and his three companions, its sole survivors, for nearly eight years among the tribes west of the Mississippi and in northern Mexico, and their final arrival at the Mexican capital. A detailed account is given also of the condition of affairs in Mexico between 1536, the date of Cabeza de Vaca's return, and the journey of Friar Marcos, of Nice, to the cities of Cibola in 1539. It is to this remarkable friar that the discovery of Arizona and New Mexico is to be attributed, and to his narrative, the truth of which has been attested by Bandelier, that some of our knowledge of the early character of the natives of the extreme southwest has been gained.

It is singular that so little has popularly been known of the Coronado expedition, for it is doubtful if such an array of splendor has since been beheld by savage eyes. Two hundred and sixty horsemen, 70 footmen, and more than 1,000 friendly Indians and Indian servants, according to one authority, composed the army, accompanying which, as a part of its food supply, were 5,000 sheep and 150 cattle, from which the livestock of the southwest has sprung. "The young cavaliers curbed the picked horses from the large stock farms of the viceroy, each resplendent in long blankets flowing to the ground. Each rider held his lance erect, while his sword and other weapons hung in their proper places at his side. Some were arrayed in coats of mail, polished to shine like that of their general, whose gilded armor with its brilliant trappings was to bring him many hard blows a few months later. Others wore iron helmets or visored headpieces of the tough bullhide for which the country has ever been famous. The footmen

carried crossbows and arquebuses, while some of them were armed with sword and shield."

Thus equipped did Coronado, on April 22, 1540, start forth on his two years' journey from Culiacan, taking as an advance guard about 75 horsemen and a few footmen. Passing the Indian settlements of Sonora and Arizpe, he reached the massive ruin of Chichilticalli within the limits of Arizona, and on July 7 reached Hawikuh, the first of the cities of Cibola or Zuñi, which he named Granada. As the natives had fortified themselves, the village was assaulted and at once captured, the inhabitants retiring to Thunder mountain. Coronado remained at Zuñi about two months, in the meantime sending out small parties for the exploration of the adjacent country. One of these, under Pedro de Tovar, proceeded to Tusayan, or the seven Hopi pueblos, in northeastern Arizona, where they learned of the Grand Canyon of Colorado river, which Lopez de Cardenas was afterward sent to explore. Hernando de Alvarado was dispatched eastward to the Tiwa villages of the Rio Grande and to the buffalo plains. In September Coronado and his immediate followers pressed on to the Rio Grande, visiting en route the pueblo of Acoma, which stands today on the famous peñol it then occupied. Meanwhile the main army arrived at Cibola and proceeded to Tiguex, on the Rio Grande, where winter quarters were established.

It was during this winter that Castañeda gained most of his information regarding the pueblos of the Rio Grande. For at least seven months he was in constant touch with the ancestors of the Tiwa of the present villages of Isleta and Sandia on the Rio Grande, and, as will be seen by the narrative, his opportunities were not neglected.

In April of 1541 the entire force under Coronado left Tiguex for Pecos, proceeding thence across the great plains through herds of buffalo extending as far as the eye could reach, guided by an Indian of the mysterious Quivira, whom the Spaniards had named Turk. The description of the route of Coronado being quite vague, students of southwestern ethnology have, up to this time, been at a loss to trace with exactness the line of travel of the Spanish force, or satisfactorily to identify the tribes

of Indians encountered on the way. With the publication of the Spanish text, however, it is believed that more light on these questions will now be cast.

So far as results beneficial to Coronado, to his loyal followers, or to New Spain were concerned, this celebrated expedition was, in the words of Mr Winship, "a total, dismal, ruinous failure." But to the ethnologist and the historian it forms the **beginning of known events** in the vast southwest, and furnishes information of the aborigines of that section as they existed over three and a half centuries ago that otherwise could never have been known.

In addition to the Castañeda narrative, Mr Winship presents translations of other accounts of the Coronado expedition and its achievements. These include the letters of the viceroy Mendoza and of Coronado to the King, one of those of the latter being written from Zuñi; the *Traslado de las Nuevas*, the *Relacion del Suceso*, the *Relación Postrera de Sívola*, the narrative of Jaramillo, one of Coronado's captains; the report by Alvarado of his journey from Cibola to Tiguex and the buffalo plains, and the testimony concerning those who went on the expedition.

The memoir is made more intelligible by a series of ancient maps reproduced from their originals, showing the geographic knowledge of the times, particularly after the important additions growing out of Coronado's work; it is also enriched by a number of illustrations of the new country, strange people, and novel structures which greeted the eyes of Coronado and his men and shaped their conceptions. These illustrations, and a number of the ethnologic notes by which the scientific value of the document is enhanced, were contributed by Mr F. W. Hodge.

THE GHOST-DANCE RELIGION

The remarkable religious fantasy which overspread western United States during the years 1889-92, and the lamentable Sioux outbreak connected with it, were so recent and so widely heralded by the press as to require no introduction to the reading public. Fortunately a collaborator of the Bureau of Eth-

Reft. Bureau Ethnology, 1913

From Rept. of Secretary of Smithsonian Inst. for 1913, 1915

APPENDIX 2.

REPORT ON THE BUREAU OF AMERICAN ETHNOLOGY.

SIR: I have the honor to submit the following report of the operations of the Bureau of American Ethnology during the fiscal year ended June 30, 1913, which have been conducted by authority of the act of Congress approved August 24, 1912, making appropriations for sundry civil expenses of the Government, and in accordance with a plan of operations approved by the Secretary of the Smithsonian Institution. The act referred to contains the following provision:

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, including the excavation and preservation of archæologic remains, under the direction of the Smithsonian Institution, including salaries or compensation of all necessary employees and the purchase of necessary books and periodicals, including payment in advance for subscriptions, \$42,000.

SYSTEMATIC RESEARCHES.

The systematic researches were conducted by the regular staff of the bureau, consisting of seven ethnologists, and by other specialists not directly connected with the bureau. These operations may be summarized as follows:

Mr. F. W. Hodge, ethnologist-in-charge, was occupied almost entirely during the year with administrative affairs pertaining to the bureau's activities. He was able to devote some time to the preparation of the Bibliography of the Pueblo Indians, the writings relating to the subject covering so extended a period (from 1539 to date) and being so numerous that much remains to be done. He devoted attention also, as opportunity offered, to the revision of certain sections of the Handbook of American Indians, but as it is the desire to revise this work completely, with the aid of the entire staff of the bureau as well as of other specialists, little more than a beginning of the revision has been made. Mr. Hodge continued to represent the Smithsonian Institution at the meetings of the United States Board on Geographic Names, and the Bureau of American Ethnology on the Smithsonian advisory committee on printing and publication.

Dr. J. Walter Fewkes, ethnologist, spent the summer months and part of the autumn of 1912 in correcting the proofs of his monograph on Casa Grande and of his report on the Antiquities of the Upper Verde River and Walnut Creek Valleys, Arizona, both of which

appear in the Twenty-eighth Annual Report of the bureau, and in completing the draft of a memoir devoted to the Symbolic Designs on Hopi Pottery, which it is designed to publish with numerous illustrations. The remainder of the autumn was occupied by Dr. Fewkes in gathering material for an eventual memoir on the Culture History of the Aborigines of the Lesser Antilles, these data being derived chiefly from a study of the early literature of the subject and of the rich West Indian collections from the island of St. Vincent in the Heye Museum of New York City. Preparatory to the publication of the final results, Dr. Fewkes, with the generous permission of George G. Heye, Esq., selected with entire freedom the necessary objects for illustration, and before the close of the fiscal year about 200 drawings of the archeological objects in this important collection had been finished.

In October, 1912, Dr. Fewkes sailed for the West Indies under the joint auspices of the bureau and the Heye Museum, the special object in view being the gathering of new archeological data through the excavation of village sites and refuse-heaps and the examination of local collections in the islands. Dr. Fewkes visited Trinidad, Barbados, St. Vincent, Balliceaux, Grenada, Dominica, St. Kitts, Santa Cruz, and other islands, excavating shell-heaps in Trinidad and Balliceaux, and making archeological studies in other isles. The results of the investigations in Trinidad proved to be especially important, owing to the light which they shed on the material culture of the former aborigines of the coast adjacent to South America.

Extensive excavations were made in a large shell-heap, known as Tchip-Tchip Hill, on the shore of Erin Bay in the Cedros district. This midden is historic, for it was in Erin Bay that Columbus anchored on his third voyage, sending men ashore to fill their casks at the spring or stream near this Indian mound. Tchip-Tchip Hill is now covered with buildings to so great an extent that it was possible to conduct excavations only at its periphery; nevertheless the diggings yielded a rich and unique collection that well illustrates the culture of the natives of this part of Trinidad. The collection consists of several fine unbroken pottery vessels with painted decoration, and more than a hundred well-made effigy heads of clay, in addition to effigy jars and many broken decorated bowls. There were also obtained from the Erin Bay midden several stone hatchets characteristic of Trinidad and the adjacent coast of South America, a few shell and bone gorgets, and other artifacts illustrating the activities of the former inhabitants. It is an interesting fact that as a whole the objects here found resemble those that have been taken from shell-heaps on the Venezuela coast and from the Pomeroon district of British Guiana more closely than they resemble related specimens from the other islands of the Lesser Antilles. Several other middens

were examined in Trinidad, the most representative of which is situated near San Jose, the old Spanish capital. Promising shell-heaps were discovered also at Mayaro Bay on the eastern coast.

One of the most important results of the West Indian field work by Dr. Fewkes was a determination of the geographical distribution of certain types of artifacts and a comparison of the prehistoric culture areas in the so-called Carib Islands. Evidence of the existence of a sedentary culture on these islands preceding that of the Carib was obtained, showing it to have distantly resembled that of Porto Rico; this culture, however, was not uniform. Dr. Fewkes also found that there were a number of subcultures in these islands. In prehistoric time Trinidad and Tobago, it was determined, were somewhat similar culturally, just as they are similar geologically and biologically, to northern South America. In Dr. Fewkes's opinion perhaps nowhere is the effect of environment on human culture better illustrated than in the chain of islands extending from Grenada to Guadeloupe, which were inhabited, when discovered, by Carib, some of whose descendants are still to be found in Dominica and St. Vincent. The earlier or pre-Carib people were culturally distinct from those of Trinidad in the south, St. Kitts in the north, and Barbados in the east. The stone implements of the area are characteristic and the prehistoric pottery can readily be distinguished from that of the islands beyond the limits named.

A large number of shell-heaps on St. Vincent were visited and studies made of localities in that island in which caches of stone implements have been found. Six groups of petroglyphs were examined, even some of the best known of which have never been described. Special effort was made to obtain information respecting the origin of certain problematical objects of tufaceous stone in the Heye Museum, said to have been collected from beneath the lava beds on the flank of the Soufrière.

Dr. Fewkes visited the locality on the island of Balliceaux where the Carib of St. Vincent were settled after the Carib wars and before they were deported to Roatan on the coast of Honduras. Extensive excavations were made at the site of their former settlement at Banana Bay, where there is now a midden overgrown with brush. Here much pottery, as well as several human skeletons and some shells and animal bones, were found.

The mixed-blood survivors of the St. Vincent Carib who once lived at Morne Rond, near the Soufrière, but who are now settled at Campden Park near Kingstown, were visited. These still retain some of their old customs, as making cassava from the poisonous roots of the manihot, and preserve a few words of their native tongue. A brief vocabulary was obtained, but Carib is no longer habitually spoken in St. Vincent.

The fertile island of St. Kitts and the neighboring Nevis were found to be particularly instructive archeologically. Both have several extensive middens and well-preserved pictographs, the former having yielded many artifacts that illustrate the material culture of its pre-Carib inhabitants. Through the courtesy of Mr. Connell his large collection, which adequately illustrates the culture of St. Kitts and Nevis, was placed at the disposal of Dr. Fewkes for the purpose of study, and he was permitted to make drawings of the more typical objects, one of the most instructive of which is a sculptured torso from Nevis.

In Barbados Dr. Fewkes examined the midden at Indian River, on the west coast, from which site the important Taylor archeological collection was gathered. Several other middens were visited on the lee coast from Bridgetown to the northern end of the island, where a marly hill strewn with potsherds was observed. He also examined the so-called "Indian excavations" at Freshwater Bay and others at Indian River, and visited several cave shelters on the island. The most noteworthy of these caves are situated at Mount Gilboa and in the Scotland district, St. Lucy Parish. To one of these, known as the "Indian Castle," described in 1750 by the Rev. Griffith Hughes, who claims to have found therein an idol and other undoubted Indian objects, Dr. Fewkes devoted much attention. The gulches so characteristic of Barbados were favorite resorts of the aborigines, and, judging by the artifacts, furnished cave shelters for them. Although uninhabited at the time of its discovery, there is evidence of a considerable prehistoric aboriginal population in Barbados, whose culture was influenced largely by the character of the material from which their artifacts were made, most of them being fashioned from shell instead of stone, a characteristic seemingly constituting this island a special culture area.

A collection of stone implements, including celts, axes, and other objects, was gathered at Santa Cruz. Several local collections of archeological objects were examined, and the large midden at the mouth of Salt River was visited. The prehistoric objects obtained on this island and from St. Thomas resemble those from Porto Rico.

Although the Carib inhabitants of the Lesser Antilles are no longer of pure blood, and their language is known to only a few persons in Dominica and St. Vincent, and to these but imperfectly, it was found that the negroes, who form more than nine-tenths of the insular population, retain in modified form some traces of the material culture of the Indians. Cassava is the chief food of many of the people, and the method of its preparation has been little changed since aboriginal times. Cocoa is ground on a stone and made into cylindrical rolls in much the same manner as it was prepared by the Indians in early times. The basketry made in Do-

Dr. Truman Michelson, ethnologist, continued his studies among the Algonquian tribes. In the middle of July, 1912, he proceeded to the Fox Indians, at Tama, Iowa, from whom a large additional body of mythological material was obtained; this, in connection with the myths and legends in the form of texts gathered during the previous season, approximates 7,000 pages. When the translation of this material shall have been finished it will form one of the most exhaustive collections of mythology of any Indian tribe. It is noteworthy that these myths and tales differ essentially in style from those gathered by the late Dr. William Jones (scarcely any of whose material has been duplicated by Dr. Michelson), a fact that emphasizes the necessity of recording such material in the aboriginal tongue. It may be added that the myths and tales collected are also important in the light they shed on the dissemination of myths. Study of the social and ceremonial organization of the Fox Indians was likewise continued, and especially full notes were obtained on their Religion dance. Many of the songs of one of the drums were recorded on a dictaphone and several photographs of the native ball game were secured.

Dr. Michelson next proceeded to Haskell Institute, the nonreservation Indian school at Lawrence, Kans., for the purpose of obtaining notes on Atsina (Gros Ventre) and several other Algonquian languages, the results of which show definitely that Atsina shares with Arapaho all the deviations from normal Algonquian, and that Potawatomi is further removed from Ojibwa, Ottawa, and Algonkin than any one of these is from the others.

Dr. Michelson next visited the Munsee, in Kansas, but found that, unfortunately, little is now available in the way of information except as to their language, which is still spoken by about half a dozen individuals, though none employ it habitually.

The Delawares of Oklahoma were next visited, Dr. Michelson finding that their aboriginal customs are still retained to a large extent. Extended observations were made on several dances, and, to a lesser extent, on the social organization. From a study of the Delaware language, together with the Munsee dialect of Kansas, it was ascertained, as had previously been surmised, that the Delaware language of the early Moravian missionary Zeisberger represents no single dialect but a medley of several dialects.

On his way to Washington Dr. Michelson stopped again at Tama to obtain additional notes on the Fox Indians; at the same time he succeeded in arranging for the acquirement of certain sacred packs for the National Museum. He also visited Chicago and New York for the purpose of making comparative observations on the material culture of the Fox tribe, based on collections in the museums of those cities.

On his arrival in Washington, at the close of December, Dr. Michelson undertook the translation and study of some of the Fox myths; the results indicate that very great firmness in the word unit in Algonquian is more apparent than real, and that the classification of stems must be revised. Dr. Michelson also brought to conclusion his translation of the Kickapoo myths and tales collected by the late Dr. Jones, to which were added notes on Kickapoo grammar and comparative notes on the myths and tales, the whole making somewhat more than 300 pages.

Through correspondence Dr. Michelson succeeded in arranging for the acquirement of other sacred packs of the Fox Indians, which have been deposited in the National Museum. He also aided in furnishing information in answer to inquiries by various correspondents, and from time to time supplied data for incorporation in a new edition of the Handbook of American Indians.

From the investigations of the bureau it seemed that the Siouan and Muskogean languages resembled each other morphologically. In view of these circumstances, it was deemed desirable that the Catawba, one of the Siouan tongues, should be restudied, and accordingly, toward the close of May, 1913, Dr. Michelson proceeded to South Carolina, where the remnant of the Catawba tribe still reside. Unfortunately, it was found that the language is all but extinct, not even half a dozen persons being able to recall phrases, although isolated words can still be had in goodly number. Owing to this paucity of text material it is hardly likely that the grammar of Catawba will ever be completely elucidated, and as no comparative study with other Siouan dialects has yet been made, it is not practicable at present to say with which Siouan group the language is most closely associated. A considerable number of native songs are still remembered by the surviving Catawba, nearly all of which Dr. Michelson succeeded in recording by dictaphone.

Mr. J. N. B. Hewitt, ethnologist, was occupied during the year in translating unedited Seneca texts of myths which were collected by himself in 1896 and at other times on the Cattaraugus Reservation in western New York and on the Grand River Reservation in Ontario, Canada. These myths, legends, and tales number 13 in all. In addition, Mr. Hewitt undertook the editing of two Seneca texts—"The Legend of S'hagowē'not'hă", or The Spirit of the Tides," and "The Tale of Doä'danéğē" and Hotkwisdadegē"ä"—recorded by himself in the form of field notes in 1896 and aggregating 95 typewritten pages. At the close of the fiscal year about one-third of this work was completed. To these texts interlinear translations are to be added for the purpose of aiding in the grammatic study of the Seneca tongue.

Mr. Hewitt also devoted much time to the collection and preparation of data for answers to correspondents of the bureau, especially with reference to the Iroquoian and Algonquian tribes.

Mr. Francis La Flesche, ethnologist, continued his investigations of the ethnology of the Osage Indians, giving particular attention to their rituals and accompanying songs. He was enabled to record on the dictaphone the songs and fragments of the rituals belonging to the Waxobe degree of the Noⁿ'hoⁿ'zhiⁿga rites, of which, as noted in the last annual report, he has been making a special study. These rituals have been transcribed and, with the 84 songs that have been transcribed in musical notation by Miss Alice C. Fletcher, comprise 66 typewritten pages.

Mr. La Flesche has also been able to record the Noⁿ'zhiⁿzhoⁿ, or Fasting degree, of the Puma and Black Bear gentes. These two organizations are closely related; they not only use in common the songs and rituals of the Noⁿ'hoⁿ'zhiⁿga rites, but they even go to the extent of exchanging gentile personal names as full recognition of their relationship. The Noⁿ'zhiⁿzhoⁿ degree employs 12 rituals and numerous songs, of which latter 81 have been recorded. These songs are divided into two great groups, the first of which is known as "The Seven Songs," having 16 sets, and the second, "The Six Songs," having 17 sets. The Osage texts of these rituals and songs cover 207 pages, about three-fourths of which have been finally typewritten. The 81 songs have been transcribed in musical notation by Miss Fletcher, while the translation of the rituals and the words of the songs is in progress.

In the autumn of 1912 Mr. La Flesche was fortunate in securing in full the Ni^k'i degree of these intricate Osage rites. Hitherto he had been able to obtain only the beginning of this degree, but his informant was finally induced to recite it in its entirety, comprising 1,542 lines. The real title of this degree is Ni^k'i No^k'oⁿ, "The Hearing of the Words of the People." In it the genesis of the tribe is given in a story made up of myth, legend, and symbolism, the whole being clearly devised to keep the people ever mindful of the necessity of an orderly and authoritative conduct of war. It goes to show that the principle of war was early recognized by the Osage as the surest means by which not only tribal and individual life might be safeguarded against strange and hostile tribes, but also as the means by which the tranquil enjoyment of game and other natural products of their environment might be won. It is to this coveted tranquillity that the closing lines of many of the rituals refer, invariably likening it to a "serene day." This degree employs ritual almost entirely, there being only 10 songs. The native ritual comprises 57 typewritten pages, of which a large part has been translated.

In the spring of 1913 Mr. La Flesche obtained the Rush Mat Weaving degree of the Puma and Black Bear gentes. Only the "Seven Songs" spoken of before, with various ceremonial forms, are employed in this degree, the "Six Songs" being entirely omitted. The distinguishing features are the ceremonial weaving of the rush mat for the sacred case in which were enshrined the bird and other sacred objects, the renewal of all the articles that make up the sacred bundle, and the ceremonial stitching of the ends of the case. In some respects this is one of the most extraordinary degrees of the Osage that Mr. La Flesche has yet observed, since in its performance there are used 70 brass kettles, 70 red-handled knives, and 70 awls in making the various articles, all of which the votary is obliged to furnish, together with other expensive articles that constitute the fees of the initiator and other officiating Noⁿ'hoⁿ'zhiⁿga, as also 70 pieces of choice jerked meat for distribution among the members attending the initiation. Three rituals not used in the other degrees are employed in this, namely, the Green Rush ritual, the Bark ritual, and the Stitching and Cutting ritual. There are 61 pages of Osage text, about half of which have been transcribed.

Mr. La Flesche also obtained the rituals and songs of the Washabe Athiⁿ, "The Carrying of a Dark Object," with full description of the various processions and ceremonial forms. This is a war ceremony, which, although not counted as a degree, is a rite to which the seven degrees lead. The name of this ceremony is derived from the war insignia, which is the charcoal ceremonially prepared from certain sacred trees, and which symbolizes the black marks denoting the birds and animals used to typify strength, courage, and fleetness. Mr. La Flesche's Osage informant regards this as the final act of the seven degrees. The Osage text comprises 90 pages, nearly one-half of which has been transcribed, together with 36 songs, which have been transcribed by Miss Fletcher, and 7 diagrams.

Mr. La Flesche was fortunate enough to procure the sacred bundle of the Deer gens and the reed-whistle bundle of the Wind gens; the contents of the latter are of exceptional interest. Mrs. Brogahige, one of the ceremonial weavers of the Osage, at considerable sacrifice to herself, presented Mr. La Flesche two sacred looms, one of which is used in weaving the buffalo-hair case, and the other in weaving the rush case for the sacred bird. These packs, together with specimens of ceremonially made burden straps which Mr. La Flesche collected, have been placed in the National Museum.

Dr. Franz Boas, honorary philologist, continued the preparation of the material for the Handbook of American Indian Languages. As stated in the last annual report, the manuscript of the grammar of the Chukchee language, to appear in Part 2 of this handbook, was

completed and in its final form was discussed with the author, Mr. Waldemar Bogoras, during the visit of Dr. Boas to Berlin in the summer of 1912. The results of these discussions were embodied in the work, the manuscript was delivered, and the typesetting commenced. At the same time Dr. Boas studied the Koryak texts collected by Mr. Bogoras, published in accordance with the plan previously outlined, at the expense of the American Ethnological Society, and the indispensable references were embodied in the grammatical sketch.

The Coos grammar by Dr. Leo J. Frachtenberg was completed, so far as the work of the editor, Dr. Boas, is concerned, the page proofs having been finally revised.

The manuscript for the Siuslaw grammar, also by Dr. Frachtenberg, was submitted and the editing considerably advanced; this will be completed as soon as the entire series of Siuslaw texts are in print, a work that has been undertaken under Dr. Boas's editorship by Columbia University. All the collected texts are now in type, so that examples can be added to the manuscript of the grammar.

Dr. Frachtenberg remained in Siletz, Oreg., throughout the year for the purpose of revising on the spot the materials on the Oregon languages. He was engaged in collecting and arranging the Alsea material for Part 2 of the Handbook of Languages, and in preparing for the discussion of his Molala linguistics. The rapid disappearance of the Calapooya may make it necessary, however, to complete the field work on the language of this people before closing the work on the other manuscripts, even though this procedure may entail delay in the printing of the volume.

Dr. Alexander F. Chamberlain, of Clark University, who has undertaken the preparation of a grammar of the Kutenai language, expects to deliver his manuscript early in the new fiscal year. The printing of this sketch must necessarily be delayed until the text material is available in print.

Miss Haessler continued her preparations for a careful revision of the Dakota Dictionary by Riggs, a work made necessary by reason of the need of greater precision in phonetics and translation, as well as of a more systematic arrangement of the material. Miss Haessler expects to complete all the preliminary work by the summer of 1914, so that, should facilities be available, she will then be able to undertake the required field work.

Miss Frances Densmore continued her studies in Indian music, devoting special attention to that of the Sioux, and during the year submitted three papers, comprising 252 pages of manuscript, original phonographic records and musical transcription of 107 songs, and 23 original photographic illustrations. Three subjects have been ex-

haustively studied and a fourth is represented in such manner that the results may be regarded as ready for publication. The three principal subjects are: The sacred stones, dreams about animals, and the buffalo hunt. The fourth subject referred to relates to the war-path and is represented by about 20 songs, but it awaits further study of the military societies. A special group of songs consists of those which have been composed and sung by the Sioux in honor of Miss Densmore.

A study of the music of the Mandan and Hidatsa at Fort Berthold, N. Dak., was made by Miss Densmore in the summer of 1912, in cooperation with the Historical Society of the State of North Dakota. The results of this investigation consist of a manuscript of about 50 pages, with transcriptions of 40 songs.

Miss Densmore also read the proofs of Bulletin 53 (Chippewa Music—II), which is now in press.

Mr. W. H. Holmes, head curator of the department of anthropology of the United States National Museum, continued the preparation of the Handbook of American Archeology for publication by the bureau, as far as the limited time available for the purpose permitted. Aside from the preparation of the text and illustrations for parts 1 and 2 of this handbook, Mr. Holmes made field observations among the ancient mica mines in western North Carolina and among mounds and village sites in South Carolina and Georgia. He also visited a number of museums for the purpose of examining the collections of archeological material, among them being the museums of Boston, Andover, New York City, Philadelphia, Columbus, Chicago, Milwaukee, Madison, Davenport, and St. Louis.

Mr. D. I. Bushnell, jr., made good progress in the compilation of the Handbook of Aboriginal Remains East of the Mississippi, the manuscript material for which, recorded on cards, now approximates 160,000 words. The collated material has been derived from (1) replies to circular letters addressed to county clerks in all of the States east of the Mississippi, (2) communications from various societies and individuals, and (3) publications pertaining to the subject of American antiquities. It is gratifying to state that there are very few areas not covered by the material already in hand, and it is expected that through the systematic manner in which Mr. Bushnell is prosecuting the work the handbook will be as complete as it is practicable to make it by the time it is ready for publication.

The investigations conducted jointly in 1910 and 1911 by the bureau and the School of American Archæology have borne additional fruit. An extended memoir on the Ethnogeography of the Tewa Indians, by J. P. Harrington, was received and will appear as the

"accompanying paper" of the Twenty-ninth Annual Report, now in press. Three bulletins, namely, (No. 54) The Physiography of the Rio Grande Valley, New Mexico, in Relation to Pueblo Culture, by Edgar L. Hewett, Junius Henderson, and W. W. Robbins; (No. 55) The Ethnobotany of the Tewa Indians, by Barbara W. Freire-Marreco, W. W. Robbins, and J. P. Harrington; and (No. 56) The Ethnozoology of the Tewa Indians, by Junius Henderson and J. P. Harrington, were also presented as a part of the results of the joint expeditions and are either published or in process of printing. Mr. Harrington also made progress in the preparation of his report on the Mohave Indians, and Miss Freire-Marreco is expected to submit shortly an extended paper on the Yavapai tribe. There remains to be mentioned in this connection another memoir, namely, An Introduction to the Study of the Maya Hieroglyphs, by Sylvanus G. Morley; while not a direct product of the joint work of the bureau and the school, this is in a measure an outgrowth of it. The manuscript, together with the accompanying illustrations, has been submitted to the bureau, but is now temporarily in the author's hands for slight revision.

Since the publication of the Handbook of American Indians, through which additional popular interest in our aborigines has been aroused, it has been the desire to make a beginning toward the preparation of a series of handbooks devoted to the Indians of the respective States. The opportunity was fortunately presented toward the close of the fiscal year, when the bureau was enabled to enlist the aid of Dr. A. L. Kroeber, of the University of California, who has kindly consented to undertake the preparation of the initial volume of the series, to be devoted to the Indians of California. It is planned to present the material in each volume in as popular a form as practicable, in order that it may be made of the greatest use to schools, and it is hoped that the means may be soon available to make possible the extension of the series to other States.

Under a small allotment from the bureau, Mr. James Murie continued his studies of Pawnee ceremonies. He devoted special attention to the medicine rites, and on June 13, 1913, submitted a description of the ritual pertaining to the "Purification of the Buffalo Skull".

The transcription of the manuscript French-Miami Dictionary in the John Carter Brown Library at Providence, R. I., to which attention has been directed in previous reports, was finished by Miss Margaret Bingham Stillwell, who submitted the last pages of the vocabulary (which number 1,120 in all) early in January, 1913. The bureau is under obligations to Mr. George Parker Winship, librarian of the John Carter Brown Library, for his generous cooperation in placing this valued document at the disposal of the

bureau and to Miss Stillwell for the efficient manner in which this difficult task was accomplished.

In the latter part of the fiscal year Mr. Jacob P. Dunn, of Indianapolis, in whose hands the French-Miami Dictionary was placed for study, commenced the annotation of the transcription and the addition of English equivalents. This necessitated a journey to Oklahoma, where Mr. Dunn enlisted the services of a Miami Indian as an interpreter. The result of these studies consists of (a) the French-Miami-English Dictionary, from *Abbaiser* to *Cajeux*; (b) The History of Genesis, Chapter I, being Peoria text with Miami-English translation; (c) English-Miami Dictionary, from *Abandon* to *Aim*; (d) Wissakatcakwa Stories, recorded in Peoria by the late Dr. Gatschet, for which Mr. Dunn has made an interlinear translation.

The compilation of the List of Works Relating to Hawaii was continued by Prof. Howard M. Ballou, of the College of Hawaii, who from time to time has submitted additional titles. The recording of the material by more than one person necessarily resulted in more or less inconsistency in form; consequently the manuscript, which consists of many thousands of cards, has been in need of editorial revision in order to insure uniformity. For this revision the bureau has been fortunate in enlisting the services of Mr. Felix Neumann, an experienced bibliographer, who is making progress in the work.

PUBLICATIONS.

The editorial work of the bureau has been conducted as usual by Mr. J. G. Gurley, editor. The following publications were issued during the year:

Twenty-eighth Annual Report, containing "accompanying papers" as follows: (1) Casa Grande, by Jesse Walter Fewkes; (2) Antiquities of the Upper Verde River and Walnut Creek Valleys, Arizona, by Jesse Walter Fewkes; (3) Preliminary Report on the Linguistic Classification of Algonquian Tribes, by Truman Michelson.

Bulletin 30, Handbook of American Indians North of Mexico, edited by Frederick Webb Hodge. By concurrent resolution of Congress, in August, 1912, a reprint of this bulletin was ordered in an edition of 6,500 copies, of which 4,000 were for the use of the House of Representatives, 2,000 for the use of the Senate, and 500 for the use of the bureau. This reprint, in which were incorporated such desirable alterations as could be conveniently made without affecting the pagination of the work, was issued in January, 1913.

Bulletin 52, Early Man in South America, by Aleš Hrdlička, in collaboration with William H. Holmes, Bailey Willis, Fred. Eugene Wright, and Clarence N. Fenner.

Bulletin 54, The Physiography of the Rio Grande Valley, New Mexico, in Relation to Pueblo Culture, by Edgar Lee Hewett, Junius Henderson, and Wilfred William Robbins.

The work on the other publications during the year may be summarized as follows:

Twenty-ninth Annual Report ("accompanying paper," The Ethnogeography of the Tewa Indians, by John Peabody Harrington). Manuscript prepared for the printers and nearly half of the composition finished.

Thirtieth Annual Report ("accompanying papers": (1) Animism and Folklore of the Guiana Indians, by Walter E. Roth; (2) Tsimshian Mythology, by Franz Boas; (3) Ethnobotany of the Zuñi Indians, by Matilda Coxe Stevenson). Editing of the third paper and to a considerable extent that of the first paper completed.

Bulletin 40, Handbook of American Indian Languages, by Franz Boas—Part 2. Work on the Coos section nearly finished and composition of the Chukchee section begun. Two sections (Takelma and Coos) are now "made up," aggregating 429 pages.

Bulletin 46, A Dictionary of the Choctaw Language, by Cyrus Byington, edited by John R. Swanton and H. S. Halbert. The editors have revised two galley proofs of the Choctaw-English section of this dictionary and have practically finished preparation for the printers of the English-Choctaw section. The first part of this bulletin is now in process of paging.

Bulletin 53, Chippewa Music—II, by Frances Densmore. Manuscript edited and the several proofs read, including proofs of 180 pieces of music. At the end of the year the bulletin was held in the Printing Office awaiting receipt of the necessary paper stock.

Bulletin 55, Ethnobotany of the Tewa Indians, by Barbara Whitchurch Freire-Marreco, Wilfred William Robbins, and John Peabody Harrington. Manuscript edited and the work in galley form at the close of the year.

Bulletin 56, Ethnozoology of the Tewa Indians, by Junius Henderson and John Peabody Harrington. Manuscript edited and the work in page form at the close of the year.

In accordance with the act of Congress approved August 23, 1912, the entire stock of publications of the bureau, with the exception of a few copies of each available work which have been retained at the Smithsonian Institution for special purposes, was transferred to the Government Printing Office in October, 1912, for distribution from the office of the superintendent of documents on order from the bureau. It has been found that this plan of distribution is highly successful, and, of course, much less expensive to the bureau.

The correspondence relating to publications, of which 15,070 were distributed during the year, was conducted under the immediate

supervision of Miss Helen Munroe, of the Smithsonian Institution. The distribution of the publications may be summarized as follows:

| Series: | Copies. |
|--|---------|
| Report volumes and separate papers..... | 3,895 |
| Bulletins | 11,040 |
| Contributions to North American Ethnology..... | 15 |
| Introductions | 7 |
| Miscellaneous publications..... | 113 |
| | <hr/> |
| | 15,070 |

The demand for the Handbook of American Indians (Bulletin 30) continues unabated, by reason of the wide scope of the work, its popular form of treatment, and its usefulness to schools. There is an increasing demand for publications relating to Indian arts and crafts, and to archeology. The activity in the establishment of organizations of Camp Fire Girls throughout the country has resulted in a flood of requests for information relative to Indian customs, names, etc.

ILLUSTRATIONS.

As in the past, the preparation of illustrations for use in connection with the publications of the bureau, as well as the making of photographic portraits of the members of visiting deputations of Indians, continued in the immediate charge of Mr. De Lancey Gill, illustrator, whose work during the year included the making of negatives of 113 visiting Indians and of 93 miscellaneous ethnologic subjects; he also developed 298 negatives exposed by members of the bureau in their field work, printed 975 photographs for official publication, exchange, and presentation to Indians, and prepared 105 drawings for reproduction as illustrations for the publications of the bureau.

The tribes or pueblos represented by Indians who visited Washington during the year are: Acoma, Apache, Cheyenne, Chippewa, Cochiti, Crow, Isleta, Kiowa, Osage, Passamaquoddy, Ponca, San Juan, Santa Clara, Shoshoni, Sioux, Taos, and Wichita. Among the more important Indians whose portraits were made may be mentioned Plenty Coups and Medicine Crow (Crow tribe), Big Man and Iron Bear (Brulé Sioux), Hollow Horn Bear, Red Cloud, and Red Hawk (Teton Sioux), Daybwawindung (Chippewa), and Two Moons (Cheyenne). Many requests are made by correspondents for prints from the large collection of negatives in possession of the bureau, but it has not been possible to supply these, owing to lack of means, although in many cases they are desired for educational purposes. The series of photographs of representative Indians, from 55 tribes, which was made during the last fiscal year for special exhibition at the New York Public Library, has been borrowed from the bureau by the Public Library Commission of Indiana for exhibition in the public libraries throughout the State. In the work of the

photographic laboratory Mr. Gill was assisted by Mr. Walter J. Stenhouse.

LIBRARY.

The library of the bureau continued in immediate charge of Miss Ella Leary, librarian, assisted by Mrs. Ella Slaughter. During the year the accessions comprised 562 volumes (of which 129 were purchased) and 244 pamphlets, bringing the total number of volumes in the library to 18,532, and the pamphlets to 12,744. The periodicals currently received by the bureau, of which there are several thousand unbound parts, number 629; of these all but 18 are obtained in exchange for the bureau's publications. Special attention was paid during the year to filling lacunæ in the periodical series.

The cataloguing kept apace with the new accessions, and some progress was made in cataloguing ethnologic and related articles in the earlier serials. A monthly bulletin for the use of the members of the bureau staff was compiled and posted by the librarian, who also made a beginning in the preparation of a list of writings on the music of American Indians.

As in the past, it was necessary to draw on the collections of the Library of Congress, about 300 volumes having been borrowed during the year. On the other hand, the library of the bureau is frequently consulted by officers of the departments of the Government, as well as by students not connected with the Smithsonian Institution.

While many volumes are still without binding, the condition of the library in this respect has greatly improved during the last few years; 493 volumes were bound at the Government Printing Office during the year.

COLLECTIONS.

The following collections were made by the bureau or by members of its staff during the fiscal year and transferred to the National Museum:

54311. Six photographs (unmounted) taken by A. J. Horswill, San Jose, Mindoro, P. I., among the natives of Mindoro Island. Gift to the bureau by Munn & Co., New York.
54465. Sacred pack of the Fox Indians of Iowa. Purchased for the bureau by Dr. Truman Michelson.
54691. Five pieces of cotton painted with Assyrian subjects. Received by the bureau from an unknown source.
54798. Three sacred looms and seven burden straps of the Osage Indians. Collected by Francis La Flesche.
54933. Three fragments of Indian pottery found at Red Willow, Nebr., by Mrs. Ada Buck Martin, by whom they were presented.
54934. Sacred bundle of the Fox Indians. Purchased through Dr. Truman Michelson.

54946. Two sacred bundles of the Osage Indians. Purchased by Francis La Flesche.
55002. Sacred bundle of the Fox Indians. Purchased through Dr. Truman Michelson.
55075. An Osage buffalo-hair rope (reata) and an Osage woven belt. Purchased through Francis La Flesche.
55234. Two ethnological objects from the natives of British Guiana, presented to the bureau by Dr. Walter E. Roth, of Pomeroon River, British Guiana.
55323. Set of five plum-seed gaming dice of the Omaha Indians and a bottle of seeds used by the same Indians as perfume. Presented by Francis La Flesche.
55420. Pair of Osage ceremonial moccasins and an Osage ceremonial "pipe." Presented by Francis La Flesche.

PROPERTY.

As stated in previous reports, the property of the bureau of greatest value consists of its library, manuscripts for reference or publication, and photographic negatives. A reasonable number of cameras, dictagraphs, and other apparatus, chiefly for use in the field, as well as a limited stock of stationery and office supplies, necessary office furniture, and equipment, are also in possession of the bureau. The sum of \$893.21 was expended for office furniture (including fire-proof filing cases) during the year, \$452.57 for apparatus (including typewriters, cameras, dictagraphs, etc.), and \$258.45 for books and periodicals.

The manuscripts of the bureau, many of which are of extreme value, are deposited in metal cases in a small room in the north tower of the Smithsonian Building, which should be made as nearly fireproof as possible. Requests for a small appropriation to protect the manuscripts against possible destruction have been made in the past, but unfortunately the means have not been granted. The manuscripts, which have been in the immediate care of Mr. J. N. B. Hewitt, have increased from time to time during the year, chiefly by the temporary deposit of materials preparatory to editing for publication. Mention may here be made, however, of the gift of some manuscript Chippewa letters from the Rev. Joseph A. Gilfillan, and the acquirement of a photostat copy of the Motul-Maya Dictionary, made at the expense of the bureau from the original in the John Carter Brown Library, at Providence, R. I., as elsewhere noted. Mention may also be made of various vocabularies or parts of vocabularies, 23 items in all, which were restored to the bureau by Mrs. Louisa H. Gatschet, who found them among Dr. Gatschet's effects.

MISCELLANEOUS.

Quarters.—Since the beginning of 1910 the offices of the bureau have occupied nine rooms in the north tower of the Smithsonian Building, and a room (the office of the ethnologist-in-charge) on the

north side of the third floor of the eastern wing, while the library has occupied the entire eastern gallery of the large exhibition hall on the first floor, and the photographic laboratory part of the gallery in the southeastern section of the old National Museum building. While the natural lighting of the rooms in the north tower, by reason of the thickness of the walls and the narrowness of the windows, is inadequate, and the distance from the library and the photographic laboratory makes them not readily accessible, the office facilities are far better than when the bureau was housed in cramped rented quarters. Aside from the photographic laboratory and one room in the north tower, no part of the bureau's quarters is provided with running water. It is presumed that after the rearrangement of the large exhibition hall in the Smithsonian building and its adaptation to general library purposes the facilities of the bureau library will be greatly improved.

Office force.—The office force of the bureau has not been augmented, although the correspondence has greatly increased owing to the growing demand on the bureau for information respecting the Indians. The copying of the rough manuscripts, field notes, etc., prepared by members of the bureau, as well as the verification of quotations, bibliographic citations, and similar work of a minor editorial nature, necessitate the employment of temporary aid from time to time. Most of the answers to correspondents who desire information of a special character have been prepared by the ethnologist-in-charge, but every member of the bureau's scientific staff is frequently called on for the same purpose to furnish information pertaining to his particular field of knowledge.

RECOMMENDATIONS.

It is difficult to extend the systematic researches of the bureau along new and necessary lines without an increase of appropriations. When a special research is undertaken, several years are often required to finish it, consequently the prospective income of the bureau for a considerable period is required to carry out adequately the work in hand. Opportunities are often presented for conducting investigations in new fields which have to be neglected owing to lack of means. An increase in the appropriations of the bureau has been urged for several years, but unfortunately the estimates have not been met with additional funds.

Respectfully submitted.

F. W. HODGE,
Ethnologist-in-charge.

DR. CHARLES D. WALCOTT,
*Secretary of the Smithsonian Institution,
Washington, D. C.*

SEVENTH ANNUAL REPORT
OF THE
BUREAU OF ETHNOLOGY.
(for 1885-1886) 1891

By J. W. POWELL, DIRECTOR.

EXPLORATIONS IN STONE VILLAGES.

WORK OF DIRECTOR J. W. POWELL.

During the summer of 1885 the Director, accompanied by Mr. James Stevenson, revisited portions of Arizona and New Mexico in which many structures are found which have greatly interested travelers and anthropologists, and about which various theories have grown. The results of the investigation have been so much more distinct and comprehensive than any before obtained that they require to be reported with some detail.

On the plain to the west of the Little Colorado River and north of the San Francisco Mountain there are many scattered ruins, usually having one, two, or three rooms each, all of which are built of basaltic cinders and blocks. Through the plain a valley runs to the north, and then east to the Little Colorado.

reported upon attention had been devoted almost exclusively to the exploration of individual mounds, with a view of ascertaining the different types of tumuli, as regards form, construction, and other particulars and the vestiges of art and human remains found in them. The study of these works in their relation to each other and their segregation into groups, and of the mural works, inclosures, and works of defense, is important in the attempt to obtain indications of the social life and customs of the builders. This plan of study had not received the attention desirable and involved the necessity of careful surveys. It was thought best to make a commencement this year in this branch of investigation.

During the summer of 1885 Prof. Thomas was in Wisconsin, engaged in investigating and studying the effigy mounds and other ancient works of that section.

Messrs. James D. Middleton, John P. Rogan, and John W. Emmert were permanent assistants during the year; Mr. Charles M. Smith, Rev. S. D. Peet, and Mr. H. L. Reynolds were employed for short periods as temporary assistants.

During the summer and autumn of 1885 Messrs. Middleton and Emmert were at work on the mounds and ancient monuments of southwestern Wisconsin, the former surveying the groups of effigy mounds and the latter exploring the conical tumuli. When the weather became too cold for operations in that section they were transferred to east Tennessee, where Mr. Emmert continued at work throughout the remainder of the fiscal year.

When it had been decided to commence the preparation of a report on the field work of the division, in the hope of its early publication, Mr. Middleton was called to the office to assist in that preparation, where he remained, preparing maps and plats and making a catalogue of the collections, until the latter part of April, 1886, when he again entered upon field work in the southern part of Illinois, among the graves of that neighborhood.

Mr. Rogan was in charge of the office work from the 1st of July until the latter part of August, during which time Prof. Thomas was in the field, as before mentioned. He was en-

Down the midst of the valley there is a wash, through which, in seasons of great rainfall, a stream courses. Along this stream there are extensive ruins built of sandstone and limestone. At one place a village site was discovered, in which several hundred people once found shelter. To the north of this and about twenty-five miles from the summit of San Francisco Peak there is a volcanic cone of cinder and basalt. This small cone had been used as the site of a village, a pueblo having been built around the crater. The materials of construction were derived from a great sandstone quarry near by, and the pit from which they were taken was many feet in depth and extended over two or three acres of ground. The cone rises on the west in a precipitous cliff from the valley of an intermittent creek. The pueblo was built on that side at the summit of the cliff, and extending on the north and south sides along the summit of steep slopes, was inclosed on the east, so that the plaza was entered by a covered way. The court, or plaza, was about one-third of an acre in area. The little pueblo contained perhaps sixty or seventy rooms. Southward of San Francisco Mountain many other ruins were found.

East of the San Francisco Peak, at a distance of about twelve miles, another cinder cone was found. Here the cinders are soft and friable, and the cone is a prettily shaped dome. On the southern slope there are excavations into the indurated and coherent cinder mass, constituting chambers, often ten or twelve feet in diameter and six to ten feet in height. The chambers are of irregular shape, and occasionally a larger central chamber forms a kind of vestibule to several smaller ones gathered about it. The smaller chambers are sometimes at the same altitude as the central or principal one, and sometimes at a lower altitude. About one hundred and fifty of these chambers have been excavated. Most of them are now partly filled by the caving in of the walls and ceilings, but some of them are yet in a good state of preservation. In these chambers, and about them on the summit and sides of the cinder cone, many stone implements were found, especially metates. Some bone implements also were discovered. At the very summit of the little cone there is a plaza, inclosed by a rude wall made

of volcanic cinders, the floor of which was carefully leveled. The plaza is about forty-five by seventy-five feet in area. Here the people lived in underground houses—chambers hewn from the friable volcanic cinders. Before them, to the south, west, and north, stretched beautiful valleys, beyond which volcanic cones are seen rising amid pine forests. The people probably cultivated patches of ground in the low valleys.

About eighteen miles still farther to the east of San Francisco Mountain another ruined village was discovered, built about the crater of a volcanic cone. This volcanic peak is of much greater magnitude. The crater opens to the eastward. On the south many stone dwellings have been built of the basaltic and cinder-like rocks. Between the ridge on the south and another on the northwest there is a low saddle in which other buildings have been erected, and in which a great plaza was found, much like the one previously described. But the most interesting part of this village was on the cliff which rose on the northwest side of the crater. In this cliff are many natural caves, and the caves themselves were utilized as dwellings by inclosing them in front with walls made of volcanic rocks and cinders. These cliff dwellings are placed tier above tier, in a very irregular way. In many cases natural caves were thus utilized; in other cases cavate chambers were made; that is, chambers have been excavated in the friable cinders. On the very summit of the ridge stone buildings were erected, so that this village was in part a cliff village, in part cavate, and in part the ordinary stone pueblo. The valley below, especially to the southward, was probably occupied by their gardens. In the chambers among the overhanging cliffs a great many interesting relics were found, of stone, bone, and wood, and many potsherds.

About eight miles southeast of Flagstaff, a little town on the southern slope of San Francisco Mountain, Oak Creek enters a canyon, which runs to the eastward and then southward for a distance of about ten miles. The gorge is a precipitous box canyon for the greater part of this distance. It is cut through carboniferous rocks—sandstones and limestones—which are here nearly horizontal. The softer sandstones rapidly disinte-

grate, and the harder sandstones and limestones remain. Thus broad shelves are formed on the sides of the cliffs, and these shelves, or the deep recesses between them, were utilized, so that here is a village of cliff dwellings. There are several hundred rooms altogether. The rooms are of sandstone, pretty carefully worked and laid in mortar, and the interior of the rooms was plastered. The opening for the chimney was usually by the side of the entrance, and the ceilings of the rooms are still blackened with soot and smoke. Around this village, on the terrace of the canyon, great numbers of potsherds, stone implements, and implements of bone, horn, and wood were found; and here, as in all of the other ruins mentioned, corn-cobs in great abundance were discovered.

In addition to the four principal ruins thus described many others are found, most of them being of the ordinary pueblo type. From the evidence presented it would seem that they had all been occupied at a comparatively late date. They were certainly not abandoned more than three or four centuries ago.

Later in the season the Director visited the Supai Indians of Cataract Canyon, and was informed by them that their present home had been taken up not many generations ago, and that their ancestors occupied the ruins which have been described; and they gave such a circumstantial account of the occupation and of their expulsion by the Spaniards, that no doubt can be entertained of the truth of their traditions in this respect. The Indians of Cataract Canyon doubtless lived on the north, east, and south of San Francisco Mountain at the time this country was discovered by the Spaniards, and they subsequently left their cliff and cavate dwellings and moved into Cataract Canyon, where they now live. It is thus seen that these cliff and cavate dwellings are not of an ancient prehistoric time, but that they were occupied by a people still existing, who also built pueblos of the common type.

Later in the season the party visited the cavate ruins near Santa Clara, previously explored by Mr. Stevenson. Here, on the western side of the Rio Grande del Norte, was found a system of volcanic peaks, constituting what is known as the

Valley Range. To the east of these peaks, stretching far beyond the present channel of the Rio Grande, there was once a great Tertiary lake, which was gradually filled with the sands washed into it on every hand and by the ashes blown out of the adjacent volcanoes. This great lake formation is in some places a thousand feet in thickness. When the lake was filled the Rio Grande cut its channel through the midst to a depth of many hundreds of feet. The volcanic mountains to the westward send to the Rio Grande a number of minor streams, which in a general way are parallel with one another. The Rio Grande itself, and all of these lateral streams, have cut deep gorges and canyons, so that there are long, irregular table-lands, or mesas, extending from the Rio Grande back to the Valley Mountains, each mesa being severed from the adjacent one by a canyon or canyon valley; and each of these long mesas rises with a precipitous cliff from the valley below. The cliffs themselves are built of volcanic sands and ashes, and many of the strata are exceedingly light and friable. The specific gravity of some of these rocks is so low that they will float on water. Into the faces of these cliffs, in the friable and easily worked rock, many chambers have been excavated; for mile after mile the cliffs are studded with them, so that altogether there are many thousands. Sometimes a chamber or series of chambers is entered from a terrace, but usually they were excavated many feet above any landing or terrace below, so that they could be reached only by ladders. In other places artificial terraces were built by constructing retaining walls and filling the interior next to the cliff with loose rock and sand. Very often steps were cut into the face of a cliff and a rude stairway formed by which chambers could be reached. The chambers were very irregularly arranged and very irregular in size and structure. In many cases there is a central chamber, which seems to have been a general living room for the people, back of which two, three, or more chambers somewhat smaller are found. The chambers occupied by one family are sometimes connected with those occupied by another family, so that two or three or four sets of chambers have interior communication. Usually, however, the communication from one system of

chambers to another was by the outside. Many of the chambers had evidently been occupied as dwellings. They still contained fireplaces and evidences of fire; there were little caverns or shelves in which various vessels were placed, and many evidences of the handicraft of the people were left in stone, bone, horn, and wood, and in the chambers and about the sides of the cliffs potsherds are abundant. On more careful survey it was found that many chambers had been used as stables for asses, goats, and sheep. Sometimes they had been filled a few inches, or even two or three feet, with the excrement of these animals. Ears of corn and corncobs were also found in many places. Some of the chambers were evidently constructed to be used as storehouses or caches for grain. Altogether it is very evident that the cliff houses have been used in comparatively modern times; at any rate since the people owned asses, goats, and sheep. The rock is of such a friable nature that it will not stand atmospheric degradation very long, and there is abundant evidence of this character testifying to the recent occupancy of these cavate dwellings.

Above the cliffs, on the mesas, which have already been described, evidences of more ancient ruins were found. These were pueblos built of cut stone rudely dressed. Every mesa had at least one ancient pueblo upon it, evidently far more ancient than the cavate dwellings found in the face of the cliffs. It is, then, very plain that the cavate dwellings are not of great age; that they have been occupied since the advent of the white man, and that on the summit of the cliffs there are ruins of more ancient pueblos.

Now, the pottery of Santa Clara had been previously studied by Mr. Stevenson, who made a large collection there two or three years ago, and it was at once noticed that the potsherds of these cliff dwellings are, both in shape and material, like those now made by the Santa Clara Indians. The peculiar pottery of Santa Clara is readily distinguished, as may be seen by examining the collection now in the National Museum. While encamped in the valley below, the party met a Santa Clara Indian and engaged him in conversation. From him the history of the cliff dwellings was soon obtained. His statement was that originally his people lived in six pueblos, built of cut stone,

upon the summit of the mesas; that there came a time when they were at war with the Apaches and Navajos, when they abandoned their stone pueblos above and for greater protection excavated the chambers in the cliffs below; that when this war ended part of them returned to the pueblos above, which were rebuilt; that there afterward came another war, with the Comanche Indians, and they once more resorted to cliff dwellings. At the close of this war they built a pueblo in the valley of the Rio Grande, but at the time of the invasion of the Spaniards their people refused to be baptized, and a Spanish army was sent against them, when they abandoned the valley below and once more inhabited the cliff dwellings above. Here they lived many years, until at last a wise and good priest brought them peace, and persuaded them to build the pueblo which they now occupy—the village of Santa Clara. The ruin of the pueblo which they occupied previous to the invasion of the Spaniards is still to be seen about a mile distant from the present pueblo.

The history thus briefly given was repeated by the governor and by other persons, all substantially to the same effect. It is therefore evident that the cavate dwellings of the Santa Clara region belong to a people still extant; that they are not of great antiquity, and do not give evidence of a prehistoric and now extinct race.

Plans and measurements were made of some of the villages with sufficient accuracy to prepare models. Photographic views and sketches were also procured with which to illustrate a detailed report of the subject to be published by the Bureau.

~~WORK OF MR. JAMES STEVENSON.~~

~~After the investigations made in company with the Director, as mentioned above, Mr. Stevenson proceeded with a party to the ancient province of Tusayan, in Arizona, to study the characteristics of the Moki tribes, its inhabitants, and to make collections of such implements and utensils as illustrate their arts and industries. Several months were spent among the villages, resulting in a large collection of rare objects, all of which were selected with special reference to their anthro-~~

U. S. Department of the Interior : Press releases

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UNITED STATES
DEPARTMENT OF THE INTERIOR
MEMORANDUM FOR THE PRESS

RELEASE MONDAY DECEMBER 27, 1937.

The first step in an ambitious program to rehabilitate the Blackfeet irrigation project as a means of lifting this large and important Indian tribe to a level of economic self-sufficiency has been given the approval of Indian Commissioner John Collier, according to announcement today from the office of Secretary of the Interior, Harold L. Ickes.

The program is to be a joint federal-tribal enterprise and will be financed by a total of \$169,500 of federal and tribal funds. A noteworthy feature of the plan is that the program was initiated by the Blackfeet Indians themselves, acting through their Tribal Business Council.

It is one of the major aims of the program to make a start at ridding Browning, principal town on the Blackfeet Reservation, of a shacktown which has been in existence there for some years. As in the case of urban slums, Indian reservations have their shacktowns, and the Browning shacktown is typical in that it is inhabited by Indians who have been driven into destitution by years of drought and depression and who now exist meagerly on chance employment and relief. From this environment of poverty and desperation, it is planned that between 20 and 30 Blackfeet families will be removed to the irrigated lands which are to be placed in production as the result of the new program. There these families are to be given a new chance to achieve a decent standard of living.

By unanimous vote of the Tribal Business Council, the Tribe has agreed to use \$27,000 of its own tribal funds, and \$30,000 of funds borrowed from the revolving credit fund set up under the Reorganization Act, to assist in rehabilitating the canal system on the Two Medicine Unit of the irrigation project and to improve the land and provide facilities for the settlement of from 20 to 30 Indian families. For its part, the Office of Indian Affairs has agreed to use not less than \$60,000 of land acquisition funds, also authorized by the Indian Reorganization Act, to purchase lands now owned by whites, which previously had belonged to the Indians and which lie within the area of the irrigation project. Additional federal funds amounting to \$52,500 will be used to assist in restoring the ditches to their normal capacity and in subjugating the land and providing home and farm improvements. These funds come from an allocation of emergency relief money allotted to the Indian Office for rehabilitation work among the Indians and from funds appropriated for CCC work among the Indians. The Two Medicine Unit of the project on which the work will be initiated lies north of the town of Seville in the east central portion of the reservation.

Numbering approximately 4,300 Indians, the Blackfeet Tribe is the largest in the State of Montana and is one of the most important in the Great Plains area. The Tribe is among those which have approved the Indian Reorganization Act. Exercising its privileges under the Act, it has adopted a constitution and bylaws, approved a charter, and is now enjoying the many prerogatives of self-government which the Indian Reorganization Act provides.

Not only will the program which has just been embarked on open the way to the economic rehabilitation of the tribe, but it also calls for the preservation and development of the tribal water rights. The program is to be undertaken as

a joint Federal-tribal enterprise, with the tribe using its own money to match a considerable portion of the Federal funds which have been allocated to the project. It is notable that realization of the plan will be brought about in part by money made available through the Indian Reorganization Act.

At the last session of Congress, an appropriation of \$95,000 to rehabilitate the Blackfeet irrigation project was written into the Interior Department Appropriation Bill. The item, however, was stricken out prior to the bill's passage. As a result, the Blackfeet were brought face to face with the necessity of finding other means to develop and thereby preserve their only remaining water rights. The Tribe's rights to water in the northern portion of the reservation were relinquished some years ago. The tribal rights to water in the southernmost part of the reservation have been questioned. Only the rights to water from the streams forming the central watershed on the reservation remain. In 1924, the Bureau of Reclamation determined, following a suitable survey, that the Blackfeet Indians were entitled to 284,300 acre-feet of water for the irrigation of 119,550 acres of land. This determination was approved by the Department of the Interior. On the basis of the water rights so determined and approved, the Blackfeet irrigation project was commenced. Work was begun on four units which would eventually place 80,500 acres under the ditch. The project was never completed, however.

The Blackfeet Reservation, like other reservations parceled out in individual allotments, has for some years been experiencing a declining subsistence level. Land has been passing out of Indian ownership, incomes have been shrinking. At Blackfeet, especially, the situation has been critical and in recent years a

large proportion of the tribe has had to accept relief. The reservation lies just south of the Canadian Border and east of Glacier National Park, where the winters are long and severe and annual rainfall is scanty. Livestock must be the Tribe's main support, but in such a climate even the best grazing range must be supplemented by winter feeding. Hay for winter feed, to be profitably grown in an area of small rainfall, must come from irrigated land. The Black-foot Indians have enough water to raise hay in quantities sufficient to permit the grazing range to be stocked to capacity.

It is planned to select those families now existing precariously in the reservation's "shacktowns" who offer the best promise of carrying on successfully, and through the use of Federal and tribal funds resettle them on land in the irrigation project. The Two Medicine area will be only the first of several units which ultimately will be developed as further funds are made available.

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Recd. April 10, 1935
C.M.M.

DEPARTMENT OF THE INTERIOR
MEMORANDUM FOR THE PRESS

FOR RELEASE IN THE MORNING PAPERS
OF FRIDAY, APRIL 5, 1935.

The disbarment of F. G. Collett of San Francisco, executive secretary of the Indians of California Inc., from representing or acting as agent for any Indians before the Department of the Interior, was announced by Indian Commissioner John Collier at the conclusion of an extended hearing this morning before a subcommittee of the House Indian Affairs Committee. The order of disbarment, bearing the approval of Secretary Ickes, was based in part on the circulation among the Indians of California of a letter urging the Indians to reject the benefits of the Indian Reorganization Act, which letter bore the signature of Congressman Clarence F. Lea, of California. Congressman Lea did not sign and did not even know of the letter bearing what purported to be his signature. Collett admitted having sent it out, but claimed that it was signed with Congressman Lea's signature inadvertently.

In a sweeping denunciation of men whom he termed Indian racketeers who collect money from the poorest Indians on the pretext of being able to obtain millions for them, Commissioner Collier linked Collett with Purl Willis of San Diego, California, and Joseph Bruner, a Creek Indian of Oklahoma, as leaders in a movement to have the Federal Government withdraw its protective guardianship over Indian property and throw what is left of the once great Indian estate open to exploitation. Commissioner Collier supplied evidence to the subcommittee that Collett and Willis, with Bruner trailing, have been extending their operations from California to various parts of the Indian country, inducing a number of

individual Indians to make common cause with them, and that these white men have been fomenting and directing the activities of a small group of self-styled Indian "chiefs" who, he stated, for the last three months have voiced their opposition to the Administration's policy of fundamental Indian rehabilitation before the subcommittee.

The Commissioner denied that the Indian witnesses marshalled and guided by Collett, Willis and Bruner spoke for any tribe or considerable group, with perhaps two exceptions. He analyzed the statements and charges made by Willis, Bruner and a number of other witnesses guided by them, offering proof that these charges and statements were based either on ignorance of or on the wilful distortion of facts, to serve their individual selfish purposes.

UNITED STATES
DEPARTMENT OF THE INTERIOR
MEMORANDUM FOR THE PRESS

FOR RELEASE FEBRUARY 20, 1938.

Commissioner of Indian Affairs Collier today reported to Secretary of the Interior Ickes that the Mescalero-Apache Indians of New Mexico in three years have increased six-fold their gross earnings from cattle and sheep - an income of \$18,000 in 1935 expanding to \$101,000 in 1937.

Grain and feed, the total value of which was \$5,000 in 1935, likewise jumped in production and last year's harvest was worth \$40,500. To each of the Reservation's families accrued an income of \$1,058, exclusive of garden produce. To top it off, each family had built for itself a new home, not with money appropriated by Congress, but paid for out of an assignment of tribal earnings from the sale of timber.

To get this program under way, the Tribe had borrowed a total of \$242,200, of which \$163,000 came from the Revolving Credit Fund of the Indian Reorganization Act and the balance represented advances in rehabilitation funds and reimbursable livestock. At the close of business in December, this total indebtedness had been reduced by \$58,000, or at a rate of 24 per cent.

Commissioner John Collier said:

"These figures do not tell the whole story. What has happened to the morale of these Indians is the thing that really excites one's interest. In 1934 an Indian Bureau official reported that more than 600 out of 718 Indians residing on the Reservation were camped around the Agency in Tularosa Canyon, where they lived in tents, in brush tepees or in board shacks in conditions of

utmost squalor. Many of their hovels were vermin infested and disease-breeding. Their subsistence was derived from the lease money paid them by white lessees, supplemented by rations. Occasionally, there was a per capita distribution of tribal money - assets which had been liquidated. For years they had remained almost static numerically, any tendency to increase being offset by a high mortality rate, the result largely of their unsanitary living conditions and poor diet.

"When Superintendent E. R. McCray took over the Agency post in July, 1935, he inherited a situation which had often been deplored. Attempts had been made to induce the Apaches to use their farm and grazing lands. Individuals would be moved to farms in the outlying district, seed and stock would be purchased. Success was negligible. The Indians continued to look to the Agency for help and eventually they would drift back to the brush tepees on the Agency grounds."

Mr. Collier explained that the change came after passage of the Indian Reorganization Act of 1934. When told that the Act allowed them to make their own plans for the Reservation and set up a tribal government which would reflect their wishes, the Mescaleros became interested. By February 1936 they had written and adopted a constitution and bylaws, and in the following summer the Tribe became a chartered corporation in accordance with the new law. A Wool Growers' Association and a Cattle Growers' Association were organized. No Indian was permitted to take part in these associations who did not assume the responsibility of growing his own feed and assuming his share of the labor and expenses involved.

The Tribe's change in attitude has been reflected in several ways. In previous years their stock industry, such as it was, had been artificially

nurtured by Government support. By contrast, in 1937 the Mescaleros furnished their own feed and supplies, and with their own contributed labor kept fences in repair, cleaned out water holes, and rode range. When farms were assigned to individuals, it was with the understanding that the assignee would move away from the Agency. When farm buildings were erected, for which the Tribe assumed the financial obligation, the individual became responsible to the Tribe for operating the farm and for performing his share of community work. In their new homes, the Indians planted gardens. In this past season, over 5,000 quarts of fruits and vegetables were canned. Fields which had not been farmed for twenty years were planted. Oats and barley, their principal grain crops, averaged 45 bushels to the acre.

Law and order, for years a Reservation problem for which the Indians felt no responsibility, is being overhauled. The refusal of state courts to take jurisdiction in divorce cases resulted in irregular marital conditions. Federal law had no way of coping with this and other situations. In drafting their constitution and bylaws the Indians recognized the problem and provided for the establishment of a tribal court. More recently, the Tribe has drafted a law and order code making specific provision for the regulation of domestic affairs and the usual community problems.

In the future, there is reason to believe that the progress recorded in this past year will continue, Commissioner Collier reported. The Tribal Business Committee, which is an elected representative body, has made itself a real planning board. Everything that has been done thus far has been the result of recommendations of the Business Committee. Typical of the Committee's plans for the future is an irrigation system, construction on which is almost completed, which will insure feed in drought years for the expanding stock business.

Misc. 25.

UNITED STATES
DEPARTMENT OF THE INTERIOR
MEMORANDUM FOR THE PRESS

FOR IMMEDIATE RELEASE
December 31, 1937.

In the opinion of older members of the Water Buster Clan of North Dakota's Hidatsa, or Gros Ventre Tribe the threat of another drought and devastation by grasshoppers is going to be removed on January 14, next.

For two elders of the Clan, Foolish Bear and Drags Wolf, who speak nothing but their native tongue and have never before journeyed so far from home, are to come to Washington and to New York to recover the precious Sacred Bundle of the Water Busters.

Many months of negotiations looking to the restoration of the Bundle to the Water Buster Clan will culminate in New York on January 14, when Foolish Bear and Drags Wolf, accompanied by Arthur Mandan, Chairman of the Indians' Tribal Council, receive back their sacred medicine from the hands of Dr. George G. Heye of New York, head of the Heye Foundation and of the Museum of the American Indian. The ceremony of restoration is to take place at the ^{Heye} Museum at Broadway and 155th Street, New York City, at noon.

This Sacred Bundle, retrieved with the help of the Office of Indian Affairs and through the courtesy of the Heye Foundation will, the Water Busters believe, through its magic power guarantee rains and plenteous crops.

Commissioner of Indian Affairs John Collier, or a representative will be present at the ceremony to act for the Office of Indian Affairs. By an

agreement with Dr. Heye and the Museum authorities, the ceremony will include an exchange of relics. In return for the Sacred Bundle the delegates of the Water Busters are to present to Dr. Heye a Sacred Buffalo Medicine Horn, which has been in the possession of Foolish Bear's family for nearly two centuries and which is now regarded as one of the most valuable remaining possessions belonging to a member of the Clan.

The Water Buster Clan is one of several in the Hidatsa or Gros Ventre Tribe, whose present home is the Fort Berthold Agency in North Dakota. The ceremonial rites of the Water Busters, as their name implies, have always centered around rain making and the production of plenteous crops. Until some 30 years ago their Sacred Bundle was the focal point of these religious observations.

The origins of the Sacred Bundle are lost in the mists of antiquity and legend. Its history has been traced back at least 200 years, but probably goes back before then. According to the stories which the elders of the Tribe are fond of telling, the Bundle contains two skulls of Thunderbird deities who decided to come down to earth many, many winters ago, one of them having chosen to be born of a Gros Ventre woman and the other of a woman member of the Shoshone Tribe. The history then goes on to recall a bloody battle between the two tribes and of how the two Thunderbirds now turned human, made a compact that their skulls should be preserved and guarded by the Water Buster Clan. This was done, and all went well until sometime in the 1890's, when Slim Shin, senior member of the Water Buster Clan and guardian of the Sacred Bundle, died. His death occurred at a time when government pressure and missionary zeal were being combined to

put an end to so-called pagan rights among the Indians. The Water Busters were afraid to practice their old ceremonies. The Sacred Bundle was wistfully neglected. The time was ripe in 1907 for G. F. Wilson, a Presbyterian missionary, to approach Wolf Chief, son of old Slim Shin, with a proposition to purchase the Bundle. Though not a Water Buster, but a Prairie Chicken (inheritance being through the maternal line) Wolf Chief took it upon himself to sell the Bundle to Mr. Wilson, who later resold it to the Heye Foundation, in whose Museum it reposed until the negotiations undertaken by the Indian Office resulted in the present agreement for the Bundle's return in exchange for the buffalo horn.

The action of the Office of Indian Affairs in attempting to secure the return of the Water Busters' Sacred Bundle is in keeping with the present administration's insistence that full civil liberties, including those of religious belief, be accorded to the Indians. Instead of condemning and suppressing Indian customs, the Indian Office, under the present administration, constantly seeks to permit complete self-expression and self-determination.

The Water Buster delegates and the Chairman of the Tribal Council are expected to leave the Fort Berthold Agency about January 9 or 10 and will arrive in Washington about January 11 or 12. In Washington they will be greeted by Secretary of the Interior Harold L. Ickes and Commissioner Collier. From Washington they will go to New York for the ceremony of exchange and then will return to the Reservation via Washington.

UNITED STATES
DEPARTMENT OF THE INTERIOR
MEMORANDUM FOR THE PRESS

FOR RELEASE APRIL 10, 1938.

(Pictures available,
if desired)

"The Blackfeet Indian Tribe of Montana is on the way to real advancement through self-government", John Collier, Commissioner of Indian Affairs reported to Interior Secretary Harold L. Ickes after a long series of conferences between Indian Service officials and five delegates of the Blackfeet Tribe who came here to help work out an economic program for their people.

Displaying a real understanding of the economic problems with which they are forced to contend, the Blackfeet delegation has united on a program of rehabilitation which they will present to their people after their return to the Reservation in northwest Montana, Mr. Collier stated. The delegation discussed with Indian Service officials a plan by which the Tribe will use \$125,000 of tribal funds, first to buy land, ownership of which is complicated by inheritance, and land the Indians have lost to white settlers and, secondly, to advance credit to Indians who wish to expand their livestock industry and other means of production.

The program adopted by the tribal delegation in Washington is an example of the capacity of Indians to work out sound economic rehabilitation for themselves when opportunity and co-operation are offered by the Federal Government. Under the Indian Reorganization Act of 1934 and with the assistance of the Office of Indian Affairs, this economic self-development is going forward at Blackfeet.

The economic outlook of the Blackfeet Indians has been for many years a bleak one. Their Reservation, just east of Glacier National Park, is subject to high winds and bitter winters. Under the present system of use, its 1,207,000 acreage is insufficient for the 4,200 Indians who must look to it for a livelihood, and only a small portion of it is irrigated. The Indians have owned a comparatively small number of livestock, and a large part of the Reservation's grass is leased to outsiders. A few Indians have run their own cattle and sheep; most of them, however, have been eking out a living on rentals and work relief, unable to obtain the credit with which to launch enterprises of their own.

The new plan looks toward an expenditure by the Tribe of not more than \$50,000 to buy land and for the repair and construction of buildings on this land. The land will then be assigned or leased to members of the Tribe and receipts from the transactions will go back to the Tribe to be used for further acquisitions.

An additional \$50,000 of the Tribe's money will be used for a revolving credit fund from which the Tribe will make loans to individuals and co-operative groups. This fund will be supplemented by an Indian Service loan of \$50,000 from its general revolving credit fund, and the entire amount will be administered under the loaning regulations approved by the Secretary of the Interior. An additional sum of \$25,000 will be reserved by the Tribe for the development of supplementary credit sources.

One project which is already under way involves the rehabilitation of twenty families on the Two Medicine irrigation unit. Up to \$35,000 in addition to \$125,000 total mentioned above will be used to construct buildings, wells, fences,

and other improvements on twenty tracts, and loans will be made from the Tribe's credit fund for the purchase of livestock, machinery, and other items for operation. The Tribe is carefully selecting the clients for this project.

Actual authority to spend their tribal money must wait for Congressional approval, since all existing Indian tribal funds are on deposit in the United States Treasury and at the disposition of Congress. By virtue of its charter, approved by the Secretary of the Interior under authority of the Indian Reorganization Act, however, the future Blackfeet tribal funds, like those of other tribes similarly organized under the Act, may accrue to the tribal corporation and be available for expenditure for purposes approved by the tribal council.

As a part of the total plan for the Blackfeet Reservation, the irrigation system must be rehabilitated. The appropriation bill now pending contains an item of \$83,000 for this purpose. If the money is made available, work on the project will be launched immediately.

The five delegates who were in Washington presented an interesting cross-section of this colorful Tribe. Related closely to the great Piegan and Blood Indian groups living across the Canadian border, with whom they maintain friendly association, the Blackfeet today are some one third full-bloods and two thirds mixed in blood with whites. The five councilmen in Washington reflected this variation in background: the tribal council chairman, Stuart Hazlett, and Wright Hagerty have more white than Indian blood; Sampson Bird is a half-blood; and Eddie Big Beaver and William Buffalo Hide are full-bloods: all, however, are united in their hope for the development of self-determination among their people and the wise use of their assets. Sampson Bird was captain of the famous Carlisle football team of which Jim Thorpe was a member.

In their final interview with Commissioner Collier, members of the group expressed themselves as deeply appreciative of the interest of Indian Service staff members in their rehabilitation plans. "We thank you all, Mr. Collier", said Stuart Hazlett, chairman, "and we hope from the bottom of our hearts that this plan works out. We have been starved for credit, and this will give us a chance. We are convinced that this is the right thing to do with the money: there is no future for us if we keep dividing it up in per capita payments."

Department of the Interior

INFORMATION SERVICE FOR ADVISORY COUNCIL ON INDIAN AFFAIRS

June 18, 1924.

Final adjudication and settlement of conflicting titles affecting lands claimed by the Pueblo Indians of New Mexico will become accomplished facts as a result of the enactment of the Pueblo Indian law by Congress, Commissioner Burke of the Bureau of Indian Affairs declared at the Interior Department today.

"There are about 20 pueblos," he said, "involving a total Indian population of between 6,500 and 8,000. Each pueblo consists of about 17,000 acres of land, making a grand total of 340,000 acres.

"These Indians were found by Coronado and the first Spanish explorers in 1541, many of them residing in villages and occupying the same lands that the Pueblo Indians now occupy.

"The rights of these Indians to the lands occupied by them was recognized by the Spanish conquerors from early days. The first decree of record concerning them was issued by Spain, March 21, 1551, when they were ordered gathered into pueblos or towns. During the Spanish occupation of New Mexico some grants were also made to non-Indians by the Spanish Government. Upon the termination of Spanish sovereignty in this territory these Pueblo Indians came under the jurisdiction of Mexico, by the government of which they were given many political and civil rights. All of the land grants made to and held by the Indians have been and are now held in a type of communal occupancy and ownership. The relationship of the inhabitants of this territory and the Government of the United States was established by the treaty of Guadaloupe Hidalgo in 1848, and in 1859 Congress confirmed the Spanish grants to the Indians, subject, however, to any valid adverse rights, should any exist.

Read from 26, 1924

"The legal status of these Indians was not finally determined until 1913, when the Supreme Court of the United States passed upon the subject. Up to that time it had been assumed by both the Territorial and State courts of New Mexico that the Pueblos has the right to alienate their property. From earliest times also the Pueblos had invited Spaniards and other non-Indians to dwell with them, and in many cases Pueblos and individual Indians attempted to convey lands to non-Indians which under the decision of the Supreme Court they were not competent to do. As a result of this situation, conflicts as to title and right to possession arose and exists in many instances. There are now approximately 3,000 claimants to lands within the Pueblo grants. The non-Indian claimants with their families comprise about 12,000 persons. With few exceptions, the non-Indian claims range from a town lot of 25 feet front to a few acres in extent.

"To settle the complicated questions of title and to secure for the Indians all of the lands to which they are equitably entitled is the purpose of the legislation.

"The law provides for the establishment of a "Pueblo Lands Board" to consist of the Secretary of the Interior, the Attorney General, and a third member to be appointed by the President of the United States. The Secretary of the Interior and the Attorney General may act through assistants in investigations and deliberations conducted in New Mexico, with headquarters at Santa Fe. The duty of the Board is to investigate, determine, report, and describe the lands within the boundaries of any lands granted or confirmed to the Pueblo Indians by the United States or any prior sovereignty, title to which the Board shall find not to have been extinguished in accordance with the provisions of this act. It is required that the Board shall be unanimous in all decisions by which it is determined that the Indian title has been extinguished. The Board is also required to report upon each pueblo as a

separate unit and to file one copy of the report with the Attorney General, one with the Secretary of the Interior, and one with the Board of Indian Commissioners. Upon the filing of each report, the Attorney General is required to file a suit to quiet the title to the lands described in said report as Indian lands, the Indian title to which is determined by the report not to have been extinguished.

"In order to successfully maintain a plea of limitations, based upon adverse possession, under color of title, such adverse possession must have continued from January 6, 1902, to the date of the passage of this act, and must have been accompanied with the payment of the taxes lawfully assessed and levied thereon to the extent required by the statutes of limitations or adverse possession of the Territory of New Mexico, since the said date, except where the claimant was exempted or entitled to be exempted from such tax payment.

"Where the plea of limitations is based upon claim of ownership, but without color of title, adverse possession must be established from the 16th day of March, 1889, to the passage of the act and the claimant must have paid the taxes lawfully assessed and levied thereon to the extent required by the New Mexico statute of limitations from the 16th day of March, 1899, except where the claimant was exempted or entitled to be exempted from such tax payment.

"The legislation also further provides that nothing in the act shall impair any existing right of the Pueblo Indians to assert and maintain their title by proceedings in any court of competent jurisdiction, and to confer such jurisdiction upon the United States District Court for the District of New Mexico to hear such cases and a right of review from such decisions is provided for.

"The legislation provides further that all contracts entered into by the Pueblo Indians with attorneys shall be subject to the existing laws of the United States requiring contracts between attorneys and Indians to be approved by the proper Government officials.

"Since 1848 titles to these Pueblo lands have been in dispute. A way is now provided through the legislation recently enacted to provide for an early and definite settlement of all Indian and non-Indian claims to these lands. The law is eminently fair to the Indians, and also to the settlers. If the Board finds that the United States Government was negligent in not bringing proper suits to recover lands for Indians, by reason of which non-action such lands have definitely been lost to the Indians, compensation is to be made to the Pueblos for the value of such lands; the same may be said where any water rights have been lost to the Indians by reason of non-action of the Federal Government."

UNITED STATES
DEPARTMENT OF THE INTERIOR
MEMORANDUM FOR THE PRESS

1938
Probably
March

FOR IMMEDIATE RELEASE

Following the precepts of their ancestors with a faith as strong as life itself, Foolish Bear and Drags Wolf, aged members of the ancient Water Buster clan of North Dakota's Gros Ventre Indians, have come to the national capital to see the Great White Father in almost the last step of a journey which they and their people believe will bring merciful rain to a parched and thirsty land. An end to the rainless time will come, the Gros Ventres believe, when once again the Water Buster clan possesses the Sacred Bundle, a tribal relic whose loss in 1907 has been followed by such a period of drouth as none among them can remember. And it is for this that the long trip to Washington and New York was undertaken.

They have stopped in Washington to express to President Roosevelt, to Secretary of the Interior Harold L. Ickes and to Indian Commissioner John Collier, the great thanks in the hearts of the Water Busters, for the help and encouragement given by the government in the long struggle to re-acquire the sacred medicine, and will be greeted by the President on Thursday morning, January 13.

When they have received the Sacred Bundle in New York, the next day, they will return to Washington, perhaps to tell exactly when the great drouth will end.

Because neither Foolish Bear nor Drags Wolf speaks any but their native tongue, and because the ways of Washington and New York might seem strange to

these Indians, they are accompanied on the journey by Arthur Mandan, interpreter and chairman of the Indian Tribal Council.

The many months of negotiations looking to the restoration of the Bundle to the Water Buster Clan will be formally terminated in New York on January 14, when the Indian delegation receives back their sacred medicine from the hands of Dr. George G. Heye of New York, head of the Heye Foundation and of the Museum of the American Indian. The ceremony of restoration is to take place at the Museum at Broadway and 155th Street, New York City, at noon. William Zimmerman, Assistant Commissioner of Indian Affairs will be present. By an agreement with Dr. Heye and the Museum authorities, the ceremony will include an exchange of relics. In return for the Sacred Bundle, the delegates of the Water Busters are to present to Dr. Heye a Sacred Buffalo Medicine Horn, which has been in the possession of Foolish Bear's family for nearly two centuries and which is now regarded as one of the most valuable remaining possessions belonging to a member of the Clan.

The action of the Office of Indian Affairs in attempting to secure the return of the Water Busters' Sacred Bundle is in keeping with the present administration's insistence that full civil liberties, including those of religious belief, be accorded to the Indians. Instead of condemning and suppressing Indian customs, the Indian Office, under the present administration, constantly seeks to permit complete self-expression and self-determination.

The Water Buster Clan is one of several in the Hidatsa or Gros Ventre Tribe, whose present home is the Fort Berthold Agency in North Dakota. The ceremonial rites of the Water Busters, as their name implies, have always centered around rain making and the production of plenteous crops. Until some 30 years ago their Sacred Bundle was the focal point of these religious observances.

The origins of the Sacred Bundle are lost in the mists of antiquity and legend. Its history has been traced back at least 200 years, but probably is much older. According to the legend of the Tribe, the Bundle contains two skulls of Thunderbird deities who decided to come down to earth many, many winters ago, one of them having chosen to be born of a Gros Ventre woman and the other of a woman member of the Shoshone Tribe. After a great battle between the Gros Ventres and the Shoshones the two Thunderbirds now turned human, made a compact that their skulls should be preserved and guarded by the Water Buster Clan. This was done, and all went well until sometime in the 1890's, when Slim Shin, senior member of the Water Buster Clan and guardian of the Sacred Bundle, died. His death occurred at a time when government pressure and missionary zeal were being combined to put an end to so-called pagan rights among the Indians. The Water Busters, afraid to practice their old ceremonies, relaxed their ancient watchfulness. Then came a man, who profited by this neglect, born of fear. G. F. Wilson, missionary, in 1907, went to Wolf Chief, son of Slim Shin, with a proposition to purchase the Bundle. Wolf Chief, who was a Prairie Chicken and not a Water Buster, (inheritance being through the maternal line) secretly sold the Bundle to Wilson, who later resold it to the Heye Foundation, in whose Museum it reposed until the negotiations undertaken by the Indian Office resulted in the present agreement for the Bundle's return in exchange for the buffalo horn.

There is a story, too, that when the Sacred Bundle was spirited out of the camp of the Water Busters there was fearful commotion in the heavens. Suddenly a raging storm descended, striking, among others, the hurrying Wilson. The story, still told by whites and Indians, is that Wilson narrowly escaped

death in the storm. But he survived to continue his journey and from that day to this, say the Gros Ventres, the rain has not been as plentiful as in the days before the Bundle disappeared on that day in 1907.

This much is legend, gossip, and some people say, idle superstition. The record shows that annual rainfall in the land of the Gros Ventres for 30 years before loss of the Bundle was approximately $17\frac{1}{4}$ inches. Normal rainfall is $15\frac{3}{4}$ inches. In the 30 years after the Bundle disappeared the average annual rainfall has been about $13\frac{3}{4}$ inches. That's what the weathermen say.