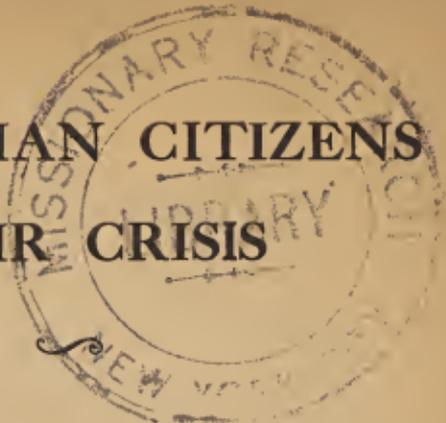


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Indians

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OUR INDIAN CITIZENS  
THEIR CRISIS

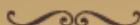


A Letter Addressed to the  
Presidential Candidates  
and  
A Supporting Statement





31 Bliss Building, Washington, D. C.



October 6th, 1928

Dear Sir:

This letter is addressed to you in the interest of the Indian subjects of the United States. We say "subjects" because though in form the rights of citizenship are accorded them, they are living under a despotism such as is unknown elsewhere in the Western World and such as it is inconceivable that the American people would tolerate if the facts were generally known.

That the record of our national conduct toward the Indians in the early days and down to the eighties was marked by shameless, cynical disregard of obligations, and equally shameless and cynical brutality under the guise of warfare or otherwise, has been known and forgotten since Helen Hunt Jackson published the "Century of Dishonor" in 1881.

What is not generally known is that the record of the past is being rivalled at the present day through similar violation of obligations, through the misuse and misapplication of property held in guardianship, through an arbitrary and tyrannical denial of the fundamental safeguards to life, liberty and property which the Constitution guarantees to other citizens of the land:—and finally, that the governmental Bureau to which we have entrusted our guardianship is, ignorantly or wilfully, annihilating its 250,000 wards through starvation enforced by the waste and misapplication of their income, through the creation of centers for the spread of disease, and through the denial of the health service that might serve, in some measure, to counteract the effects of its other activities.

Many, if not all, the facts upon which this arraignment is based have long been in the files of the Department of the Interior, in the form of reports of its field workers, in the form of surveys undertaken at its request. The last of these reports was delivered to the Hon. Hubert Work, then Secretary of the Interior, in February of this year by the Institute of Government Research as the result of a survey made at his request.

With this letter we are transmitting to you a copy of that report, and a summary, prepared by us, of the situation revealed by it, supplemented by information derived from other sources, which closes with our suggestion of the steps required to end the horror.

If you shall be elected to the Presidency of the United States, it will lie with you, in large measure, to determine whether the existing practices shall continue until they are terminated by the extinction of the peoples who have accepted our word of honor and entrusted themselves to our care, or whether they and the inspiring and spiritual civilization that they represent shall be permitted to survive.

In percentage of the population they are small. The economic effect of their extinction or survival on the people as a whole will be minimal, though a favored few will profit, as they are now profiting, by the process that leads to extinction. But in the conservation of the honor of the American people, and in relieving them from the imputation of barbarous inhumanity, the effect looms large.

For this reason we deem it a patriotic duty to call the facts to your attention and to ask—first, what, if elected, you will do about them; second, whether you will adopt or favor any or all of the remedial steps which we propose?

Very respectfully yours,

THE AMERICAN INDIAN DEFENSE ASSOCIATION,

By HAVEN EMERSON, M.D., *President*

120 East 62nd Street, New York

STATEMENT OF THE SITUATION OF THE  
AMERICAN INDIANS  
AS AFFECTED OR DETERMINED BY  
GOVERNMENTAL POLICIES  
AND  
ACTION  
WITH SUGGESTIONS OF  
REMEDIAL LEGISLATION  
AND  
ADMINISTRATIVE PROCEDURE



*Submitted by*  
THE AMERICAN INDIAN DEFENSE ASSN., Inc.



## STATUS OF THE INDIANS

To an appreciation of the governmental responsibility for conditions, a realization of the status and of the helplessness of the Indians is essential.

Broadly speaking it may be said that they have no property rights that Congress is compelled to respect.

Treaty covenants, even when confirmed by act of Congress, convey no rights which Congress may not infringe. (*Cherokee Nation vs. Georgia* and *Peters I. Lonewolf vs. Hitchcock* 187 U. S. 533).

The reasons assigned by the Court for this conclusion is that the obligations are political and as such inscrutable by the Courts.

Broadly speaking, the Indians are regarded as wards of the government. Their property, whether tribal or individual, is subject to guardianship control.

The ultimate guardian is the Federal legislature.

By legislative acts that guardianship has been delegated to the Department of the Interior—sometimes with plenary powers; sometimes with limitations on the powers.

These powers of the Department of the Interior are executed by the Bureau of Indian Affairs.

Not only are the Indians divested of control of their property but they are without right to challenge the dispositions made by the guardian or to demand an accounting. (An apparent exception presents itself when the Department of the Interior exceeds its authority—and might present itself in a case of gross abuse of discretion.)

For instance, if Congress chooses to expend \$400,000 of Indian tribal funds on a bridge over a corner of an Indian reservation, desired by private white interests and of no use to the Indians, there is no power to prevent it from making that disposition.

Equally, the Indians are powerless to draw on their own funds to supplement the inadequate food provided in government boarding schools even though the inadequacy amounts to starvation.

The extent to which, in theory of law, they are entitled to benefits of due process of law or other rights pertaining to life and liberty under the Constitution is still subject to question. In practice the rights which apply in general to white citizens are systematically denied, and denied under color of law (see *infra*).

The Federal jurisdiction is exclusive. Health and educational or other services can be extended to the Indians on the reservations only with the consent of Congress.

In a word, the Indians are a dependent people at the mercy of the Federal Government.

## THE HISTORICAL RECORD

To say that the record is disgraceful is an understatement. It has been a disgrace from the beginning. With rare interludes, it has been disgraceful through all administrations.

The horrors of today may perhaps be paralleled by horrors in the past.

The past is irrevocable. The present and future lie in our hands.

The administrative responsibility has centered, and centers, in the Secretary of the Interior and the head of the Bureau of Indian Affairs. Congress, perforce, has been and is influenced by the information and advice, whether accurate and ingenuous or otherwise, received by it from the Department.

In our opinion, it is incredible that if Congress had had the facts, it would not have taken immediate steps to remedy or, at least, to alleviate the worst situations and to arrest the worst abuses.

## WHAT ARE THE PRESENT FACTS?

### I

## STARVATION OF INDIAN CHILDREN

Except as otherwise indicated, the facts recited under this and other headings are taken from the report of the Institute of Government Research.

That report was the result of an investigation made at the request of Secretary Work. (See title page.)

It was submitted to him on February 21, 1928. (See title page.)

It was conducted by a staff of special investigators under the direction of Mr. Lewis Meriam.

The investigation was begun on November 12, 1926. (See letters of transmittal, page 7.)

Much of what it reported was already in the files of the departments as the result of a survey made by the Red Cross in 1924 at the request of the bureau. (Page 262.)

The report bears internal evidence of a disposition to deal as leniently as possible with the Bureau and to shift responsibility to Congress on the score of "lack of funds." (Page 262 and elsewhere.)

The report contains among other things "*Recommendations for immediate action.*"

The first of these is:

"To seek from Congress *at the earliest possible moment* an appropriation of one million dollars to be immediately available."

In the recommendation the purposes of the appropriation is stated euphemistically

"To improve the quantity, quality and variety of diet available for Indian children in boarding schools."

The text of the report reveals that this euphemism is a substitute for

"To save 27,000 Indian children from starvation."

That report reached the Secretary on February 21, 1928. It was released to the public only after Congress had adjourned. It was not called to the attention of Congress by the Secretary. It could not have been called to its attention by any one else. No appropriation was sought and thus the continuance of the condition was ensured for another twelve months.\*

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\* The continuance of these conditions was assured by a provision inserted in the urgent deficiency bill that "The total of the expenditures during the fiscal year 1928 and 1929 shall not exceed for any boarding school the total of the limitations as specified for such school for the fiscal years 1928 and 1929 in the Interior Department appropriation act for such fiscal years. Officials of the Indian Bureau were before the Appropriations Committee while this provision was being inserted.

*What are those conditions, baldly stated?*

1. There are over 27,000 Indian children in Government boarding schools operated by the Bureau.

2. They are there under the compulsion of an education statute which is enforced. (Under this compulsion the children are sent to schools usually far away from their homes, and kept separated from their parents from the 6th to the 18th year.)

3. The average daily food allowance per child is 11 cents per day (supplemented in some instances by produce from the farm—page 327); 9 cents in one case where there was no farm (page 327); (35 cents might approximate adequacy; page 320).

4. The result was a general condition of "malnutrition," (polite for semi-starvation). The children were so exhausted that they hadn't even sufficient energy to play when allowed outdoors for that purpose. (Page 327.)

## II

### UNDERNOURISHED CHILDREN EXHAUSTED BY LABOR SUCH AS WOULD BE FORBIDDEN BY STATE LAWS

"Overactivity resulting from the half day of school and the half day of labor is found among almost all children in Indian boarding schools except the very youngest." (Page 331)

"The idea of adjusting the child's duty to his physical ability is practically unknown in the Indian school."

"The amount of work is almost unlimited and the children must do it." (Page 331)

"Generally speaking, the Indian child's day begins at 6 A.M. and continues for the smaller children in some schools until 7 P.M., and for the other children until 9 and 10 P.M. Theoretically, one-fourth of the older child's time is devoted to industrial activities supposedly educational and not connected with the routine labor of the schools." (Really detrimental to education; page 332.)

"In practice, much of the industrial work is undertaken for production and not for education." (Page 334)

"The term 'child labor' is used advisedly. The labor of children, as carried on in Indian boarding schools would, it is believed, constitute a violation of Child Labor laws in most states." (Page 576)

"Obstreperous children" are often incarcerated in a "jail" worthy of the name. (Page 332) Whether those who fall by the wayside in connection with their enforced labor are regarded as obstreperous the report does not reveal.

## III

### STARVING AND OVERWORKED CHILDREN DEBILITATED BY UNSANITARY CONDITIONS AND OVERCROWDING WITH RESULTANT SPREAD OF TUBERCULOSIS AND OTHER COMMUNICABLE DISEASES

"The Indian children in boarding schools are generally below normal in health as compared with white children. The boarding schools are generally crowded beyond their capacity so that the Indian child does not have sufficient light and air." (Page 192)

"Every available space that will accommodate beds is often pressed into service. Thus children are frequently quartered on attic floors in closely placed beds with the same lack of light and air. Not infrequently in these attic dormitories the fire hazard is serious. In a school recently renovated, for example, 70 girls were quartered on the 3rd floor in a building of temporary construction. The only fire escape was located off the stairway at the rear of the building. The entrance to this escape was securely locked and the matron kept the key . . . locked fire escapes and nailed windows were sometimes found in girls' dormitories." (Page 316)

"In one case, only two toilets were found in order for 80 girls." (Page 317)

"The majority of the classroom buildings are not provided with sanitary facilities." (Page 322)

Children with infectious diseases cannot under these conditions be segregated. "Contagious diseases under these conditions have almost free scope." (Page 192)

"At one of the leading schools, medical examinations of the children were seen being put through at the rate of 72 an hour." (Page 192)

"The prevalence of tuberculosis in the boarding schools is alarming." (Page 206)

"Children in advanced stages of tuberculosis are frequently returned from the boarding schools to their own homes, where no adequate provision is made for their care or for the protection of other members of the family from contagion." (Page 206)

#### IV

### INDIAN CHILD LABOR IN DEADLY ENVIRONMENT OUTSIDE THE BOARDING SCHOOLS

"It has been customary in the past\* to recruit a considerable number of boys each summer to Colorado and Kansas for work in the beet fields." (Page 524)

This is "vacation work."

"Many of the children sent out for this work were 11 years of age." (Page 690) No escorts were sent out with these children. (Page 590)

"Children from one school averaged 9 cents a day *net* for their work. In another the average was less than 12 cents, while in another it rose as high as 45 cents." (Page 523)

The work is "tedious" and must be done in a "stooping position."

"Health and social conditions in the camps are far from satisfactory." (Page 525)

"The work starts during the school session." (Page 525)

This from the report.

From other sources we know, and the Interior Department knew, that seven of the children contracted typhoid. (They had not received the vaccine because they were thought to be tuberculous.) These cases were not hospitalized. They were dumped into an Indian Bureau truck and driven 700 miles to the

\* The past was extended into the summer of 1928.

boarding schools from which they had been recruited. This was in 1927. In 1928 the children have again been sent out without precautionary vaccination.

## V

### INDIANS DENIED THE EDUCATION FITTING THEM EITHER TO LIVE ON THEIR RESERVATIONS AND UTILIZE THEIR OWN RESOURCES OR TO COMPETE IN THE WHITE WORLD

Undernourishment, exposure to disease, and child labor in the Indian schools are dealt with *supra*. The Institute's report exhibits at great length that these schools likewise fail to educate: they fail by academic standards, by vocational standards and by moral standards.

"Agriculture at an Indian school is rarely taught in terms of what an Indian boy will need when he gets out." (Page 384)

"The present system of Indian education not only fails to prepare girls for earning but also tends to disqualify them because it interferes with the development of traits of character essential to success." (Page 644)

"The range of vocational opportunities in the Indian schools is singularly limited." (Page 387)

"Students are generally sent out from school with a training inadequate to enable them to earn a living in competition with white workmen." (Page 527)

"Vocational guidance is frequently stressed but scarcely anybody in the Indian Service has any real conception of what guidance means, to say nothing of real training in this field." (Page 372)

The per capita expenditure on Indian boarding schools, in terms of the purchasing power of the dollar, has actually been *reduced* forty per cent in recent years. "To have maintained the standards of some years ago," the Institute states, "the boarding school per capita, instead of \$225 (the actual figure) should be over \$375."\* (Page 428)

"The whole machinery of the routinized boarding-school and agency life works against the kind of initiative and independence, the development of which should be the chief aim of Indian education in and out of school." (Page 351)

"These things are bad" (overcrowding, lack of privacy, lack of food, lack of cleanliness in the schools), "but even more serious are the standards of education and training represented by the personnel . . . The employees are as a rule not qualified for work in educational institutions." (Page 624)

"In almost no case could a reasonably clean bill of health be given to any one school . . . The generally routinized nature of the institutional life with its formalism in classrooms, its marching and dress parades, its annihilation of initiative, its lack of beauty, its almost complete negation of normal family life, all of which have disastrous effects upon mental health and the development of wholesome personality." (Page 393)

"The Indian Service farmers" (who are supposed to instruct and organize the adult Indians in agriculture) "although they are employed theoretically to teach the Indians farming, usually have no knowledge whatever of teaching, and but very little of farming." (Page 540)

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\* Merely to equalize the diminished purchasing power of the dollar—not to provide an adequate standard.

"The government has in effect destroyed Indian tribal and community life without substituting anything valuable for it." (Page 400)

In contrast to the \$225 allowed by the Federal Government is the boarding school for Indians maintained and supported by New York State on the Cattaraugus Indian Reservation. "The per capita expenditure of this school is \$610," reports the Institute. (Page 428)

## VI

### DISEASES, COMMUNICABLE AND OTHER, FOSTERED BY NEGLECT ON THE PART OF THE GOVERNMENT AND BY THE EXCLUSION OF OTHER AGENCIES

In dealing with mortuary and health statistics among the Indians it is to be remembered that the policy of the Bureau has been both to exclude state and other agencies, and to avoid or limit cooperation even with the available Federal agencies.

Therefore the responsibility for conditions rests squarely on the Bureau. What are the conditions?

#### (1) Death rate

The average death rate of the Indians is  $2\frac{1}{4}$  times that of the general population (including Indians and Negroes) (Page 200)

#### (2) Tuberculosis

"The Indian tuberculosis death rate is 6.3 (630 per 100,000) as compared with 0.87 (87 per 100,000) for the registration area. The Indian death rate from tuberculosis in Arizona is 15.1 (1510 per 100,000), or more than 17 times as high as the general death rate for the country as a whole.\* With all the known inadequacy of the reports, the Indian Service statistics show more than 7 times as many deaths from tuberculosis in each thousand of the estimated Indian population as reported in each thousand of the general population in the death registration area." (Page 201)

These statistics taken from the Institute report relate to the year 1925. (Page 200)

The year 1925 is one in a series of progressive increases of Indian death rate, beginning with the year 1921. The figures taken from the Federal census for the entire registration area show the following progressive increase in the Indian death rate while the death rate of the country at large remained virtually stationary, at about 11.8 per thousand

|           |  |
|-----------|--|
| 1921..... | 17.5                                       |
| 1922..... | 19.2                                       |
| 1923..... | 22.5                                       |
| 1924..... | 25.9                                       |
| 1925..... | 28.5 (the last year of census compilation) |

or an increase of 62 per cent in a period of five years.

A continuance of these conditions spells the extinction of the race—since the birth rate is only 25.1.

\* In Wisconsin it is  $40\frac{2}{3}$  that of the tuberculosis death rate of the State. (Table 4, page 200)

What are the causes that produce these results?

There are three—

1. The poverty to which the Bureau has reduced the Indians, resulting in increased exposure, increase in malnutrition, and thus in increased susceptibility to disease and its neglect. (For details see *Infra* page 15)

2. The spread of communicable diseases from the boarding schools. (See *Supra* page 8)

3. The lack of medical attention. In dealing with this subject it is to be remembered that the only medical attention that reaches the Indian is that which the Bureau permits him to receive. State or other Federal agencies are excluded or limited.

Now for the Institute report:

"For some years," states Dr. Edwards (he refers to the years since 1923) "it has been customary to speak of the Indian medical service as being organized for public health. Yet the fundamentals of sound public health are still lacking." (Page 190)

And now comes the Institute's report. Horrifying conditions were revealed by the Red Cross study of 1924—revealed to the Interior Department and then hidden. Now Dr. Edwards reports that he finds identical conditions—(page 262)—and he multiplies the exhibits of horror. A very few quotations are given.

"No sanitarium in the Indian service meets the minimum requirements of the American Sanitarium Association. Not a single institution maintains a complete case record of its patients." (Page 287)

"At the present time no hospital has an X-ray unit. In some few cases one may find a microscope, but ordinarily their appearance indicates infrequent use. This observation is further substantiated by the universal lack of records of such work on the meager clinical sheets." (Page 282)

"On one reservation, and one only, was it claimed by the Bureau officials that complete case records, family or individual, were maintained. But 'the physician who had maintained such records had been transferred to another field, and these records were not available for examination.'" (Page 233)

"The drug supplies on the shelves of practically all reservation dispensaries and hospitals are of a doubtful character and are far in excess of the present needs. Much of the stock is of a perishable nature, long since deteriorated, and of uncommon drugs seldom if ever used. At Zuni, for example, ten pints of fluid extract of argot were found, enough to supply the entire Indian service." (Page 251)

"On all reservations visited (Dr. Edwards visited fifty-five reservations) the Indians were observed coming to the doctor's office and asking for medicine either for themselves or for friends or members of their families. The Indian, almost without exception, is given the particular drug he requests or a substitute of some sort without being asked more details about the malady present. Physical examinations are almost never made in these cases." (Page 234)

## INDIAN POVERTY AND ITS CAUSES

Contrary to the impressions industriously inculcated by speeches of Bureau officials the Indians are miserably poor.

"An overwhelming majority of the Indians are poor, even extremely poor."  
(Page 5)

"The standard of living is almost unbelievably low. Almost nothing is spent for shelter and firewood and very little for clothing and food; many houses were visited where there was almost no food on hand." (Page 448)

Once they were rich in lands, timber and natural resources. These resources administered by an ordinarily prudent guardian would have insured to most of them a very substantial income.

Their resources have been and now are constantly being wasted.

But competent administration of what remains would, with respect to most of the tribes, insure a decent standard of living. (Note)

NOTE: The Indian property handled by the Bureau, subject of course to ultimate Congressional authority but without accountability to the Indians or adequate accountability to anyone else, is stated by the Commissioner of Indian Affairs to be \$1,693,000,000. Nearly \$1,000,000,000 of this total consists of "estimated oil and mineral values."

The income of individual Indians which is handled yearly by the Indian Bureau without accounting, is not less than \$42,714,408. The tribal income, handled by the Bureau but subject to appropriation by Congress, is not less than \$26,932,680. (These sums, of course, do not reach the Indians, directly or even indirectly, save in greatly diminished part). An average of \$2,000,000 additional is appropriated yearly by Congress for public improvements; to be subsequently deducted from the trust-administered income. And the Congressional appropriation against the tax-budget (gratuity, and fulfillment of treaties) is around \$11,000,000. Thus, the Indian Bureau handles more than \$82,000,000 a year. (These figures, from Report of the Institute for Government Research, p. 106, p. 449 et seq.)

## VIII

SPOILIATION OF THE INDIANS AND WASTE  
OF THEIR PROPERTY\*

In theory of law, the Federal Government is the guardian of the funds and property of the Indians.

By virtue of statutes enacted upon that theory their funds and property are held in trust and are administered in the main by the Bureau as the agency to which the trusteeship is entrusted.

From time to time, however, Congress itself, either by permissive or by mandatory statutes, influences or controls the conduct of the trusteeship. Usually, however, when Congress acts directly, it acts either at the instance of, or with the advice of, the Bureau.

It is unnecessary to stress the point that consideration of good faith and respect for the national honor require that the trusteeship be exercised in the

\*(This subject is not discussed by the Institute's report)

interest of the wards—that their property be conserved, in the same manner as the property of a private individual would be required to be conveyed by a private trustee, that it be not given away or employed for purposes foreign to the interests and welfare of the Indians.

It would seem elementary also that the Indians as wards should have with respect to their guardian the same advisory and supervisory rights and privileges as are accorded to private wards with respect to private guardians, i.e.,

A right to hold the guardian accountable for the administration of their funds.

A right to periodic accountings (annually at least).

Access to the Courts to enforce accountability.

The right of representation before the Courts by counsel of their own choosing—or if their fitness to choose their own counsel is questioned, to counsel selected by them and approved by the Courts.

The correlative right to the payment of such counsel out of their own funds, with Court control of the payments.

A practice which would accord them similarly the privilege of a hearing and the selection of their own spokesman before Congress and the Department on all matters affecting the disposition of their own funds, and within limits a veto on uses of those funds to which they disapprove.

*All these rights and privileges are denied them today, with insignificant exceptions in the case of New York State and Oklahoma Indians.*

Even their right to dispose of property by will is subject to the whim or caprice of the Bureau.

To detail the abuses which have arisen under these conditions, would unduly expand this statement, since each of the many instances would require elaborate recitals and explanations.

For present purposes, it may suffice to state the salient facts of a few instances from the standpoint of the Indians, since such a statement, will we think, make manifest the necessity of a change of system such as will assure them at least a day in Court.

1. Bridges useless to the Indians, though desired by the white tourist or others, at cost respectively \$100,000 and \$400,000, and charged to Indian funds, described by Senator Bratton of New Mexico as "unjust and iniquitous" and by Senator Cameron of Arizona as "highway robbery."

2. Legislation sanctioned by the Bureau to deprive the Pueblos of New Mexico of the lands necessary to maintain their continued existence and to transfer it without compensation to white settlers.\* (Bursum and Lenroot bills).

3. Leases of Indian farm and grazing lands, and sale of timber rights, without competition, and against the protests of the Bureau's own inspectors on

\* The bills were narrowly defeated through the action of friends of the Indians. Subsequent legislation allowing compensation was put through.

the spot. The details are in the Bureau's files. The public attitude of the Bureau is revealed in its opposition to bills requiring such leases to be accorded only after appraisal, through competitive bidding with public record and with Court review in the instances where Indians are put off their lands in order to lease it to whites.

4. The exercise of such control of the property of the Indians that even where they have means to supplement the starvation diet of the boarding schools, they are helpless to apply it for that purpose.

5. Not to mention such scandals as are revealed in the decision of Barnett vs. The Equitable Trust Co. where a missionary society was compelled to restore \$550,000 of a "gift" to it made with the personal sanction of the present Commissioner of Indian Affairs, by an aged illiterate Indian reported by the Bureau's own agents as a half wit, as part of a scheme to divide his fortune between the missionary society and a white woman who was alleged to have married him after she had made him drunk. (See opinion of Judge Knox U. S. District Court, S.D.N.Y. August 9, 1927)

## IX

### UNDER THE POLICE POWERS EXERCISED BY THE BUREAU THE INDIAN IS SUBJECTED TO AN ABSOLUTE DESPOTISM

Under charge of any of eight major offenses the Indian is entitled to trial before the Federal Courts.

Over all other offenses the Superintendent, a Bureau official, or his designee has exclusive jurisdiction.

For such offenses he can imprison without warrant before trial. Upon trial of such offenses, he sits as prosecutor, judge and jury. At the termination of the trial his judgment is final. From it there is no appeal save to the Secretary of the Interior. The punishments that he may mete out extends to incarceration for indefinite periods (as he may prosecute, judge and re-convict at will) at hard labor. In practice the punishment is often confined to forced labor—thereby the trouble and expense of housing the prisoner is saved.

These "judicial" and punitive powers the Superintendent may delegate and in practice often does delegate, often to subservient Indians, who receive an emolument of \$10 a month for their judicial services.

But even this does not complete the picture of despotic power.

The offenses for which punishment may be meted out are embodied not in statutes of the United States but in a departmental code of regulations which if published at all is published only fragmentarily.

Nowhere in the Western World, we believe, is such tyranny tolerated.

For several years attempts have been made to curb these powers and to accord the Indians the rights to due process of law. Bills to that effect have been introduced. Up to the present the Bureau, jealous of its autocracy, has succeeded in defeating them.

## WHAT THE SITUATION DEMANDS

1. The abolition of all arbitrary powers of the Indian Bureau over Indian property and person.

2. The extension to the Indians of the safeguards to life, liberty and property accorded under the Constitution to all citizens of the United States.

3. The continuation and fulfillment of the obligations of United States guardianship, with a full acceptance of the responsibility.

4. The establishment of machinery to enforce that responsibility by according to the Indians:

(a) The right to be consulted as to the disposition of their property with the right to veto any use of which they disapprove.

(b) The right to an accounting by the Bureau or other agency representing the guardianship.

(c) A right under general statutes to apply to the Courts to restrain or require reimbursement for violation of their rights.

(d) The right to be represented in all proceedings by counsel of their own selection (subject, if it be deemed necessary, to the courts' approval of such counsel); to require the Bureau to pay or advance to such counsel, from the Indian funds, such counsel fee and expenses as the court may direct.

5. The abolition of the criminal jurisdiction of the Bureau, the enactment of a statutory code of minor offenses, and the erection of tribunals with a reviewable procedure involving all the requirements of due process of law.

6. Amendment of the Allotment Statutes: To bring to an end the forced sale of Indian heirship lands, to regulate the sale and lease of allotted lands, to bring the question of the competency of allotted Indians within the purview of the courts, and to insure to Indians the right to make valid wills and testaments.

7. The introduction of humane and enlightened methods in the treatment of health and educational problems, including:

(a) The immediate provision of sufficient food for the school children,

(b) The rehabilitation or reconstruction of the school buildings that they may be adequate in space and in sanitary provisions,

(c) The abolition of industrial labor by the children,

(d) The abandonment of the practice of separating the children from the parents over long periods,

(e) The provision of adequate medical and nursing service in the schools,

(f) Provisions for a curriculum adapted to the needs of the Indian children with a competent instructing staff,

- (g) The extension of the educational system to accord the Indians a higher education whether through scholarships in state schools and universities, or otherwise,
- (h) The creation of day schools in adequate number to supplement the boarding schools,
- (i) The extension of an efficient health service among adults as well as children.

8. The extension of agricultural and other suitable instruction to the adults to enable them, or to assist them, in becoming self supporting.

9. The provision—at least, and immediately, so far as their own income will permit—of the capital or credit necessary to enable the Indians to render their lands productive.

10. The repeal of those reimbursable debt charges against Indians which have not been incurred for Indian benefit.

11. In general, coordination of all appropriate Federal agencies to those ends, and cooperation with the State authorities or relevation of administration to the States, in so far as that course shall appear to be feasible and advantageous to the Indians in all matters affecting health, education, agricultural aid, and humanitarian relief.





