

Emancipated Citizenship for American Indians

HEARINGS

BEFORE THE

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COMMITTEE ON INDIAN AFFAIRS

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ON

H. R. 12576

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EMANCIPATED CITIZENSHIP FOR AMERICAN INDIANS

FRIDAY, FEBRUARY 27, 1931

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INDIAN AFFAIRS,
Washington, D. C.

The committee this day met, Hon. W. H. Sproul, presiding.

Mr. SPROUL. The committee will consider itself in order. We will take up for consideration H. R. 12576, a bill providing for teaching, training, developing, qualifying, and emancipating the Indians of the United States for independent citizenship, and for other purposes, within the period of 50 years.

(The bill referred to is as follows:)

[H. R. 12576, Seventy-first Congress, second session]

A BILL Providing for teaching, training, developing, qualifying, and emancipating the Indians of the United States for independent citizenship, and for other purposes, within the period of fifty years

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy and purpose of the Congress to provide for teaching, training, developing, and qualifying the Indians of the United States, as early as possible, to become industrious, self-reliant, qualified, independent, and self-maintaining citizens of the United States. And it is further declared to be the policy and purpose of the Congress to provide at once for entering upon and continuing such intensive and comprehensive training, developing, and qualifying of said Indians for capable, independent citizenship that within the period of fifty years further guardianship by the United States over the Indians and their property shall be unnecessary, and, therefore, discontinued.

Sec. 2. That in order to carry out the purposes of this act a Commission on Indian Education is hereby created, which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Labor, the Commissioner of Indian Affairs, and the Commissioner of Education, of which commission the Secretary of the Interior shall ex officio be chairman.

Sec. 3. That such Commission on Indian Education shall cause to be prepared such curriculum, course of teaching, study, and training as in its judgment will be necessary for use in teaching, training, and developing the Indians to be independent, self-supporting, qualified citizens.

Sec. 4. That to carry out the purposes set forth in this act special training or normal schools shall be provided for Indian teachers at such places and for such length of time as may be determined necessary by said Commission on Indian Education, for qualifying said teachers to teach, train, and develop the Indian students in accordance with such curriculum and course of teaching and training as shall from time to time be provided by, or under the direction of, the Commission on Indian Education.

Sec. 5. That the said Commission on Indian Education shall select and employ such normal-training teachers to specially instruct the Indian teachers of the Indian schools what and how to teach, to develop and to train the Indian students to become qualified for independent, self-reliant, self-supporting citizens of the United States in accordance with the purposes of this act. And the said commission shall fix and determine the salaries to be paid said normal-training instructors, which salaries shall be paid as the salaries of other Indian teachers.

Sec. 6. That among the elements embraced in the qualifications for citizenship sought by this act to be developed in the Indian students and which shall be

taught are: Industry, continuity of effort, loyalty, efficiency, perseverance, ambition, economy, business administration, neatness, sobriety, truthfulness, integrity, self-preservation and protection, law observance, self-reliance, self and family support, participation in governmental activities, mental growth and development, and love of country.

SEC. 7. That fifty years from and after the approval of this act the United States shall cease to be the guardian of the Indians, and all Indians shall then and thereafter be regarded as independent, qualified citizens of the United States, with the same liberties, privileges, immunities, and responsibilities as other citizens.

SEC. 8. That as the Indians become qualified for independent citizenship, as determined by the Secretary of the Interior, such Indians shall, upon their application, or upon the initiative of the Secretary of the Interior, be given a certificate of independence and competency.

SEC. 9. That the special education, training, and development of the Indians, as herein provided for, shall continue until all the Indians become qualified for self-support and citizenship, or until the expiration of fifty years.

SEC. 10. That it shall be the duty of the Secretary of the Interior to preserve and protect all the property of each Indian, and upon such Indian arriving at the state of competency for independent citizenship the Secretary of the Interior shall deliver over said property to such Indian when he shall have received his competency papers.

SEC. 11. The Secretary of the Interior shall make all necessary rules and regulations for carrying out the purposes of this act.

MR. SPROUL. I will state that for 47 years I have lived within a distance of from 8 to 12 miles of several Indian tribes and their reservations.

For 11 years my home was within 12 miles of the Oklahoma line, and for 36 years I have lived within 8 miles of the Oklahoma line and reservations of Indians. During those years I have seen much of the Indian life, both of those Indians who have lived in my district and of Indians whom I have met in different parts of Oklahoma, the Northwest and the Southwest of the United States.

I have given some special attention to the character of the life of Indians living on the reservations and elsewhere, and have talked with them with reference to the kind of governmental life the Indians have on the reservations.

Since coming to Congress I have served eight years on the Committee on Indian Affairs and have made a brief of Indian affairs law in order to learn the legal and constitutional relationship of the Federal Government to the Indian tribes and restricted members.

I have looked into the question of qualifying the Indians for emancipation and independent citizenship, and have given a lot of attention to the character of education the Government is giving the Indians; and have noted that little progress has been made in securing the qualification of Indians for real, independent, capable citizenship. I have determined that the Indians require a different character of education and training from what the whites require, to qualify them for the responsibilities of life and independent citizenship.

My experiences with the subject of Indian affairs have led me to introduce H. R. 12756.

From reading the bill, without any explanation, one would probably not comprehend the full purposes and intentions of the bill. Hence I have reduced to a written statement a more or less lucid explanation of what I believe to be the fundamental facts upon which the bill is predicated. Then later, we set forth the purposes of the different sections of the bill, and how it is intended the bill may be properly applied as an educational system.

In the following statement I undertake to explain why a somewhat special plan should be adopted for teaching, training and developing the Indians for capable, independent citizenship, and to qualify the Indians for complete emancipation.

A NEW METHOD FOR TEACHING AND TRAINING INDIANS

On entering upon a study of H. R. 12576, the question naturally arises: What are the purposes of the bill; what does it seek to do which may not be accomplished under the same educational system now used for educating non-Indians of the United States? Of course, H. R. 12576 has the same general purpose as any general educational system would have for non-Indians. Then, generally speaking, it might be asked whether this proposed educational system for the Indians contains any improvements on the systems which are in use for the non-Indians. To such a question, if there be one, we unhesitatingly say, it contains in our opinion much improvement over the educational systems for the non-Indians of our country. The specific purpose, of course, is to provide a sound and reasonable system for the education and training of the Indians to become capable, self-reliant and independent citizens, qualified for emancipation. In this connection it might be well to suggest that under the Constitution and the laws of Congress and the decisions of the Supreme Court, the Federal Government has been held to be the guardian for the Indians who are held to be a dependent, inferior race of people who shall be considered as wards of the Government. This wardship has continued to a greater or lesser degree since the Federal Government began to function in 1789. To-day we have approximately 350,000 Indians under the Indian tribal governments, and living within many of our States. Just as legal guardians and parents are charged with the care, training, and education of their minor wards, for self-reliant, capable and independent citizenship, it is the duty of the Federal Government to care for and educate the Indians of the United States until they are self-reliant, independent and capable citizens who may be emancipated from the wardship of the Federal Government. This is the greatest duty of the Federal Government toward the Indians. Another important question arises in considering the bill, H. R. 12576: What character of educational system is now in use in educating and training the Indians; wherein does it differ, if at all, from the educational systems in the various States in which the Indians reside? Our reply would be that it does not differ, but is the same general system which for various reasons is used less effectively, in producing the desired results. In considering the necessity for a different system of education and a different curriculum or course of study and a different application of the system, it is very material to go into the differences between the Indians on the one hand and the non-Indians on the other. As a race of people, the Indian is not much inclined to continuous hard work; he is not very ambitious; he specially enjoys fishing, hunting, racing and other sports rather than any kind of hard labor; governmentally he is naturally a tribalist; he is more inclined to tribalism than to individualism; he is not especially interested in acquiring or building for himself a worth while home or residence; neither does he have an ambition to acquire and operate at a profit, a business or farm for himself; he is more interested in the welfare of his race collectively than he is for himself and others individually. On the other hand, the non-Indians are largely individualists. They are ambitious to acquire and own a home or residence; they are ambitious to acquire farms or other businesses or properties; they have been taught for thousands of years that a certain definite age, about when they acquire physical maturity, that they individually must assume the responsibilities of life and a home and citizenship and everything that goes with self-reliant, individual responsibilities and citizenship; they have been taught that they must learn vocations or professions to realize the aforesaid purposes. Hence, we see striking differences between the Indians on the one hand and the non-Indians on the other hand.

There are also striking difference between the Indians on the one hand and the non-Indians on the other in the way of taught and developed dispositions and traits of character. Through family and traditionary training, the Indians have come to understand that once their tribes owned the territory of the United States, and that the whites came from various countries and cheated them and defrauded them and forcibly took from them their happy fishing and hunting grounds and appropriated them to the use of the whites. When the Indians have acquired a sufficient literary education to read and understand the written history of their race and the United States they learn and are informed that the

traditionary history of their race and the treatment of them by the non-Indians, corroborates their traditionary knowledge of their people and the way they have been treated by the whites. Their conclusion from this history naturally is that the so-called "Great White Father" is under great and everlasting obligation to the Indian tribes of the United States. They learn also that in recognition of this everlasting obligation, the Federal Government known to them as the "Great White Father" recognizes the Government's great obligation to the Indians by serving as their guardian and caring for their various wants and needs. To them, the guardianship seems very appropriate, and in the estimation of the Indians should be continued indefinitely. Thus, we find the Indians to be paternalists in their relationship to the Federal Government, though among themselves they are communists. We, therefore, find a great difference between the Indians with reference to Government greatly differing from the Whites or non-Indians. The Whites or non-Indians indorse the representative government and the property or capital system and believe largely in individualism. Without any special effort to eliminate from the young Indian his natural tribalistic instincts and belief in paternalism which has been practiced by the Government toward the Indians for more than a century, it is very probable that the Indians will continue to be tribalists and paternalists as well as to continue to possess the instincts natural to their race.

The economic costs to the Government of playing guardian to the Indians is now more than \$20,000,000 annually. Much of it is used in the very old unimproved educational system. Teachers without any special knowledge of Indian life or the characteristics peculiar to the Indian race are selected to teach the Indians. Universally the same plans and management are used in teaching the Indians that have been and are being used in the white schools. And this, notwithstanding the fact that the Supreme Court has held that the Indians are a weak and subordinate race of people.

Just as it is the duty of the guardian of a white minor child and white parents of their children to specially qualify them for self-reliant, independent, and capable citizenship for their emancipation at maturity, so it is the duty of the Federal Government toward their Indian wards to educate, train, and develop them for the same character and type of citizenship which should be the ambition and duty of the guardian or parents of white children.

It is our contention that little if any real progress is being made under our educational system used to train and develop the Indians in qualifying them for assuming the burdens and obligations of an independent, self-reliant citizenship. Therefore, H. R. 12576 is proposed as a somewhat new and different method for the training and successfully educating and developing the Indian for emancipation from the guardianship at a reasonably early period in their lives.

The first section of the bill sets forth in a declarative way the policy the Congress proposes to pursue to fit the Indians for emancipated and qualified citizenship. It further declares that the policy is to at once enter upon an intensive and comprehensive program for qualifying the Indians for self-support, and to be capable of properly caring for and acquiring property.

Section 2 provides for the creation of a commission on Indian education to be composed of the Secretary of Interior, the Secretary of Agriculture, the Secretary of Labor, the Commissioner of Indian Affairs and the Commissioner of Education, of which commission the Secretary of the Interior is to be ex officio chairman. The particular personnel of the commission at once appeals to us as being especially fitted for membership on the Indians welfare. The chairman, of course, by law is charged with the looking after the welfare of the Indians. The Commissioner of Indian Affairs is a subordinate of the Secretary of the Interior and is likewise charged with looking after the welfare of the Indians. The Secretary of Labor is interested in the welfare of all who necessarily must engage in labor, as he deals with all classes of labor and is interested in the welfare of all classes of labor, he would surely be a qualified adviser in vocational education. Then we have the Secretary of Agriculture. The Indians are more familiar with the pastoral and other forms of agricultural life than any other type of work; thus making the Secretary of Agriculture better fitted than any other official of the Government for membership on the commission. The general duties of his office makes him especially fitted to be an adviser with reference to the agricultural and pastoral phases of agriculture, and so we can see in him a special qualification for membership on the commission on Indian affairs and education.

The Federal Commissioner of Education has an official familiarity with the education of the Government Territorial residents, many of whom are either Indians or Eskimos as well as whites. Therefore, his official duties will fit him for membership on the commission on Indian education.

Section 3 provides that the commission on Indian education shall cause to be prepared a special curriculum or course of study of teaching and training for the special education and development of the Indians to be self-supporting and qualified citizens. This curriculum or course of study and training must necessarily be prepared especially to eliminate from the Indians certain of his racial instincts and characteristics, some of which pertain to his tribal views and his lack of ambition to possess a home, property, and business, to be an individualist instead of a tribalist, and also to eliminate his beliefs and opinions with reference to paternalism. But in addition and to substitute for such racial and acquired un-American beliefs, it is desired to make him a loyal and patriotic, self-reliant, well-qualified citizen. After the special curriculum and course of study has been carefully prepared for the education and development of the Indians, it is declared to be the duty in section 5 of the commission on education to select and employ a corps of normal training teachers for specially instructing and teaching Indian teachers the special characteristics of the Indian and Indian life and for teaching the Indian teachers methods and means and management for so teaching the Indians that they will make rapid progress toward qualified citizenship and preparedness for complete emancipation.

Section 6 sets forth the principals or elements of the character and type of citizenship sought to be attained, at the earliest reasonable date possible, in the Indians. The Indians are to be taught industry, continuity of effort, loyalty, efficiency, perseverance, economy, ambition, business administration, neatness, sobriety, truthfulness, integrity, and self and family support, participation in Government affairs and natural growth and development and welfare of country. It will be the duty of the commission which prepares the curriculum and course of training to develop a system of illustrations, and object methods for teaching the elements of the type of citizenship desired in the Indian for his emancipation. And it will be the duty of the normal training teachers to teach and show and illustrate to the Indian teachers how to overcome the racial handicaps of the Indians; how to change them from their present attitude toward communism and paternalism and lack of interest in business and homes and property to the non-Indian citizens' loyal and interested attitude toward home and property rights and obligation to Government, and so forth.

Section 7 fixes a definite date by which the guardianship of the Indians by the Federal Government shall cease and by which time the Indians shall all be qualified under this system of educational training and development for independent and emancipated citizenship.

Section 8 provides that, if and when the Indians become qualified for self-responsibility in every way, the Government shall issue to each one a certificate declaring him to be an independent and emancipated citizen of the United States. Section 9 fixes 50 years as the limit of time within which to educate, train, and develop the Indians for a capable citizenship and emancipation.

Section 10 provides that upon the attainment by the Indians of independence and emancipation it shall be the duty of the Government to deliver to them respectively all of the property of every character and kind which the Government, as the guardian of the Indians, has possession of.

Section 11 needs no explanation.

The question may be asked, What if there may be remaining at the end of 50 years some old feeble or dependent Indians unqualified for self-protection and support? Such would be an easy matter to control. The Government can easily continue the guardianship of such Indians for such length of time as may be necessary to fully discharge its duty toward the dependent Indians.

Mr. Kelly, you have some thoughts which you wish to express in reference to H. R. 12576, and we will be glad to hear what you have to say at this time.

STATEMENT OF HON. CLYDE KELLY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

Mr. KELLY. Mr. Chairman and members of the committee, it is with a great deal of pleasure that I appear before the Committee on Indian Affairs to express my hearty approval of H. R. 12576, introduced by Mr. Sproul of Kansas.

My presence here this morning revives in my mind most pleasant memories of my experience as a member of this committee. I was a member of the Committee on Indian Affairs in the Sixty-sixth Congress, at which time Congress made this committee a commission for a complete and exhaustive study of the Indian system of the United States.

Day after day we sat in this room considering every phase of this problem. I will admit that my own interest originated at that time, and it has continued ever since.

During these long-continued hearings when representatives of the Indian tribes and officials of the Indian Bureau were here day after day and being questioned, I came to certain convictions as to our Indian policy. Since that time I have continued my study as best I could in view of other duties, and I am obliged to say that the convictions formed then have remained with me, as the true basis for final solution of the Indian problem in American fashion.

In the first place, the Indian Bureau was established a hundred years ago, in 1832, as a separate bureau, and its policy, as I have been able to see it, has been largely that of perpetuating Indian segregation in the United States.

The policy is what determines any institution or any organization. That is what determines methods and I have been convinced that the policy of the Indian system of the United States has been to maintain tribalism, to maintain segregation, and to perpetuate the system of bureau control and domination.

I favor this bill because, in the first section there is a statement of policy quite different from that, which in the past has actuated our course of action.

Mr. Sproul's bill, in the first section provides:

That it is hereby declared to be the policy and purpose of the Congress to provide for teaching, training, developing, and qualifying the Indians of the United States, as early as possible, to become industrious, self-reliant, qualified, independent, and self-maintaining citizens of the United States. And it is further declared to be the policy and purpose of the Congress to provide at once for entering upon the continuing such intensive and comprehensive training, developing, and qualifying of said Indians for capable, independent citizenship that within the period of 50 years further guardianship by the United States over the Indians and their property shall be unnecessary, and, therefore, discontinued.

That is a vastly different policy than the one that has prevailed for a hundred years. I do not say our fundamentally wrong policy has been the inevitable consequence of a system seeking to perpetuate its control and guardianship of these Indians of the United States.

We have built up a bureaucratic system wherein as I stated on the floor some years ago, 6,000 employees are engaged, more than the entire personnel of many of the great departments of our Government. Naturally, in that kind of a system there is a desire to perpetuate the power and the jobs. That has been a result which no one individual can be blamed for, and which no one individual can stop. It will require a complete change in policy, deliberately determined upon by Congress. The policy set forth in the bill under consideration is for preparedness, preparedness for a certain definite thing, for self-reliant membership within the American community. That is preparedness that I believe in. That word is too big a word to be used by the militarists who would undertake to make an armed camp of the United States. Preparedness is a great word; it means develop-

ment and growth, and the kind of development which is necessary for free citizenship and all that it means.

That is the purpose, as I understand it, of this measure, that we shall turn about and start in a different direction than we have traveled in the past. There has been an effort to maintain the status quo as to Indian affairs and if the system is continued, a hundred years from now will see exactly the same control, with an ever-increasing expense burden on the Treasury. I remember standing on the floor and pointing out that we had arrived at a time where the costs of maintaining the Indian Bureau had reached the enormous sum of \$13,000,000, and I showed what was being done with Government funds. That seemed a large sum in 1920, but now it is nearer \$23,000,000, and the money is being spent, in my estimation, in a large degree not for development, not for a real progress but for the perpetuation of a bad system.

As I take it, under this bill, Mr. Sproul is urging the adoption of a new policy, starting out in a new direction by declaring that we propose to fix a goal by stating the time when these Indians shall be removed from all guardianship and domination by the Bureau of Indian Affairs. That is a policy which I hope this committee will approve. I sincerely hope that Congress will begin now to vision a definite day when the American Indians shall be Americans in every sense of the word. Under the provisions of this bill, there is a commission which will face the problem in a new way. I am afraid that the Indian Bureau, as long as it has complete authority, will continue in the way it has been going in the past. You can not change bureaucracy without changing the entire system and the entire organization. Therefore, if this bill is enacted, an entirely new organization will embark upon the task of Indian education and preparedness.

In the past, when I was studying the problem as a member of this committee I went into the educational system to some extent, and I found that there were superintendents of schools on Indian reservations who had not had the slightest experience in any kind of educational work. They had come into the service as clerks on the lowest rung and within a comparatively few years, without having had any experience in educational work, were put in charge of the entire system on large reservations. Such a system will never develop these original Americans into self-supporting, self-reliant citizens of the United States. I think the list of the elements set out in section 6 in connection with qualification for citizenship comprises a statement of policy which should be adopted by the committee and by Congress.

That section provides:

That among the elements embraced in the qualifications for citizenship sought by this act to be developed in the Indian students and which shall be taught are: Industry, continuity of effort, loyalty, efficiency, perseverance, ambition, economy, business administration, neatness, sobriety, truthfulness, integrity, self-preservation, and protection, law observance, self-reliance, self and family support, participation in governmental activities, mental growth and development, and love of country.

The statement of those qualities and which can be developed among the Indians in spite of all statements to the contrary—those are the things necessary to solve this problem. In my consideration of this subject in the past I had one goal which I thought would be a solu-

tion; that it was citizenship. I pointed my efforts toward the obtaining of citizenship for the American Indians born in the territory of the United States, and after a good many years we passed such a bill.

By the act of June 4, 1924, Congress declared that all Indians born within the territory of the United States are citizens of the United States. But that was not a final solution. It has been found since that in many cases the constitutional rights of citizens are not in the possession of all Indians in these reservations where the bureau system controls. In any case citizenship is not an end; it must be prepared for. It is a means to an end, a matter of equipment, and I take it this bill undertakes to equip these citizens for worthy service as Americans. Citizenship is a matter of right which should have been granted from the beginning, in my estimation, but citizenship by name will not give the benefits of the American community to any man. That requires work and preparation. At the time in Pennsylvania when we had our battle for a free educational system, Thaddeus Stevens made a speech in the house of representatives of the legislature which is a classic, on the subject of "Education and Its Advantages in a Democracy," and he based his entire argument on the fact that in a democracy education is a matter of self-defense, that it is the duty of the nation which trusts the people to equip those people with the information and enlightenment which will enable them to take a part in the governing body.

I think our history in connection with the Indian problem in this country has been a history of recreancy to fundamental American purposes. We have failed, in connection with this group, to apply the principles which we said were American principles. Out in my county of Allegheny, in Pennsylvania, we have in four years' time in the past taken 200,000 aliens that never saw this continent before and did not know anything about our form of Government or the way in which it operated and have built them into the community, as a part of the citizenship, and as the second generation comes along they are a real part of that membership.

Here is a problem that concerns about 250,000 or 300,000 human beings born and reared on this continent from time immemorial, still segregated, still within the isolated reservation districts, and still making alien groups within our own Commonwealth.

That is not American; such a system is antagonistic to the basic idea of a government built in equality, where every man is supposed to have equal rights and equal duties.

I do not desire to take the time of the committee to explain my philosophy at any greater length. If it is possible, I should like to prepare a statement and place it in the record, and if you will grant me that privilege I shall appreciate it.

Mr. SPROUL. That privilege will be granted, Mr. Kelly, and we thank you very much for your statement.

Mr. WILLIAMSON. Do you think that the Indian can be developed into an American citizen as readily as the European?

Mr. KELLY. I do not know that they can be developed as readily, but certainly they can be so developed; and I think the period provided for in this bill is a most conservative period, and a shorter period would be better.

One generation lasts about 33 years, and that 33 years sees the birth and death of a great majority of any people at any particular time. The period of 50 years which is provided for in this bill is certainly a most conservative figure, and we ought to make it a point that within the 50-year period this bureau system shall be abolished.

Mr. SPROUL. As a matter of fact, the time within which this undertaking might be completed can be extended by Congress.

Mr. KELLY. Of course, and also as individual Indians become competent they are separated from the system during that entire 50 years.

Mr. WILLIAMSON. Of course that sounds beautiful; theoretically. But, as a matter of fact, a very great proportion of our Indians now are already separated and segregated from the tribes. They have been given their pro rata shares and they have no interest in the tribal funds any more than the white man. But it does not appear to have helped very much in enabling them to make a living.

Mr. KELLY. They are still within the reservation system.

Mr. WILLIAMSON. They are scattered all over the country. A reservation is not a reservation in the old sense at all. In South Dakota, for instance, you would not recognize a reservation as such. It looks like any other part of the country. White people are living there, and Indians are living there. In one quarter-section you may have an Indian and on the next quarter section you may have a white man.

Mr. KELLY. Gentlemen, I protest the segregation system. In Pennsylvania we have about 400 Indians and every one of them is outside the system; they are self-supporting.

Mr. WILLIAMSON. The Government has no more control over the fee patent Indian than over you or me. Many of them are living off from noncompetent Indians who still happen to have a little money to their credit. Some of them are college graduates who are still living on the reservation and doing nothing to help themselves.

Mr. SPROUL. That very result of our so-called literary education, or our present general system, is a part of the basis for this bill. Such an education will never reach the trouble with the Indians.

Mr. WILLIAMSON. I think Mr. Sproul is substantially right there. You have to teach the Indian how to make a living by the use of his hands. We have been training the Indians and educating the Indians for white-collar jobs, and there are not enough white-collar jobs to go around. I think our educational system among the Indians has been fundamentally wrong from the beginning.

Mr. SPROUL. Absolutely.

Mr. KELLY. That is the basis of this bill; we are going to start in a new direction.

Mr. WILLIAMSON. I am in full agreement with that; I think our educational system has been largely wrong, when applied to a comparatively primitive people.

Mr. PEAVEY. There is one thing I would like to call particularly to your attention. I am not as familiar with H. R. 12576 as Mr. Sproul and the gentleman from Pennsylvania are. I understand you have been addressing yourself, Mr. Kelly, to the terms of the bill H. R. 12576.

Mr. KELLY. Yes.

Mr. PEAVEY. I read the statement which Mr. Sproul prepared as to the purposes and the effect of the bill, and I am interested in clearing up this one particular thing. I have had every reason, from my association with them on this committee and on the floor of the House to recognize Mr. Sproul and the gentleman from Pennsylvania as two of the outstanding Members of the House who are known as friends of the Indians, and I am completely taken by surprise to find here, particularly in your statement of the facts and purposes of this bill, an absolute reflection—I might even go further and say a slander, in my opinion, upon the Indians of this country, in the use of the words communism and communistic, as referring to the American tribes of Indians.

As I understand the use of the word communism and communistic has come into vogue in the last 8 or 10 years, it has to do with certain actions in Congress and out as pertains to Soviet Russia, and by political usage it has become a very odious term, and to use it in connection with these American Indians, who are Government wards, when whatever faults or failings they may have is due entirely to the Government is grossly unjust and unfair. To place such responsibility upon the Indians in the form of a challenge as to their Americanism and their spirit of Americanism and to question their spirit of loyalty to American institutions—I say to you I resent it.

Mr. KELLY. Let me answer that by saying that as far as I am concerned my use of the word communism was not in a spirit of contempt at all, because the Indian plan of brotherhood is like that of the disciples of Jesus Christ, who had all things in common. That was a form of brotherhood where every member of a little band was responsible for all the others. In that view of it the Indians had that theory of the absolute responsibility of each individual for the tribe and the tribe for each individual. They did not have private property, but they had that feeling of common ownership. That system we do not believe is the system for 1931.

Mr. PEAVEY. If that was not Mr. Sproul's purpose, then why use a term that has come into vogue within the last 8 or 10 years?

Mr. SPROUL. The meaning of the term is synonymous with "tribal," that their property is owned by the tribes and they work toward a common treasury for maintenance. I will say to the gentleman, who I know is a sincere friend of the Indians, as well as to others, that I have been in the tribes and talked with them as to how they live.

For example, I have asked, "What do you do with the orphan children, the children whose parents have died?" They have said, "we do not have any care concerning them. They are just as welcome in the homes of any of us as they would be in the home of the parents, if the parents were living. We work together toward the well being of the individual and all."

That I would say is ideal communism; not the Russian communism. Oh, no, we do not use the term in that sense. It might have been better to use a better sounding term by calling it tribalism.

Mr. PEAVEY. Mr. Chairman, Mr. Sproul as author of the bill before us this morning assures me that his use of the term communism and communistic as pertaining to the American Indians was not intended in anyway as showing the Indians political beliefs. But pertained solely to the Indian tribal relation as to living and common property. He says he well knows the American Indians have evinced

no particular interest or liking for communism as practiced in Soviet Russia; on the contrary, that the American Indian is intensely loyal to American ideals and Government. Mr. Sproul informs me that his use of this term in his statement explaining the bill was an oversight and unfortunate. I accept Mr. Sproul's statement and withdraw any further objection to the matter.

The Indians live upon some two hundred tribal properties—reservations; and the white people could not do that.

I merely mention these things to show the difference between their natural views about those things on the one hand, and ours on the other. When the whites came to this country the Indians were found living in tribal or communal settlements. It is not the result of any teaching that has been given them. It is their real nature to exist as tribes. Their wars were fought over the trespassing of one tribe on the tribal possessions of another. So that is the sense and the only sense in which the word communism is used, not to reflect upon them at all.

Mr. PEAVEY. I have no desire whatever to raise that issue between myself and Mr. Sproul and the gentleman from Pennsylvania on this matter. But I will say this, that it seems to me this is a very unfortunate use of odious words at this particular time in connection with Wisconsin Indians, because I just want to give you a little reaction that I know will come from the Indians in my district.

Mr. SPROUL. If you will examine the definition of the word communism you will find it fits the Indian exactly.

Mr. PEAVEY. The word never came into common use until within the last eight or ten years.

Mr. COOKE. I think the use of the word is perfectly proper, but I think it is unfortunate to use it at this particular time.

Mr. KELLEY. You might better use the word "tribalism."

Mr. SPROUL. I used it as an appropriate word to describe the way they live. The Indians are altruistic, and certainly we would consider altruism as being a commendable trait of character, and we would have to take that commendable trait of character out of them to make them real Americans. You will find more real Christianity in the principles now lived out among the Indians than among the whites.

Mr. WILLIAMSON. An idea of the Government's attitude toward the Indians is typically illustrated in the refusal to count the Indians as a basis for representation in Congress.

In South Dakota the Indian has the same rights and privileges as a white man, as far as the State laws are concerned. He has the same right to trade and deal in his own personal property. He can go off of his reservation when he pleases and nobody can restrain him. He has the full right of suffrage, and he can and does serve upon our juries. He has the right to sue in our State courts. And yet 20,000 of those Indians are excluded from the count as a basis of representation in the House.

They are subject to taxation on their own property the same as white men. Of course, they can not be taxed on property derived from Government sources and which is restricted.

I made a speech in the House the other day in which I dealt with that question. I do not think there is any question but what they are improperly excluded. The Census Bureau is excluding the 20,000 Indians because of the provision in the Constitution which excludes

"Indians not taxed," when there are no Indians not subject to taxation in our State. Because an Indian may have some tribal property which can not be taxed, does not make him not subject to taxation on his own property.

If he buys a horse from his own earnings that horse is subject to taxation. He is subject to a poll tax, and yet he is excluded from the count.

The Indians originally were looked upon as foreigners. Marshall held that Indian tribes were domestic, dependent nations and that their members were not citizens of the United States. We made treaties with them and dealt with them as we dealt with a foreign power.

Until Congress finally prohibited the making of any further treaties with the Indian tribes by the executive departments, they were dealt with as though they were foreigners.

The theory that the fathers who wrote the Constitution had was that you could not go into a foreign country and assess a foreign people, that you could not assess an Indian because his reservation was foreign territory, to all intents and purposes, under the Constitution.

But that situation has long since disappeared in every State in the Union, and yet these Indians are excluded from the count in making up a basis for representation in the House.

Mr. SPROUL. It would be a great inconsistency for the Government to act as guardian for an alien ward, so in order for our guardianship to be consistent, they had to be made citizens of the United States.

Mr. PEAVEY. I would not like to take up the time of the gentleman from Kansas or the gentleman from Pennsylvania—

Mr. SPROUL (interposing). Before you go further, I am very willing that the word—I do not think the word communism, or communistic, is in the bill; it is just in this explanation I have put into the record, which is just for the benefit of the members of the committee, and the word "tribal" or "community interest" would probably be a less harsh word.

Mr. PEAVEY. It is not only this word. I would not raise the issue, on the question of the mere use of the word.

Mr. SPROUL. There is not any question about their living in tribes; they always have.

Mr. PEAVEY. Here is the way I took it, from the purposes of the bill as set forth in your statement, that because these Indians have held these communistic views it was necessary to pass this legislation and force them into line.

Mr. SPROUL. That is not the idea at all, but you have to combat it when you go to teach them. What Mr. Williamson has just called attention to shows that they are still in that same condition.

Some of the best informed and best educated Indians are the wards of the Government. While they know they may be made independent citizens they deliberately and thoughtfully concluded that they favored paternalism, and they want Uncle Sam to look after their property and their welfare.

Mr. WILLIAMSON. The average Indian does not look at private property in the same sense as the white man at all. As long as any Indian upon a reservation has anything to eat, nobody upon the reservation is going to starve.

Mr. SPROUL. That is it. That is the way they look at things. Mr. Peavey, and that is not true of the non-Indian.

Mr. PEAVEY. I do not question your use of the word tribalism.

Mr. SPROUL. That is a Christian doctrine, and that is the communal policy. I think it is a highly commendable policy, and in considering the elements of community life, instead of being a term of derision, when understood, it should be one to be proud of.

Mr. PEAVEY. You must admit that at this time—

Mr. SPROUL (interposing). Russian communism is not what we are referring to.

Mr. HALSEY. I think in presenting that phase of Indian life that Mr. Kelly has referred to you might use the expression "community of interest," and then you get entirely away from any idea of communism.

Mr. SPROUL. By the way, when you make real citizens of the United States out of them and they have to live as we live, you have to teach this communalism out of them.

Communalism is inconsistent with the personal ownership of property and the conducting of a business for your own welfare and the maintenance of your home and family, and the management of it yourself. It can not be taken possession of by your neighbors; it can not be used for your neighbor's welfare.

Mr. KELLY. Not only that, but it is not practicable.

In Pennsylvania about 75 years ago a communistic society was organized in Sullivan County. Everyone was a brother, and everything was to be owned in common. They announced to the legislature that they desired no laws to apply to them; they were aliens in the Commonwealth.

Mr. COOKE. They were Indians?

Mr. KELLY. No, they were whites. They announced they did not desire any laws passed for them. They deeded their property to Almighty God, and said they wanted to be left alone.

But in a few years they had disappeared, and the property that they had deeded to Almighty God was sold for taxes.

So it is not a practical thing under our civilization to have these communities of that kind, whether they are based on religion or not.

Mr. SPROUL. They do not work.

Mr. WILLIAMSON. There is this about the Indian. I do not think the Indian can be compared at all with the European. The European, for countless generations, has been trained to make a living for himself, and he has lived under organized government. But the Indian has never been trained to take up a life work and pursue it for the purpose of a livelihood or lived under organized government.

You have a people whose history and religion is all just as foreign and antagonistic to everything in America as that of a Chinaman. You can not convert an Indian into an American white man as you can a European, and I do not care where the European comes from.

You have over 27,000 Indians in my State and a great many of them are educated as well as the white men around them. They have been given fee simple title to their lands and if you can find an Indian in my State who has had a fee simple title for a period as long as five years, it is a very rare exception. They had their farms and their homes, but you can not find to-day 100 Indians on their farms making a living; they do not have the faculty of taking care of themselves, and for a long time somebody will have to aid them.

There is a little reservation in North Dakota where there is a group of Indians. They are educated Indians. They came here, and they said they could take care of themselves. They wanted fee-simple titles to their lands.

The county where they lived asked that they be given a fee-simple title. What was the result?

Inside of five years, after the Government turned those Indians loose upon their own resources they did not own an acre of land in that county. They became dependents, and the county had to take care of them in the wintertime.

Four years ago they sent a delegation from that county down here to try to get Congress to reimburse the county for taking care of them, but we turned them down. We said they could take care of them themselves.

They came back about two years ago, and we finally made an appropriation to reimburse the county for taking care of those Indians. You need not tell me you can turn these Indians loose.

MR. SPROUL. That condition follows this education which the Indians have been given under a different system, with 100 per cent lack of special care, and without having been especially developed.

MR. PEAVEY. I would like to ask you, Mr. Sproul, or the gentleman from Pennsylvania, in the light of your experience with Government officials who have had experience in control of Indians, and most of whom are mentioned as the suggested heads of the commission to be formed to administer this law, perhaps—and I say this without in any sense meaning to be critical of any of these official heads—what have you, as friends of the Indian, to hope from a commission composed of the ones named in this bill, over whom the Secretary of the Interior is to preside, who is now in the position of presiding over all Indian affairs, and who has authority to make the changes you propose, or any others, when he has never even advocated them so far as I know, or ever evinced the least interest in anything of that kind?

I would like to know how you expect that is going to solve this problem?

MR. SPROUL. In answer I will say that the particular personnel of the department is changing from time to time.

Under one administration one view of Indian affairs might be entertained, and another and succeeding administration might have a still different view.

This bill seeks to set forth more in detail than perhaps the bureau would care for, a policy so that each succeeding head of the department and bureau will be guided by it, and which he must follow.

When it comes to the Secretary, the Secretary now has a great reputation as an educator and he is asking Congress to pass a bill to authorize him to select men to make a special study of Indian affairs to the end that a policy may be adopted which will bring about the purposes of this bill, but he thinks it is best to base this policy upon the report of the commission specially charged with going among the Indians and learning what is best for them. Does the chairman or anyone feel that this bill by including the men named such as the heads of the departments named, will get anything else than an Indian Bureau report of the situation?

MR. SPROUL. You are asking concerning the bill that we have reported out and acted upon. This one does not contemplate any

report at all. In view of our knowledge of Indian affairs, Judge Williamson has suggested here what they will find, and likewise Mr. Kelly and I. They will find conditions that will warrant the adoption of such a policy as we provide in the bill.

Mr. KELLY. Right here, if you will permit me, I will read from the United States Daily of the other day an article on the "Future of Indians as wards or citizens," written by the Assistant Secretary of the Interior, William Atherton Dupuy. I will read one paragraph, as follows:

The present policy of the Department of the Interior visualizes the Indian, not as one who lives on a reservation but out among the general population. It believes that, if this conception of the proper abode of the Indian were current, it would result in a treatment of him that would greatly accelerate his advancement.

Mr. PEAVEY. I think the department on the whole stands on the theory, in my district, of letting the Indian rehabilitate himself or starve, one of the two.

Mr. SPROUL. I have had a talk with Secretary Wilbur about this. In fact he called my attention to it. I had been making talks on the floor, extending my remarks, and he thought they had been very attractive to both him and the President as the basis of this policy, so he is somewhat falling in line, but he and the President would like to have a report of a commission specially investigating and making a report, that the commission should go out among the Indians and study them and report a policy. He thinks that is the safest thing to do.

Mr. PEAVEY. Is it then the understanding of yourself and Mr. Kelly, that if this committee should pass the bill, as a declaration of policy, that we would then in effect be saying to the Commissioner of Indian Affairs that we will by this bill create a commission to report a new policy as to the Indians which the commissioner does not by himself care to initiate.

Mr. SPROUL. I would not want to comment on that.

Mr. WILLIAMSON. There is this to be said about the Indians. The tribes are rapidly disintegrating all over the country. In South Dakota the Indians are rapidly disposing of their lands as soon as they get their patents in fee. They are not getting many patents in fee now because the department realizes that it means the loss of their lands. It is well known that when an Indian get his patent in fee he sells his land and he goes to town and he is apt to buy an automobile or something else he has no use for. When an old Indian dies the heirship lands are advertised and sold and the money paid to the guardian of the heirs. Some thousands of tracts every year upon our reservations in South Dakota are going into white ownership.

The whites are all over the reservation, and you can not tell when you drive on an Indian reservation because it does not look any different from the surrounding country except for an occasional little Indian village, tepees along a stream, where they will gather together for religious services, conferences, or something of that sort. Otherwise the Indians are scattered. We are rapidly depriving the Indians of their lands and they are disposing of the lands themselves and getting rid of them. I do not know what is going to happen to the Indian when his lands are all gone, when he has no property

on the face of the earth. We will have to take care of the old Indians and keep them from starving to death, but whether the young people can be induced to go out and make a living like other people is something this commission will have to determine. I have had some experience with these Indians and you can not get an Indian to go off the reservation and work for any length of time. When he gets his first pay check he goes back to the reservation and you do not see him again.

Mr. CARTWRIGHT. Those are reservation Indians. Among the Five Civilized Tribes, in my district, there is no such thing as a reservation and you can not tell the Indians from white persons.

Mr. WILLIAMSON. You can not in my State, as far as that goes. You must remember they have organized counties there and have much the same government as other citizens in the State, but they are in the reservation.

Mr. CARTWRIGHT. We never did have a reservation.

Mr. WILLIAMSON. There is no tribal land left. It is all allotments. They have their individual tracts just like white people. There is no tribal land left. It is all gone years ago.

Mr. SPROUL. Mr. Halsey, of Missouri, a member of this committee, has given this subject considerable study. I think we would like to have his views expressed.

Mr. HALSEY. I am more interested as a learner. I would like to hear from these older Members. I think Mr. Cartwright knows more about the Indians than I do. I would like to hear from him before I have anything to say.

Mr. CARTWRIGHT. I am not prepared to speak now. I wish to extend my remarks. I know that among the Five Civilized Tribes there is a different situation and I am not in the least bit concerned because they are getting along better than the rest of us and they do not want the Indian Bureau; they want to be left alone. The old Indians who were among those brought to this country do need protection, deserve it, and I am for that, and they are protected to a certain extent and as far as the breeds are concerned, the Indians are getting along in the commercial world and are rapidly taking their chances along with the white people.

Mr. WILLIAMSON. That is true in our State, but that does not prevent Mr. Indian when he gets rid of his land from starving to death just the same. He may have a little money to his credit and if not he lives off of his home people. Your situation is different from ours, and entirely different from most other States.

Mr. CARTWRIGHT. That is not the situation among the Choctaws and Chickasaws. The young Indians generally work like any other people.

Mr. HALSEY. My membership on the Committee on Indian Affairs has been to me a liberal education. I am a new Member of Congress serving my first and possibly my last term and yet I have had the very great privilege of being a member of this committee and I have not missed a single meeting that the committee has held. I have appreciated the fact that Judge Williamson and most of the Members of the committee have first-hand knowledge of the Indian problems by reason of their living among them, and it would be presumptuous on my part, being a new member coming from a State where there are no Indians, to even attempt to give this committee any information

or knowledge or any solution for the Indian problem, but I feel that as a citizen of the country, that the Indian question is not only a problem for those who live among the Indians, but inasmuch as the Indian is a ward of the Nation then there falls upon us all the responsibility of considering the problem with a view to looking toward the future happiness and welfare of these wards of the Nation, and with that thought in mind I have devoted considerable time and study to the question since it has been brought up in this form by Congressman Sproul, and everything that I may say is based upon some report or some document dealing with this problem, and I am doing this and discussing it from the viewpoint more largely of the educational attitude.

Of course, in that respect I have had some considerable experience and in any strictures that I may apply to the question before us it is with the system and not with individuals. I have the very highest respect for the Secretary of the Interior and for the Commissioner of Indian Affairs. But I have been led to make some comments that may appear to you offensive, but it is directed against the system and not against individuals, and in order that what I say, if challenged, may be explicitly before you, I have written my remarks, and with the permission of the chairman I will read this brief and then make it part of the record subject to revision and correction.

Mr. SPROUL. Very well. You may do so.

(The statement of Mr. Peavey is as follows:)

According to Will Rogers, "when they let the *Mayflower* land the Indians made a big mistake. Subsequent history justifies the statement, for the white man at once became the red man's problem. The poor Indian has never had part or lot in determining his destiny. He must yield or perish before the operation of evolution's inexorable law—"survival of the fittest."

Congress by passive inaction may hasten his hapless fate, or it may adopt a wise and beneficent policy and preserve from extinction this vanishing race. It may evade, it can not avoid its constitutional duty to care for these wards of the Nation. Through delay and neglect, the policy that will best promote their welfare and happiness has become a problem of great magnitude and far-reaching potential results.

The wrongs they have endured make a lurid and bloody story of ruthless exploitation of a minority and subject race. That shameful history has been fitly called a "Century of dishonor," though it is the record of a people calling themselves Christian.

And the subject invites attention perennial and futile as the weather. Yet the treatment of the Indians by the Government imperatively demands Congress adopt a just, wise, and permanent policy for the well-being of this long-suffering people.

During the 97 years of its existence as a department responsible for their welfare, the affairs of the Indian Office have been directed by 32 commissioners, each one in turn introducing a different program for the new administration. The inevitable result of such frequent changes developed a policy having all the energy, direction and purpose of a pup chasing its tail.

In its efforts to function the present Bureau of Indian Affairs appears to be hampered in efficiency by limitless red tape and a sort of creeping paralysis due in part to its goodly number of job holders—about 6,000 in all. It needs the treatment given the bottom of a vessel in dry dock, after a cruise through the seven seas.

This bureau holds in the hollow of its hand the welfare and happiness of 350,000 Indians. It attempts to interpret and administer 300 treaties though many now have no more force and effect than scraps of paper. It deals with 2,500 laws often conflicting and contradictory. It has made innumerable rules and regulations to govern and control the person and property of these wards of the nation.

They form 200 distinct tribal groups, speak threescore different languages, and they own property valued at \$1,500,000,000. They live in 28 different States

extending from the dark timberlands of Washington to the alligator swamps of Florida.

After many years of Government control 200,000 can not yet speak, read, or write the English language of their conquerors, who fix their environment and determine their destiny unmindful of their nature and the manner of living of this once proud and virile aboriginal race of Americans.

Of the total Indian population over 100,000 are children and adolescent youth of school age many of whom are afflicted with trachoma or tuberculosis, diseases widely prevalent through lack of proper medical attention and care.

No one of any intelligence will deny that the Indian has made some progress in the arts and culture of the white man's civilization during 140 years of contact, violent and peaceful. But it is also true that such progress has in no wise been commensurate with the prodigal price paid for their advancement. The dread war cry is heard no longer, for the can opener has replaced the scalping knife. Blanket and buckskin yield to creased pants and abbreviated skirts. The tepee and wigwam disappear before the modern two-room bungalow of tin and tar paper. Leaving the schoolroom, Indian youths are all dressed up, but nowhere to go. For him Emerson's America does not spell opportunity. Missionaries giving undue emphasis to seed and creed produce as the fruit of their sacrificial toil an abundant harvest of Dead-Sea apples.

Granting the utmost claimed for his progress, yet after a half century of time and a half billion in money spent in his behalf, the Indian remains an alien and untutored race, a helpless, hopeless serf of the soil. For his benefit about 200 schools have been established that provide instruction in elementary and secondary courses of study. But at least one-third of the children of school age do not attend any school, Federal or State, public, private, or religious.

The outstanding agency in the Indian educational system is the inhuman, kid catching government-boarding school. It is run on the plan of a half day of work and a half day of study. Though many States prohibit child-labor, these schools are supported in part by the productive work of undernourished children.

A survey commission authorized by act of Congress to investigate conditions among the Indians severely indicts this institution for his education—the Government boarding school. In its report to the Secretary of the Interior it states, "We are obliged to say frankly and unequivocally that the provisions for the care of Indian children are grossly inadequate." Poor food in quality and quantity, buildings old and neglected, dormitories overcrowded, toilets inconvenient and insanitary, discipline wrong in character and purpose, archaic courses of study, vocational training in obsolescent trades, incompetent teachers disclose deplorable conditions that call for correction in an educational system that is inefficient and ineffective.

The test of success or failure of any educational program is its human product. The yardstick of its practical value in its output of boys and girls is their preparedness to build a life. White collars for a machine age misfit as do round pegs in square holes. In this day of fateful competition fitness for any activity requires intensive training adapted to its primary purpose. Rigid curriculum, mass instruction, automatic, mechanical methods of teaching in a program of education result in maladjustment of its product to a place in the social and economic order and create a potential menace of crime to the State. Our boasted public school system is a failure if it does not make good citizens of boys and girls whether white, black, or red.

By this acid test the present school system for the Indians fails in its fundamental purpose. It should be reconstructed and readjusted to meet the acme of its objective—citizenship.

Soon after his inauguration President Hoover said in speaking on the subject: "The fundamental aim of the Bureau of Indian Affairs shall be to make of the Indian a self-sustaining, self-respecting American citizen just as rapidly as this can be brought about, and in order to bring this about it will be necessary to revise our educational program into one of practical and vocational character, and to mature plans for the absorption of the Indian into the industrial and agricultural life of the Nation.

Congressman Sproul of Kansas has introduced a bill that will if enacted into law accomplish the purpose certainly a "consummation devoutly to be wished for."

This bill (H. R. 12576) proves to be original in conception, and thoroughly constructive in its concrete program of measures and methods to get results. It provides for a 50-year period of education and training which is so adapted to the nature, needs and interests of the Indian that at the end of the period they shall

cease to be wards of the Nation, the Federal Government shall no longer be guardian of their persons and property.

As means to this end the bill creates a commission of education consisting of five members directed to work out a program that will fully qualify the Indians of the United States for independent citizenship within the allotted time of 50 years. The Secretary of the Interior, the Secretary of Agriculture, the Secretary of Labor, the Commissioner of Indian Affairs, and the Commissioner of Education compose the personnel of the organization made responsible for the success of this colossal task of merging 350,000 Indians into the national life in the next half century.

In culture, ethics, religion, in all that determines their manner of living, the white man and the red man are far apart as the poles. Their amalgamation involves the solution of many complex, intricate problems national in extent and beyond the ability or resources of any State to accomplish.

The act directs the commission to cause to be prepared a program for his education, academic, vocational, in health and moral character that will develop in him the fixed habits and the essential qualities specifically named in the bill as distinctive traits of a good citizen.

Provisions of the bill set up the machinery through which the program shall function to teach, train, develop, and emancipate the Indians during the transitional period of 50 years.

Section 4 contains the outstanding feature of the machinery for the educational program. It provides for a number of teacher-training colleges, or normal schools. The course of study in these schools are prepared to train teachers for special work as instructors and guides in the system devised for the education of Indian youth, a system revised and adapted to their industrial capacity and needs to qualify them for citizenship. And as such a program required the expert and the specialist, professional schools are established for the definite and exclusive purpose of preparing and qualifying teachers for this particular service. Its graduates must possess an intelligent, sympathetic understanding of the Indian with the ability to win his confidence and friendship in order to aid and train him to become a good citizen filled and thrilled with devotion to American ideals and institutions. Selecting teachers from a hodge podge of applicants by civil service examination in a routine of academic subjects utterly fails to meet the acid test of qualifications necessary for efficient, highly specialized service of individual teaching for citizenship of Indian boys and girls.

The bill introduced by Congressman Sproul sets before Congress an open door of tremendous opportunity in providing a new day for the wards of the Nation. It offers them new opportunities under new leadership to escape from their bondage and serfdom and in the fullness of time become citizens possessing and enjoying the rights of American citizenship granted them by act of Congress in 1924, the inalienable rights of life, liberty, and the pursuit of happiness.

Mr. COOKE. Mr. Chairman, I do not think I have any pronounced convictions upon this subject. I have not made any study of this as some of you gentlemen have. I am inclined to agree with Judge Williamson from my own brief experience in New York State. I think it is a subject that we ought to study, and I do think you are taking a step in the right direction in trying to change the method of educating these Indians. I am convinced there is something fundamentally wrong with the methods we have pursued in the years gone by, because I can not see that we have been doing any good in the education we are giving to the Indians to-day. Whether you can at some time prepare the Indian for citizenship or whether he is hopelessly alien to us to such an extent that he is going to be controlled by his traditions and by the old laws and customs that come down to him from his ancestors from centuries back, is something we can not determine right now, in my judgment, but that does not foreclose us from making the effort to do anything we can.

Mr. SPROUL. Do you not think the situation warrants making an effort along the line suggested by this bill?

Mr. COOKE. I do. I do not know whether your 50 years' period is correct or not.

Mr. SPROUL. It can be extended if found to be necessary.

Mr. COOKE. I rather think with Judge Williamson that if we educate the Indian and give them everything, inside of 15 or 25 years, they are absolutely helpless again and a charge on the community. Whether we can train that out of them or not I do not know, but in my opinion there is just a little bit of question whether we ought to train it out of them or not. I do not know but what this is a civilization that ought to be preserved to some extent intact, but I do not know that it can be preserved because I presume it is dissolving year after year. Tribal relations are becoming less and less strict and the Indians are leaving the reservation, and through death, through lack of increase in numbers, and so forth, we may not have any Indian problem 100 years from now.

Mr. SPROUL. It is practically impossible to give them back the country as it was when the whites first came here.

Mr. COOKE. It is.

Mr. SPROUL. That being impossible the next question is what is the best thing to be done.

Mr. HALSEY. Speaking of the period of years here is something said by the President—the general policy should be to increase the facilities for the care of the Indians for a short period of time with a general plan in mind of eliminating the Indian Bureau within a period of, say, 25 years.

Mr. SPROUL. That is entirely too short a time. He needs a commission to report. He does not know the Indian well enough.

Mr. SMITH. As you know, my connection with Indian affairs has only extended over this session and I regret I have not been able to attend some of the meetings. I felt I was misplaced and I did not know anything about the Indian situation. We have not a single Indian reservation in my State and I am sure there are none in my district. I have enjoyed being in your committee and listening in, and I am sure I have learned quite a little bit about the Indian situation in America, but my views, I am certain, can not be illuminating and I do not believe I care to express myself. I do approve of these suggestions outlined in your bill.

Mr. WILLIAMSON. You may be able to see things that those of us who have lived a lifetime with the Indians may not be able to see. I can not remember any time when our people were not in close proximity to the Indians. I can not remember a time when I did not come in almost daily contact with them. I know them about as intimately as the people of any race whose language I can not speak. I do think, as Mr. Kelly says, that our bureau has been pursuing a wrong policy for a long period of years and that we have been getting very meager results. On the other hand, the enthusiasts completely overlook the nature of the Indian as a people and the difficulty of bringing them over to our way of living and our methods of life. That is one thing to remember when they are dealing with the Indian population; an Indian is just as different as night and day from men raised in civilized countries who have lived under our ordinary conditions of existence for thousands of years. He is a different type of man.

Mr. SPROUL. That is a condition that is recognized in this bill and this bill proposes to use special and different methods from what have been used up to now.

Mr. WILLIAMSON. If I understand the intent, it is to prepare the Indian to go out if possible, into conditions just like the white man.

Mr. CARTWRIGHT. I was raised among the Choctaws and Chickasaws and you do not think of living among Indians when you are among them. They hold nearly all the offices, county judge, county attorney, and even on the supreme court bench. I succeeded one in Congress. There are at least 25,000 Choctaws and Chickasaws in my district. They are lawyers and doctors and ministers of the first rank.

Mr. WILLIAMSON. I think you are speaking of people that are more white than Indian in most cases.

Mr. CARTWRIGHT. I am not alone referring to full bloods. We have one full-blood county judge and a full-blood county clerk. A lot of those are full bloods.

Mr. WILLIAMSON. We have some full bloods that hold county offices in our State and have done very well.

Mr. CARTWRIGHT. Their education is no different than the whites in my district because they had their territorial government and their tribal schools long before the white people were permitted to come among them, and for that reason they are even ahead of us from the educational standpoint.

Mr. WILLIAMSON. There is practically no illiteracy among the South Dakota Indians.

Mr. HALSEY. May I ask a question relative to the full-blood Indian? In my remarks I make this statement: In their culture, their religion, and all that determines their manner of living, the red man and the white man are as far apart as the Poles, the North and South Pole. Is that true or not true of your people?

Mr. CARTWRIGHT. No; not among my people. There may be other Indians, as in the western part of the State, among the Cheyennes and Arapahoes, where that might apply, but in the Five Civilized Tribes they were farming when De Soto landed in America; they always lived in houses and were farming.

Mr. WILLIAMSON. You had in your district a civilization that existed there a thousand years different from the Indians, who traveled from one place to another, who lived by hunting and fishing. Your Indians were more like the Navajos and the Mexican Indians.

Mr. SPROUL. But they were not educated. That means just the opposite. Illiteracy is a relative term, and so is education. One might be educated to do one thing and still not be qualified for the requirements of citizenship.

The manner of life of our white people is so different from the natural disposition of the Indians, and, as Judge Williamson has truly said, the liberal education that we give the whites is a relative term; it does not mean that when they can read and write and understand mathematics and grammar like white persons that they then are qualified for the problems of life. They might be prepared to pass literary examinations as well as the whites, and still they would not be educated people, able to assume and discharge the actual duties of white citizenship. They could fill an office, perhaps. They might do that well, but how about operating a farm at a profit, operating a mercantile business at a profit, operating any character of business at a profit, discharge all the duties of a white citizenship. There are not many members of any tribe of Indians that come up to the

requirements. Illiteracy at most is a relative term. A person who could only read and write might be termed illiterate. It means little or it means nothing.

Mr. CARTWRIGHT. We have fellows that run grocery stores and mercantile establishments of various kinds. For example, the chief of the tribe is a graduate of Leland Stanford University of California and from Columbia University. He has degrees from both. He was a successful lawyer and a successful oil operator, and he has been a success in everything he has dealt with.

Mr. SPROUL. I do not say there are not isolated exceptions to the rule. I was just talking about the whole tribes as a whole. This bill contemplates giving every Indian such a special education as in the light of all reasoning would qualify him to discharge the duties of a good citizen of the United States under the laws.

Mr. WILLIAMSON. I think you are on the right track with this bill. I agree with that part of it but it will take a much longer period than most people suppose.

Mr. SPROUL. Very well, let it take that time. If we are to pursue an intelligent plan to deal with the Indian and give him the very best that the Federal Government can give him, then let us take time. I think that he is entitled to the best solution, that we can possibly give him. The Indians of the country who have not been treated any too well in the past, so let it take time.

Mr. HALSEY. I fully agree that the educational policy of the Indian Bureau has been wrong and this initiates a move in the right direction.

Mr. SPROUL. That is the idea. I had no idea of our passing this bill at this time but I want to put it in the record in such form that it may go out through the country so the people will be attracted to it and discuss it, and consider it, etc.

Mr. CARTWRIGHT. I think we are all agreed that you are doing the right thing and while I have not agreed with you on everything, I certainly agree with you on this and I have always thought you were absolutely honest and sincere in your ways before this committee, and I think you are to be congratulated on initiating this movement.

Mr. SMITH. I move that the bill be favorably reported.

Mr. WILLIAMSON. I have not had time to read the bill yet. I do not know to what extent the bill contemplates turning over these affairs direct to the Indians but if the Indians generally are like those in South Dakota, if these Indians were to be turned loose, it would be absolutely fatal not only to the Indians but disastrous to the States.

Mr. SPROUL. But we have been leaning backward against that so much, I am led to believe from the policy of the government and even this committee, that we do not want to trust them under any circumstances with their property; we just want to keep them and hold them and continue them under a guardianship forever and ever. This bill provides that the Secretary of the Interior shall determine, upon the finishing of the education of the Indian, when he is capable, and qualified to take charge of his property; that it shall preserve his property pending the qualifying of him for citizenship; and when he has been examined by the Secretary of the Interior and found to be capable and qualified for citizenship as are the whites, then the Government shall deliver his property to him. That is the idea of the bill.

Mr. WILLIAMSON. May I call your attention to what happened when Major McLaughlin was in the Indian Service. He knew as much about the Indian as any man who ever lived, spoke the Indian language as well as we speak English, and the competency commission of which he was chairman appointed by Cato Sells, Commissioner of Indian Affairs when Lane was Secretary of the Interior, covered the reservations of the United States and selected approximately 10,000 Indians, whom any ordinary white man would say were able to handle their own affairs.

Mr. SPROUL. Even though he made a mistake, everybody makes mistakes.

Mr. WILLIAMSON. They issued some 10,000 fee patents and inside of five years three-fourths of those lands disappeared from the Indian, and to-day I venture to say there are not more than five or six hundred of these Indians who have any property of any kind or character left, and so I say that if you give these Indians their fee patents and give them their property, turn them loose, it simply means nine out of ten in a very few years will not have one cent's worth of property of any kind or character.

Mr. SPROUL. You are not assuming that Indians to whom certificates of competency are contemplated to be issued by the Secretary of the Interior, has been specially educated with reference to handling his allotment and doing everything incident to the management of his property, by the teaching of business administration, by conservatism and conservation, all those things that are essential to the success of the white citizen. By example you treat him as you teach a child. Let him walk and watch him carefully, help him if he falls, and you make him a citizen. That is what this bill provides.

Mr. KELLY. Mr. James McLaughlin, to whom Judge Williamson referred, was the author of a book, "My Friend, the Indian," and he was for fifty years a member of the Indian Bureau. He said the domination and control of the Indian Bureau had pauperized the Indian, destroyed their initiative, and in some cases—he referred to the plains Indians—they would have been better off if they were in blankets and living on the prairies and never touched by the Government.

Mr. SPROUL. After we have tried a system of education of this character and it has proven to be a failure, then there will be a new problem. The Government can meet that if it becomes necessary.

Mr. WILLIAMSON. I second the motion to report the bill.

Mr. SPROUL. All in favor say aye. Opposed, no. It is carried unanimously.

Mr. SPROUL. I desire to have this testimony prepared for the printer. I would like to have these hearings published and it would be a good thing for the Indian for them to be printed.

Mr. SMITH. I move that be done.

Mr. HALSEY. I second it.

Mr. SPROUL. Without objection then the hearings will be revised and made ready for printing.

Mr. SMITH. I think Congressman Halsey would like to extend his remarks.

Mr. HALSEY. I have a statement here which I will put in the record.

(Thereupon, at 12 o'clock, noon the committee adjourned.)