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SPEECH OF Hon. ALFRED M. SCALES, OF NORTH CAROLINA, ON THE

TRANSFER OF THE INDIAN BUREAU FROM THE INTERIOR TO THE WAR DEPARTMENT, AND ON THE REDUCTION OF THE PRESIDENT'S SALARY, AS PROPOSED IN THE LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL FOR THE YEAR ENDING JUNE 30, 1877, DELIVERED IN THE HOUSE OF REPRESENTATIVES MARCH 23, 1876.

The House, being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. No. 2571) making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 30, 1877, and for the other purposes—

Mr. SCALES said:

Mr. CHAIRMAN: This debate has taken a wide range. Since the bill came before the committee for its consideration we have had speeches and dissertations upon every conceivable subject connected with the Union and all its varied and diversified interests. I propose in the time allotted to me to claim the attention of the House to several clauses of the bill itself. The Committee on Appropriations are doing a good work in retrenchment and reform, and deserve the countenance and support of all who favor an economical and honest administration of the Government, without regard to party. In the Military Academy bill, in the diplomatic and consular appropriation bill, and in the fortification bill, the only three passed up to this time, they have saved on the same appropriations of last year \$1,288,246.50. In the legislative, executive, and judicial appropriation bill, now under consideration, they propose to reduce the expenditures of last year \$5,724,417.39, which will be a reduction of the estimates this year to the amount of \$7,826,499.86. Now, sir, this proposition deserves our serious attention, and I trust will in the main receive a cordial support, both in this House and in the Senate. The test can now be made as to the sincerity of the professions in the way of retrenchment and reform.

To enable the committee to reach these conclusions and recommend so large a reduction in this bill it was necessary to transfer the Indian Bureau from the Interior to the War Department. This is a question of the gravest importance both to the country and to the Indian, who is directly to be affected by it. The Committee on Indian Affairs have given this subject much consideration, and they have sought for and obtained the opinions of men, both soldiers and civilians, of the largest experience and the maturest judgment in all matters pertaining to the solution of the Indian question, which all admit is most important and difficult. These gentlemen have differed much in their opinions; but, after weighing the whole together with much solicitude and care, the majority of the committee have reached the conclusion that the transfer is demanded by the best interest alike of the Indian and the Government. Under the present system the business of feeding, clothing, educating, civilizing, and christianizing the In-

dians is entrusted to agents from civil life, who are selected by the different religious bodies and nominated by them to the President, who upon such nomination makes the appointment.

The agencies are divided among and assigned to the different religious bodies, and this division and assignment are recognized and accepted by them all, with the distinct understanding, to which custom has given all sanctions of law, that each church is to have sole control of its own agency. Thus we have in the Indian Territory sectarian agencies filled by sectarian agents. To illustrate, a vacancy occurs in an agency. The particular sect to which it has been assigned is notified that they must make a nomination and upon this nomination the President appoints. No other sect can or will be heard as to this appointment. There may be and doubtless are thousands without the pale of that church who are as well and in many respects better qualified, but that will have no weight in determining the appointment. The agent must be recommended by that church and through him and with the money furnished by the Government this particular sect or church carries their missionary operations among the Indians at this point.

To prove this I quote the language of the Commissioner on Indian Affairs on page 23 of his report for the year 1875. After saying that no desire for church propagation on the part of any religious denomination, with one exception, has in any way interfered with the purposes of the Government, he adds this language:

At the several agencies assigned to the care of the Catholics no restriction has been placed upon their system and methods of education, and no other religious body, so far as I am aware, has in any way attempted to interfere. I regret to say this is not true, so far as the Catholics are concerned, of some of the agencies assigned to other religious bodies.

If more proof were needed it can be found, I apprehend, in the evidence of all the religious denominations, that in the agencies assigned to them they expect no interference, and any effort in that way by others is regarded as an intrusion upon their rights, and it is made the subject of complaint.

Now, sir, the Constitution declares that no religious tests shall ever be required as a qualification to any office or public trust under the United States, and Congress shall pass no law respecting an establishment of religion or prohibiting the free exercise thereof.

In this system the Constitution is violated in spirit and letter. This is a Government office, a public trust provided for by law, and it is filled, not from the people, but from a sect, which is to have exclusive charge of the agency. The body may act conscientiously, and doubtless do so far as they can, but it will be seen that however else qualified it is essential that the religious opinions of the agent must accord with the body appointing him and whose missionary work among the Indians he has in charge. Here, then, is a religious test of office distinctly, squarely, and confessedly made. Again, the Indians at this point must and will be taught the peculiar tenets and doctrines of the religious body to whom it has been assigned. This is expected, and not only expected, but encouraged as can be abundantly shown by the reports of the commissioners and by any and all the religious bodies themselves. At this point, the Government establishes one religion to the exclusion of all others. The poor Indian, who has been robbed of his lands, swindled out of his annuities, must now take such religion as the Government sends him. He can have no choice, and is not even allowed to hear any other gospel except such as his agent may profess. The Mohammedan in his conquests to propagate the religion of his prophet says, in his intolerance, "Death or the Koran." We, in christianizing the Indians, say to them, "Take the religion we send or nothing." It may be said that these agencies are equally divided and no preference is shown to one church or another. I am not advised as to the basis upon which this division is made; but however

this may be, it is no answer to the objection we have stated.

Now, sir, I would not be understood as underestimating the value and importance of the services rendered by these different religious bodies in the efforts of the Government to civilize the savage races. They must have schools, they must have teachers and preachers, and they must be taught the Christian religion; and to have this efficiently and faithfully done we must in a great degree rely upon the noble and self-sacrificing men and women who, taking their lives in their hands, go out as missionaries of the Gospel among the Indians. But I would give all the largest liberty; I would open wide every door of access into that country and shut it to none. I would have the Government give its countenance and protection to all, and leave the results to their own faithfulness and energy, to the truth, and to God.

But there is another objection to this, and that is the partisan character of the appointments. I do not charge this upon the churches. I doubt not they would have it different; but the faithful and active partisan must have his reward, and offices in the gift of the administration in power have been and will be filled by its own zealous adherents. I know, sir, this has been denied; but from information I have on the subject I apprehend upon an investigation it will be found that few, if any, agents are appointed who are not in political accord with the party in power; and it is too often the case that when the man is found who will bear the test in religion and politics, he unites in himself all the qualities essential to secure the agency. It is unjust and bad enough to turn the poor, untutored Indian over to the sole control of a sectarian body, but it is a wrong which amounts to a crime to turn him over soul and body to a sectarian and political zealot and bigot.

From such a source, unfaithful partisan agents, spring all or most of the ills to which Indian flesh is heir, and hence on every side we hear of the robbery and plunder, suffering and starvation, of the Indian. This brings us to consider the fraud and corruption of the present system. Under a joint resolution of Congress adopted March 3, 1865, a committee of both Houses was appointed, consisting of Doolittle, Foster, Ross, Nesmith, Higby, Win-dom, and Hubbard, names well and most of them favorably known to the country, whose duty it was to inquire into the condition of the Indian tribes, and their treatment by the civil and military authorities of the United States. Of this committee Senator Doolittle was chairman and made the report. Among the papers accompanying this report I find a subreport from Hon. J. W. Nesmith one of the committee, to the chairman, from which I beg leave to read:

Another great cause of complaint is the worthless quality of the goods which are bought in the Atlantic States and sent out for distribution among them. There is a great fault somewhere, either on the part of the agents who make the purchases in the eastern market, or on the part of the merchants or contractors who supply the goods. From the personal inspection which I have given those goods, and on comparing them with the invoices, I am thoroughly convinced that the contractors are guilty of the most outrageous and systematic swindling and robbery. Their acts can be properly characterized by no other terms. There is evidence also that the persons employed in the Department to make the purchases are accomplices in these crimes. I have examined invoices of purchases made by the Department or its agents in eastern cities, where the prices charged were from 50 to 100 per cent. above the market value of good articles. Upon an examination of the goods I have found them, as a general thing, worthless and deficient in quantity. Among them were "steel spades," made of sheet-iron; "chopping axes," which were purely cast-iron; "best brogans," with paper soles; "blanket," made of shoddy and glue, which came to shreds the first time they were wet, &c. But the folly or wrong of these purchases, made by dishonest agents from dishonest contractors, does not cease here. Many articles are purchased which would be utterly useless to the Indians if their quality was ever so

good, such as iron spoons, mirrors, gimlets, Jew's-harps, hair-oil, finger-rings, and, in one case which came under my observation, forty dozen pairs of elastic garters were sent out to a tribe in which there was not a single pair of stockings. Agent Wilbur, in charge of the Yakama reservation, in a report upon this subject, says: "The goods furnished from the Atlantic States have been of an inferior quality, often damaged, and sometimes short in quantity. Of the first invoice of annuity goods received here there was a large number of blankets short; of other goods which arrived here in 1862 there was a deficiency of fourteen pairs of blankets, twenty-one yards of checks and stripes, and six pairs of brogans, besides twenty-five pairs of blankets rat-eaten to that extent that they were considered worthless. Thirty-seven pairs of pants and twenty-two coats, on opening the case, were found to be wet and completely rotten. The woolen goods sent out have been almost universally worthless; clothes made up for the schools from annuity goods, many of them, were not worth the making. The same might be truthfully said in regard to the quality of hoes, axes, pitchforks, and shovels, many of which were not worth the transportation from Dalles, Oregon, to this place, a distance of seventy-five miles. The calico has been of a very inferior quality. One would suppose that the sentiment prevailed where such goods were purchased that they were for the Indians, and no matter about the quality or quantity."

Here we have Jew's-harps. Very well, let them have Jew's-harps. It is said music hath charms to soothe the savage breast, and I will not object to music. Here, too, we have hair-oil, [laughter.] and finger-rings, and, among other things, forty thousand pairs of elastic garters. [Great laughter.]—What advance in civilization does this demonstrate? It would seem in all the ornaments of the person and conveniences of dress they have reached a point in which they equal if not surpass our own fair daughters. Fearing some of my bachelor friends may not understand this, I will tell them that when they sent these forty thousand pairs of elastic garters they were just about as useful as if they had sent so many shoe-strings and no shoes, or a lot of linclips without wheels; for with all these forty thousand pairs of garters not a single pair of stockings was sent. [Laughter.] My friend suggests that the garters ought to be used to hang the parties who perpetrated so gross a fraud. In that I agree with him, and no doubt so will the House.

Then again, sir, at that time there was a law that thereafter no goods should be purchased by the Indian Department or its agents, for any tribe, except upon the written requisition of the superintendent in charge of the tribe. This law was violated, and the then Commissioner of Indian Affairs, William P. Dole, in spite of that law staring him in the face, made requisitions, not one of which had been recommended or prescribed by agents in charge of the tribes, as the law required.

In that same report I find the following, showing the frauds in the transportation as well as in the goods:

The time and manner in which the goods have been shipped have been most unfortunately chosen. The goods of 1863 were not only shipped by the costly isthmus route, but they were subject to exorbitant charge for packing, drayage, &c., (for detail of which see comparative schedule, marked G.) and the bulky nature of some of the articles was such as to make the freight a great deal more than the value of the goods delivered. Handled axes, hatchets, pitchforks, garden-hoes, &c., were packed in huge pine boxes, to be transported over the route from Baltimore and New York to Warm Springs and Umatilla. The transportation of the bulky wooden handles was five times the value of the articles, handle and all, after delivery, while the Indians would have thought it no hardship to have made the handles themselves out of the timber which grows upon their own reservation.

The purchases of 1864 were all shipped via Cape Horn and San Francisco to Salem. Salem was the proper destination of no part of the goods. Your familiar acquaintance with the country enables you to see at once the absurdity of shipping goods bound for Warm Springs or Umatilla up the Willamette River to Salem, thence down the river to Portland again, toward their final destination. The goods designed for Siletz agency afford a still more marked instance of mismanagement. They have

been transported from San Francisco to Salem at a cost of about \$75 per ton, and now the most economical way to get them to their destination will probably be to ship them back to San Francisco again at like cost, and thence direct to Siletz at a cost of about \$16 per ton. The only other alternative is to transport them on pack-mules from Salem to Siletz, which probably will not cost less than \$100 per ton. In regard to the quality and suitability of the goods shipped, it has generally been such as could have been anticipated when the purchases were entirely unacquainted with the country or the Indians who inhabit it, and there has uniformly been an unfavorable discrepancy between the invoices and the articles actually shipped. I shall not swell this letter to the inordinate length necessary to point out all these failures or swindles, but a few of the most glaring must suffice.

Merrimac prints are named in the invoices of both years. This, as is well known, is the most costly sort of calico, and the prices paid have corresponded with the invoice quality, but not a yard of Merrimac calico has ever been put in the package; on the contrary, the article shipped has always been of a very inferior quality, such as can be bought for 25 or 30 per cent. less than the Merrimac, and is worth to the Indians, who are expected to consume it, less than half. The article shipped as cotton duck was of a light and inferior article of common drilling. A considerable part of the thread sent out was rotten and utterly worthless. The needles, the buttons, the fish-hooks and lines were of the most inferior description, and of very little value to the Indians. Spoons enough were brought to give nearly half a dozen to every one of the tribe, and they were so worthless that the Indians generally refused to carry them away after they were given out. Fancy mirrors, costing \$5 per dozen, were sent; they proved to be little looking-glasses about two inches in diameter, and worth absolutely nothing to the Indians. A lot of steel weeding-hoes, handled, proved to be little affairs, intended for the use of some delicate lady, if indeed they were intended for use at all. Scissors and shears in inordinate quantity and utterly worthless in quality were sent. Tinware, packed in roomy cases, until the freight was far in excess of value. Frying-pans of thin sheet-iron utterly worthless, and so esteemed by the Indians. In short, the entire purchases show either ignorance of the Indians' wants or designed to defraud them.

Again, on the next page of the report, we find the following:

Huntingdon's requisitions of the 24th of September, 1863, were in the Department at Washington when the purchases of 1864 were made, and by reference to Huntingdon's schedule, which I append, it will be seen that Messrs. Dole and Gordon had as little comprehension of the requisition as they had regard for the law of Congress, which they were palpably violating. Huntingdon asked for "small steel ploughs," and they sent him "fancy mirrors;" he asked for "harness for ponies," and they sent him "frying-pans" and "knitting-needles;" he asked for "axes and grain cradles," and they responded with "scissors and iron spoons."

Thus it will be seen from this report that there had been frauds in quality, frauds in quantity, frauds in price; that there had been frauds in the purchaser, frauds in the seller, frauds in the agent, frauds in the superintendent, frauds in the trader at the post, frauds in the carrier in the route selected, and in the number of miles, and last though not least, fraud strongly suspected if not absolutely proved in the Indian Commissioner, within two steps of the White House itself. But I desire to say here that no one suspected, no one believed, no one even intimated, that the occupants of the White House between 1862 and 1869 knew of or had any connection with these frauds or any other. No, sir, it is but simple justice to them to say that they were not only honest but were above suspicion. There was a ring then as now, and it permeated the whole Bureau with all its connections and agencies.

Again, sir, in 1868 a peace commission was appointed by the President, under an act of Congress, consisting of Generals Sherman, Harney, Terry, Augur, and others. Let us hear what they say after investigation as to the agents and men in the service of the Indian Bureau:

The records are abundant to show that agents have pocketed the funds appropriated by the Government and driven the Indians to starvation. It cannot be doubted that Indian war has originated from this cause. The Sioux war in Minnesota is supposed to have been produced in this way. For a long time these officers have been selected from partisan ranks, not so much on account of honesty or qualification as for devotion to party interests and their willingness to apply the money of the Indians to promote the selfish schemes of local politicians. We do not doubt that some such men may be in the service of the Bureau now; and this leads us to suggest that Congress pass an act fixing a day (not later than the 1st of February, 1869) when the offices of all superintendents, agents, and special agents shall be vacated. Such persons as have proved themselves competent and faithful may be re-appointed.

el. Those who have proved unfit will find themselves removed without an opportunity to divert attention from their own unworthiness by professions of party zeal.

So thoroughly were the commissioners impressed with the fraud and corruption in this Bureau that they recommended that all the offices of the agents, special agents, and superintendents should be vacated; and the only criticism I would make upon this recommendation is that it was not as extensive as the facts demanded. It should have included all officers in the service of the Bureau.

This report came from men who opposed a transfer at that time of the Indian Bureau to the War Department, and is therefore entitled to greater weight. Later in that year, after further investigation, they had a subsequent meeting and they changed their minds, and recommended by resolution that the transfer be made.

But it will be said by the opponents of this measure that all this took place before the present system of nomination by religious bodies had been inaugurated. I have already shown that from the nature of the case this change is not and cannot be a remedy; and in this opinion I am conclusively sustained by the facts.

In the spring of 1875 Professor Marsh, of Yale Scientific School, New Haven, Connecticut, a gentleman of high character as a scholar and as a man, visited Red Cloud agency on a scientific mission, and while there he came into possession of facts which showed frauds as he believed in the agents and the contractors. These facts with others afterward obtained led him to charge fraud not only at the agencies, but that these frauds were winked at by the Secretary of the Interior and the Commissioner of Indian Affairs. Here we get in one step of the White House; from the last step God grant that the nation may ever, in accordance with truth and justice, be spared.

A commission was appointed, and upon it was placed a gentleman of high character and distinction, now on this floor, from West Virginia. He can correct me if I am wrong. By their recommendation the agent and the inspector, nominated by a religious body, were both removed from office and two contractors forever excluded from any further contracts with the Government. They made no recommendation as to the Commissioner or the Secretary of the Interior.

But these high officers came out of the transaction badly damaged in reputation; dark suspicion with its horrid front and threatening aspects confronted them at every step, rumors were afloat in the atmosphere all around them, public confidence was shocked. The storm lowered, the muttering of the thunder was heard, and ere it breaks in all its fury upon their devoted heads they step down and out with certificates of good character in their pockets from the White House. Add to all this sworn testimony recently taken, and the conclusion is inevitable that the ring yet exists in all its power and has made fearful inroads upon the Treasury of the country. That there are honorable exceptions among the officers and employees of this Bureau I thankfully and cheerfully concede, and among them I would name the present Commissioner, who has been in office but a short time, and the board of commissioners, against whom I have not heard even so much as an intimation; but in spite of them the ring exists and its crushing weight felt and shared by both the Indians and the people.

But I am not just here, as I was in the committee, with this idea: Granting all you say in view of the recent developments of fraud and peculation in the War Department, what will you gain by the transfer in this respect? I acknowledge the force of this argument, and at times I feel it is almost unanswerable. I confess, sir, while investigating this subject when I remembered the poor Indian, how he had been robbed and duped, and [Continuation Fourth Page.]