

A N O P E N L E T T E R

IN ANSWER TO A SPEECH OF

HON. H. L. DAWES,
UNITED STATES SENATE,

ON THE CASE OF BIG SNAKE,

BY

HON. CARL SCHURZ,
SECRETARY OF THE INTERIOR.

WASHINGTON:
1881.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, February 7, 1881.

Hon. HENRY L. DAWES,

U. S. Senate.

SIR:

I have read your speech recently delivered in the Senate on the killing of the Ponca Chief "Big Snake," in which you made certain reflections on the conduct of the Interior Department calling for my attention.

A cabinet officer has no voice on the floor of the Senate. He cannot personally defend himself there against any attack, however unjust. He cannot correct misstatements of facts, however reckless. And even when Senators undertake his defense, as was generously done in this instance, they can scarcely ever be as conversant with all the circumstances of the case as the attacked cabinet minister is himself. I shall certainly not object to the freest use of the privileges of a Senator, which I well understand; but no fairminded man will, on the other hand, find fault with me if I employ those means of public defense which every citizen has at his disposal. The nature of your attack relieves me of those considerations of official restraint which otherwise would control my language.

I have been exposed to so much misrepresentation and obloquy in connection with the Ponca business that I think it time to call things by their right names. I want fair play, nothing else.

The facts upon which you make your speech are, in a few words, as follows:

The agent of the Ponca Indians in October, 1879, officially informed the Commissioner of Indian Affairs that a Ponca Indian, Big Snake, was threatening his life and stirring up disturbance among the Indians. He requested that this Indian be arrested and confined at Fort Reno, and that a sufficient force of soldiers be sent to the Ponca Agency to effect the arrest. This request was sent by the Commissioner of Indian Affairs through the Interior Department, with its approval, to the Secretary of War. The soldiers appeared at the Ponca Agency and the officer commanding them was informed by the agent that Big Snake was expected at the agency at a certain time on that day to receive some money due him, and he thought it would be better for the officer to make the arrest on that occasion. The Indian came and the officer informed him that he was there for the purpose of arresting him. The Indian, a powerful man, resisted; a scuffle ensued, and in that scuffle one of the soldiers, without orders, shot him.

Whether the agent was justified in fearing danger to his life from the Indian, I will not discuss. There is no doubt that he thought so. It is probable that he had reason to think so. When I visited the Ponca Agency late in September, 1879, I was informed by several persons of the troublesome conduct of Big Snake. The agent wrote the Indian Office on that subject not long after the massacre of Meeker and his employes had taken place on the Ute reservation, and there was more excitement among the Indians, and more apprehension among agency people than usual. His representations could not be disregarded by the Commissioner of Indian Affairs and the Department.

The request by the agent to have the Indian arrested and confined "for the rest of his natural life" was at once rejected and altered by the Commissioner of Indian Affairs to an arrest until further disposition. So it went to the War Department.

This brief statement of the facts you will find in essential accord with the statement made by Mr. Kirkwood, the chairman of the Committee investigating the Ponca case, on the floor of the Senate.

From this plain statement of facts, and all the evidence in the case, which also shows that the agent who was present called out to the soldiers not to shoot, it appears clearly that this deplorable catastrophe was only the result of a sudden impulse of a soldier, a bad impulse certainly, and that no one else but he himself could be held responsible for the murderous deed. This will be the conclusion of every fairminded man, as it was the conclusion arrived at by Senator Kirkwood, who is conversant with all the circumstances of the case, being the chairman of the committee appointed to investigate it, and who expressed that opinion clearly and unmistakably on the floor of the Senate.

Now what have you made of this story? Delivering an eulogy upon the murdered Indian, you describe him as one of two brothers who had long and firmly resisted the tyranny of the government; one of the brothers "the government is at this moment engaged in the laudable attempt to starve into submission since it has not as yet been convenient to otherwise dispose of him," which I suppose is intended to mean that the government has as yet not found it convenient to procure his assassination; while the other, Big Snake, has "fallen in the conflict." "With the latter," you say, "the work was quicker and more effective." As you describe the attempt to arrest Big Snake, "the struggle continued with doubtful odds until a soldier, from a position prearranged for the purpose, put an end to it by a ball which pierced the brain of the victim."

No man can read your speech, which, as I am informed by the best possible authority, was not the product of momentary excitement, but a coolly and carefully prepared and elaborated effort, printed and sent several days before its delivery to the newspapers of your State, without receiving the impression that you mean to hold this Department of the

Government responsible for the murder, not as a mere accidental consequence of a hand to hand struggle incident to an attempted arrest, but as a concerted and prearranged act, designed to rid the Department of a troublesome opponent of its policy. You go even so far as to add: "Indeed, the whole thing has been so in accordance with the ordinary mode of transacting Indian affairs, or the life of an Indian is counted of so little consequence, that when inquired about concerning it by the Senate of the United States, the Interior Department forgot for nearly a year to answer the inquiry at all, and did not think it worth while to express an opinion upon its character."

If this means anything pertinent to this case it can only be that the ordinary method of transacting Indian affairs in this Department is to murder men unless they fall in with its official policy, and that by it the life of an Indian is considered a matter of small moment.

I must confess that when reading this atrocious statement I could not repress a feeling of indignation; but upon mature reflection it became clear to me that the outrage of so revolting an insinuation had passed the line which separates the sublime from the ridiculous. Senator Kirkwood characterized it by the following quiet remark, on the floor of the Senate: "Now, whether the Senator desired to be understood as wishing to convey the impression that this had been a prearranged plan before-hand to kill the man, that this soldier had been stationed there for the purpose, and that the struggle was a pretense to give him the opportunity of doing it, I do not know. If that was the intention of the Senator from Massachusetts (Mr. Dawes) I can say that he was mistaken; he was mistaken in the facts, and that he has allowed his feelings in this matter to becloud his judgment." Senator Kirkwood, being conversant with all the circumstances of the occurrence, no doubt stated them correctly. If he erred in anything it was, perhaps, that he thought your judgment might have been clouded by your feelings.

I should not forget to mention that when Senator Logan, himself a warm advocate of the red man's rights and interests, indignant at the insinuations thrown out by you, proclaimed his opinion that the officer now at the head of the Interior Department had conducted the affairs intrusted to his charge wisely and justly, and should not be assailed in such a manner, you had the good grace to say: "Neither here nor elsewhere has a single word ever fallen from my lips in disparagement of the general policy of the Indian department or its head toward the Indians. On frequent occasions here and before the public at home I have taken occasion to commend it, with the exception of this particular transaction with regard to the Poncas."

With this admission, then, it would seem that the chief of the Interior Department is, in your opinion, on the whole a good public officer who only occasionally, when he takes it into his head to oppress an Indian

tribe, will plot or connive at the assassination of men who stand in his way.

You find yourself compelled to say at last: "No one has charged, I have not charged the head of this Department with the commission of these wrongs." This is characteristic. No, you did not mention me directly, holding me personally responsible, but with skillful use of language you insinuated the meaning without undertaking to use the straightforward expression, and I fear many will think that the latter would have been more manly than the former. But if there could be any doubt as to the real meaning you desired to convey, that doubt is solved by a remark in which you rise to the true level of your greatness. It deserves to be recorded.

You said: "It has been a relief to me, however, in examining our treatment of these weak and defenseless people to find that these methods are not American in their origin, but bear too striking a resemblance to the modes of an imperial government carried on by espionage and arbitrary power. They are methods which I believe to be unique and which I trust will not be naturalized."

You have succeeded in making yourself understood. From the Pequot war to our days there never was an Indian unjustly killed in this country until a German born American citizen became Secretary of the Interior. All has been peace, love, and fraternity. The red man has for three centuries reposed securely upon the gentle bosom of his white brother, and no man to make him afraid, until this dangerous foreigner in an evil hour for the Republic was clothed with authority to disturb that harmonious accord and to disgrace the American name with espionage in Indian camps, and the blood of slaughtered victims; and all this he did in an effort to naturalize on American soil the dark and cruel methods of imperial governments, of which this foreigner notoriously is, and has always been, a faithful and ardent worshipper and champion. And, "it is a relief" to your patriotic soul that there is hope this wicked naturalization scheme will never succeed. It is pleasant to reflect that there is one man at least among us who even under such threatening circumstances will not despair of the Republic.

Next to plotting against the life of an Indian, you accuse me of not furnishing the correspondence upon the case of Big Snake asked for by the Senate, within ten months of the call. You say that "the Interior Department forgot for nearly a year to answer the inquiry." I informed you officially on the fifth of January of this year that when the resolution of the Senate on the 12th of March, 1880, was delivered at this Department, it was forthwith referred to the Indian Office, with special directions for report; that by some accident the report did not take its regular way through the Interior Department to the Senate; that it is probable the late Chief Clerk of the Indian Office, Mr. Brooks, took it before your committee for the investigation of the Ponca case,

rather in order to expedite than to delay it. This official statement, showing that the inquiry was not forgotten for ten months, should have been considered sufficient among gentlemen.

The circumstance of such an accidental delay would be treated as a very insignificant affair by any statesman of average size. After having received from a cabinet minister an explanation such as I gave, he would decently accept that explanation without further comment. But with this official statement before you, you repeated time and again in the course of your remarks, "that the Interior Department forgot for nearly ten months to answer the inquiry at all;" that I "had even forgotten that the inquiry had been made," &c.

Since with characteristic zeal you thus insist upon magnifying so small an affair into importance, you will not object if I inquire into the candor and ingenuousness of your reasoning. I affirm that the inquiry was not forgotten, not only not for ten months, but not for a day. The question arises: Did you not know that it was not forgotten? The record of the session of the Senate Committee inquiring into the Ponca case, of which you are a member, held on March 20, 1880, shows that Mr. Brooks, the Chief Clerk of the Indian Office, was before you for examination. You asked him: "Were you requested to furnish the committee with copies of any papers that might be in the Indian Office bearing upon the killing of Big Snake?" He answered, "I was, and I have them here." You asked him further: "Do they contain anything additional to what has already been testified to before the committee?" The answer was: "Really my time has been so fully occupied that I have not had time to examine them, and cannot say whether they contain anything additional or not."

From this it appears that Mr. Brooks had before the committee copies of the papers existing in the Indian Office bearing upon that case, and that you were aware of it ten months ago. But to obtain the greatest possible certainty as to the delivery of the papers I asked Mr. Brooks, (who is at present in Florida, no longer in the public service,) by telegraph, for his recollections of this matter, and received the following reply:

FERNANDINA, FLA., Feb. 5, 1881.

Hon. CARL SCHURZ.

Secretary of the Interior, Washington, D. C.:

At Mr. Dawes' request made full copies of Big Snake papers and tendered them to him at meeting of Committee. He suggested that there might be others and asked me to hold them prepared until search was made. Found nothing, and at subsequent date, at conclusion of meeting of Committee, gave him all the papers in the case, together with some data concerning Cheyennes. I and he know it.

E. J. BROOKS.

The record of the investigating committee and the dispatch of Mr. Brooks support one another so strongly as to remove all reasonable doubt.

And now, it being clear that the papers were delivered into your hands ten months ago, you undertake to charge the Interior Department with having for ten months forgotten to answer the inquiry, and you iterate and reiterate that charge. The question is no longer whether the Interior Department forgot to furnish those papers, but what you did with them after they had been furnished? I will charitably suppose that your memory is not long enough for the business you are engaged in; for without such an explanation it would appear that you show a dangerous readiness to overcome ordinary scruples in an eager desire to make small points.

But you venture a step farther the effect of which you have probably not calculated beforehand. You say in the debate following your prepared speech: "I have complained of them [these wrongs] to him [the head of the Interior Department] and before the public, and entreated him to take hold of this thing himself and leave upon the records of the country not only that he had no part or lot in this great crime, but that he disapproved of it. This very action of the Senate itself—this resolution that he forgot to answer for ten months—I implored, myself, the Indian Bureau to so answer that it would leave upon the records of the country the disapproval of it—that disapproval which they were free enough to give me in private."

Here I find myself and the Indian Office accused of having resisted your personal entreaties and implorations.

Do you undertake to say to me, Senator Dawes, that you, personally, have ever complained of these wrongs to me and "entreated me to take hold of this work myself?" Do you mean to be understood that you implored, yourself, the Indian Bureau or any officer thereof "so to answer that it would leave upon the records of the country the disapproval of it, which they were free enough to give you in private?" I have made inquiry of this subject and I have been informed that there is no man in the Interior Department to-day who can remember you ever to have spoken to him upon this matter except in questions asked in the proceedings of the committee of investigation. And as to myself—and I wish you to understand me clearly—whatever speeches you may have made elsewhere, you never approached me, personally, upon this subject either by way of entreaty or otherwise.

You know, and the country knows, that I was the first man, in 1877, to lay the hardships suffered by the Poncas frankly and without disguise, before Congress and the public. You know that in 1878 I submitted to Congress and the public the report of the Commissioner of Indian Affairs, repeating the story of their wrongs. You know that in 1879 again I recurred to it in strong language in my official report, and that a bill for indemnifying the Poncas was submitted to Congress, during the preceding session. During all these years you sat in the Senate of the United States, and not a word from you was heard in response to the

entreaties, not which you made to me, but which I officially made to you as a member of the highest legislative body of the Republic.

The recommendations I made to remedy the wrong done, and which now are asked for by the Poncas in the Indian Territory themselves, might not then have met your approval; but they should at least have attracted your attention and reminded you of your power as a legislator, as well as your duty, to change them so as, in your opinion, to meet the requirements of right and justice. Not a word was heard from you. I may in charity go so far as to say that these reports and recommendations may have escaped your notice as they escaped the notice of many others who did not take special interest in the subject, and that only when your constituents in Massachusetts began to hold meetings upon this matter you thought it worth your while to take an interest in the grievances of the Poncas, which ever since have so violently agitated you. But might it not be supposed that a man so profoundly in earnest as you are, would at least then have spared no trouble and lost no opportunity to make his views heard by those immediately in charge of this business? You know that the Interior Department was open to you and you did not fail to avail yourself of your opportunities. Indeed you were seen in the Interior Department during the time that this agitation was going on and while you were taking in it an active and conspicuous part. It is also remembered, not only by myself, but by others in this Department, if you made any entreaties at all, what the subject of those entreaties was. While you desire the country in general, and I suppose your constituents in particular, to understand that your heart was overflowing with philanthropic emotions concerning the downtrodden Indian, and that the wrongs of the Poncas uncontrollably disturbed your night's sleep, the subject of all your entreaties in the Interior Department is recorded in a dozen or two of applications for office urged by you and filed with your name during that period of your new-born anguish about the red man.

I do not mean to blame you here for soliciting places and favors in this Department or elsewhere; but when you have come for that only, then you must not tell me and the public that you came with implorations for the poor Poncas and that I coldly received your appeals.

Permit me now to say that your exposition of the murder of Big Snake and the connection of the Interior Department with it, as made in your prepared speech; your burst of eloquence on the naturalization of the methods of imperial government; your reiterated charge that I for ten months forgot to answer an inquiry concerning it; your proclamation of the zeal with which you in vain intreated me and others to rectify the wrong, are fair specimens of the spirit with which this agitation has been carried on for many months, not only by you but by others.

I know that many honest and sincere philanthropic men and women have taken a warm interest in the fate of that poor tribe, and have en-

deavored to do the best they knew to procure the redress of the hardships it had suffered, and for this I sincerely honor them. But it is also true, and a very large portion of the American people, witnessing this agitation, are now becoming aware of it, that agitators of a different class have endeavored to turn the movement for the benefit of Indians into one for the blackening of the character of one they choose to represent as a tyrannical oppressor. A new illustration has been furnished of the fact that it is difficult to exaggerate the malignant unscrupulousness of the speculator in philanthropy hunting for a sensation. And once more has it become apparent how easily it happens that honest people following such lead with the dangerous assurance of half knowledge, permit themselves to be made tools for the pursuit of questionable ends. While, ever since my accession to office, I may say without a boast, I was honestly endeavoring to do the best I could for the Indian race, I have been held up for many months as a heartless tyrant, oppressing hundreds of suffering men, women and children.

What I permitted myself to say was strictly in self defense. But the fact that I first called attention to their grievances was discarded without notice. The reason I gave for not recommending the return of the Poncas to their old homes in the winter of 1877, when, from their own statements, I had first learned to appreciate the true nature of the case, consisted in the danger of thereby provoking another Sioux war, and possibly with it the destruction of the Ponca tribe and the devastation of a large expanse of country. That opinion was shared by some of the wisest philanthropists of the country as well as men long experienced in Indian affairs. It was thrown aside as unworthy of attention. My anxiety that the removal of the Ponca settlement in the Indian Territory in the face of the invasion of that Territory by lawless intruders might, by inviting and facilitating the invasion, bring on a great danger for the peace and welfare of many peaceable tribes there, was treated as a ridiculous whim. The public were told again and again that the land occupied by the Poncas in the Indian Territory was a malarious swamp upon which the Indians were rapidly perishing by disease; that they had already lost from one-fourth to one-half of their number; that they could not and would not gain a living there by agriculture and other labor; that the whole tribe would be in their graves before becoming acclimated or in any manner contented with their situation; that the Poncas had been for four years shut out from all correspondence with the outside world, while they are known to be constantly visiting the nearest town in Kansas with their wagons, freighting and trading; that the agent controlled them with his "white police," while the police force consisted exclusively of Ponca Indians, no white man among them. Whenever I hinted that I saw reason to think otherwise, such utterances were treated as unscrupulous falsehoods coming from a heartless oppressor.

At last, in October, 1880, the Poncas in the Indian Territory, by a letter addressed to the Indian Office, signified their desire to remain in the Indian Territory and to relinquish all their right to their old Dakota lands. That letter, having been published, was treated by men high in station as the product of fraud, cajolery, or other iniquitous contrivances.

In December last the Ponca chiefs came here. They repeated the expression of the desire of their people to remain where they were located, in unequivocal and earnest language. Then it was said that their friends, who wanted to ascertain their true sentiments, were arbitrarily denied access to them, and that when in council the Ponca chiefs manifested their adherence to the desire expressed in their letter, they were doing so quailing under the "hard look" of an Indian agent and the overawing presence of the Interior Department.

At last a commission named by the President, one-half of its members designated by the Ponca relief committee of Boston, went to the Indian Territory and saw the Poncas in their new homes. The Indians assembled in council. All white men except the Commissioners were rigidly excluded from the meeting. The hard looking eye of the agent was absent. The overawing influence of the Interior Department was far away and carefully shut out. The Commission had even called to their aid a missionary known to the Poncas as an old friend, and as a strenuous opponent of their removal from their lands in Dakota. Nothing was left undone that the sharpest critic of the Interior Department and the most watchful friends of the Poncas could desire. They were plied with questions addressing themselves to every impulse of dissatisfaction and greed, questions which might be looked upon as direct appeals to induce them to express a desire to return to Dakota. After the first day of the council the Indians were told to take another day and then to answer again. And what was the result? There had been more misapprehension of the facts assiduously fostered, more downright falsehood persistently reiterated with regard to this case than upon any similar subject that I can remember. The truth at last appeared coming from the lips of the Indians themselves.

Was the expression of their desire to remain in the Indian Territory genuine, or the result of fraud? Was their land a malarious swamp in which they must all perish? Did they think the land was worse or better than their land in Dakota? Were they well cared for in the way of houses? Had they been bribed by promises or were they induced by pecuniary considerations to resolve to stay in the Indian Territory? Had the chiefs spoken for themselves alone, or had they represented their people? This the Indians themselves have answered. These are the salient features of the testimony reported by the Commissioners:

FIRST COUNCIL.

The agreement signed in Washington was read:

General Crook.—Now if this expresses the wishes of all who are here, they are to say so, and if not, they are to say not.

Answer for all.—We all hear and understand it. (The chiefs and all others of the Poncas at this point consulted.)

General Crook.—Those who agree to it are to hold up their hands—men, women and children.

(A general showing of hands.)

General Crook.—If there are any who don't agree to it, let them hold up their hands.

(No reply.)

* * * * *

Mr. Allen.—Ask him if he thinks this land is better than his old land?

White Eagle.—I think this land is a better land; that it is improving. Whatever we plant will come up.

Mr. Allen.—If the Great Father wanted to send you back there and give you all you had before, would you want to go or stay?

White Eagle.—If the Great Father should make that for me, I should think he'd have me wandering around; and for that reason, I should be unwilling to go and should want to remain here.

Mr. Allen.—If the Great Father should give him a strong paper for the land, would he be willing to go back there and remain permanently?

White Eagle.—I would remain here. The matter is finished, and so I'll sit here.

Mr. Allen.—Ask him if the houses they have here are as good as those they had in the old home?

White Eagle.—We think that these houses here are a little good. Those houses up there were bad—they had dirt roofs. These are better than the others.

Mr. Allen.—Do they raise as large crops as they did up there?

White Eagle.—In that land there were insects that destroyed the crops; in this land there are no insects (grasshoppers.)

General Miles.—I want to ask a few questions here. I want to inquire what is the condition of the tribe at present as regards health.

White Eagle.—Counting this winter makes the third season we have not been sick.

General Miles.—Has there been much sickness in the tribe since they came to this territory?

White Eagle.—For two seasons there was sickness.

General Miles.—Do they find this country as healthy as that they left up there? Have they during the past three years been as healthy as they were during the three before they came down?

White Eagle.—From the time the sickness stopped I have been walking here and find it very good. I put this country before the other—find it healthier.

General Miles.—Ask them if there is any sickness now?

White Eagle.—No, sir, I think not.

SECOND COUNCIL.

General Miles.—He stated yesterday that the last three seasons his people were healthy. I want to know whether he is aware whether last year was an unusually dry season or an ordinary season?

White Eagle.—When we came to this country we were sick because we were not accustomed to the warm weather, but now we are used to it and are better and think we will like it.

General Miles.—I understood them to say that no threats had been made to induce them to change their minds. Now I want to know what effect the promises and assurances made to him and his people have had upon his people in bringing about this change of mind.

White Eagle.—We were dwelling in this land and doing nothing and were foolish as it were; so we assembled together and sent a letter to the Great Father, asking him to send for us. We did this of our own accord; nobody caused it.

General Miles. (upon suggestion of Mr. Stiekney.)—Don't they remember that

the Secretary told them when this affair came before him he would recommend it to the favorable action of Congress, but he himself had nothing to do with making the appropriations?

Answer from all.—We so understood it.

General Miles.—In case Congress fails to appropriate \$90,000 but allows them to remain here without the \$90,000, what effect will that have upon the tribe?

Standing Buffalo.—Even if they did not wish to give us that money, we should wish to remain here and work for ourselves.

Mr. Stiekney.—Does he speak for all?

Answer from all.—We speak with one heart.

General Miles.—If no money is appropriated, but the privilege granted of remaining here or going back to their old homes, how many would remain here and how many go back to Dakota, supposing it to be optional with them and they to be perfectly free to do as they please?

Standing Buffalo.—We think that if we went back to Niobrara we would receive no tools and no rations, and so we would prefer to remain here.

General Miles.—But supposing they received the same treatment in every way, houses, tools, rations, everything, at Niobrara as here, what then would they do? I want to get at the bottom of their hearts in this thing.

Standing Buffalo.—Even if the Great Father should give us all those things up there, we would fear wandering around and would prefer to stay here.

General Miles.—Ask white Eagle.

White Eagle.—I think the same.

General Miles.—Ask him if he is sure that all his people think the same about this as he does?

White Eagle.—Even if the Great Father is willing it is a very abominable thing for us to be going about doing nothing, and so we want to stay here.

General Miles.—Is he sure that all his camp think the same way?

Mr. Stiekney.—Does he know anybody of a different opinion?

White Eagle.—All are of one opinion.

General Miles.—If there is any man in this room who would go back to Dakota if assured the Great Father would grant the same privileges as now given here and they should not be disturbed, let him speak out; if he would want to spend the remainder of his days there with a firm title to his land and the conditions the same?

Peter Primard, (Chief of Police).—If the Great Father was to say to me "Go! you can go back to that place"—even if he was to give me \$20,000, I would not go.

Standing Yellow.—What these chiefs say, they say for us and we agree to.

Bears Ear.—We young men sent the chiefs to Washington and they have come back with good news. I have put a big stone down here and will sit upon it. I prefer to stay here.

General Miles.—In case the Great Father shall decide to give those up there a paper as strong as this restoring their land to them and shall decide to send the \$90,000 to those up there, I want to know how many of these here would wish to go back there or whether they would wish to remain here without the \$90,000?

Standing Buffalo.—Even if he didn't give us the money, we would all be willing to stay here; but why should he not give us the money?

Big Bull.—I give my assent to all the chiefs have said at this meeting. I want to stay here and have a farm of 160 acres for myself. We all have heard what the chiefs said very plainly, and agree to it all.

That the Poncas once desired to return to Dakota nobody disputes.

But what is their condition, what are their wishes now?

Nothing can be clearer that not only does it not need any money to induce them now to go away; that the tribe did not declare their willingness to stay because the chiefs had "touched the pen" binding themselves to do so; but that the chiefs had touched the pen because the tribe was determined to stay.

I had confidently expected and predicted that the Poncas, after the first experiences of a new settlement, would become aware of its advantages and then remain comfortable, contented and prosperous. Who

will deny now that my expectations and predictions have been fully justified by the result?

When the commission had made their report it appeared that these important facts were clouded in language so obscure as to be scarcely discernible.

I asked the chairman of the Senate committee investigating the Ponca case to have the commissioners called before them in order to resolve that obscurity into clearness. The chairman asked me in writing to be present. The meeting of the committee was public. Mr. Tibbles, Bright Eyes, several ladies with them, and several journalists being in attendance. Two members of the President's commission were there as witnesses to be examined. I asked for permission to put questions to them and that permission was granted. Having read the testimony accompanying the report of the commissioners I knew what had happened, but the commissioners knew it also. The questions I addressed to them clearly revealed the fact that the Poncas in the Indian Territory were found by the commission unanimous and enthusiastic in their desire to stay; that they resisted every temptation of money held out to them to move; that they found their lands fertile, their health good, and their general condition comfortable, with the hope of greater prosperity than they had had in their old homes. The clear ascertainment of these facts was the result of the examination before the investigating committee. That result was published in the papers, and I here affirm emphatically the truthfulness of the report. And then, Senator Dawes, in a card skillfully worded to break the force of that publication, you appeared before the public stating that "the character as well as the significance" of the examination had been misrepresented. You know, as well as I do, that the report as published by the Associated Press was truthful in all that it stated, more than fair to you and one of the witnesses, and that no essential feature was left out, except, perhaps, some questions and answers the publication of which would have revealed only the distress of one of the witnesses examined, and the efforts of one of the examiners to come to his relief. That was the character of the report. And what was its significance? Its significance is plainly stated in the President's message in the following words:

"The commission in its conclusions omit to state the important fact as to the present condition of the Poncas in the Indian Territory, but the evidence they have reported shows clearly and conclusively that the Poncas now residing in that Territory, 521 in number, are satisfied with their new homes; that they are healthy, comfortable and contented, and that they are freely and firmly decided to adhere to the choice announced in the letter of October 25, 1880, and the declaration of December 17, 1880, to remain in the Indian Territory and not to return to Dakota Territory."

That was the President's conclusion, and it was the significance of the examination before your committee as published in the press report you

impugned. You know, sir, that this is true. The truth may have been disagreeable to you, but nevertheless it is the truth, and your card in the newspapers, calculated to discredit a truthful report, is only a worthy companion of your speech on the Big Snake case.

I fear, Senator Dawes, you have somewhat overreached yourself. There are voices making themselves heard among your constituents which show that fair play has its friends among them as well as elsewhere. It may be interesting to you to hear the remarks of the Boston Journal, a strong Republican party paper, and certainly not unfriendly to you. It said on the second of February:

"Some fine, when the heat of personal pique and prejudice has had a chance to subside, we should like to have these Ponca advocates tell us under what Secretary of the Interior for the Indians as a whole have been more kindly and humanely treated than under Mr. Schurz; under whose administration they have made more rapid progress in civilization; and who has been more strenuous and earnest than Mr. Schurz in promoting the education of the Indians, their material prosperity, and their advance toward the rights and responsibilities of citizenship than he? If there is any merit in discovering this Ponca question, it belongs to Mr. Schurz; for he had drawn the attention of Congress to the wrong done the Poncas, before Mr. Tibbles and the Ponca Committee had ever shed tears together. The Ponca Committee and the Ponca Committee had ever shed tears together; Mr. Schurz wants this done, not for the Poncas only, but for all the tribes. If the philanthropic people who are so much concerned about the Poncas were ever to see the Indian Bureau managed in accordance with what is succinctly described as 'the western idea,' it would dawn upon their minds that they had not acted with the highest wisdom in assailing with extreme vituperation an administration of Indian affairs which has been, on the whole, the cleanest, the most just and the most humane we have had."

The Boston Herald and other journals speak in the same vein.

While receiving with due diffidence these compliments, which I have at least endeavored to deserve, I do expect that the sincere philanthropists engaged in this movement will in course of time justify the prediction.

Indeed, in the midst of this storm of vituperation which has been conjured up against me, sober and candid minds may stop once more to inquire what has caused this virulent warfare, and what is to be the end of it. A blunder was made in an Indian treaty years ago. A wrong was committed against the Poncas. That wrong was generally acknowledged, first by me. A remedy was to be found. Charged with the responsibility of the conduct of all Indian affairs, and having in view the whole field, I proposed a remedy. Persons without that knowledge and responsibility proposed another. The remedy I proposed was to do substantial justice and at the same time avoid other and greater difficulties concerning the peace, safety, and interest of other numerous tribes of Indians.

The remedy, demanded elsewhere, left out of view these considerations and demanded abstract justice without regard to the safety and interests of others. "Let justice be done though the heavens fall" is a good cry for the agitator, and scarcely ever fails to draw a round of applause. To do, whenever possible, justice in such a manner that the heavens do not fall, is the office of government, for the falling of the heavens is

apt to injure innocent parties. And now when I have been vilified without measure for months as the cruel oppressor of the Poncas, it turns out that these Indians confess themselves comfortable and contented; that they want to stay where they are and cannot be bought to leave; that their prospects of well-being are brighter than ever before; and that if Congress wants to be just to the Poncas in the Indian Territory according to their own clearly expressed wishes, it will have to adopt substantially the identical recommendations submitted by this Department two years ago. This is the solution I foresaw, and the dangers and difficulties I wanted to avoid have been avoided.

Permit me now to make an appeal for the Poncas to you, Senator. Let these Indians at last have rest. Give them the indemnity they justly ask for and which I asked for them years ago. Let them quietly go about their farms and improve their homes and send their children to school, undisturbed by further agitation. That is the best service you can render them. They would probably be in a better condition already had that agitation never reached them.

These are some of the things I should have said had I been on the floor of the Senate to answer your speech. I might say more now, and it will give me pleasure to do so, if you desire to continue the conversation. This correspondence may possibly seem to you somewhat extraordinary; but it cannot reasonably surprise you to find that, as there must be some limit to the silence as well as the patience of a cabinet minister, an attack like yours is apt to encounter a defense like mine.

I am, sir, your obedient servant,

C. SCHURZ.