SURVEY OF CONDITIONS OF THE INDIANS IN THE UNITED STATES

HEARINGS
BEFORE A
SUBCOMMITTEE OF
THE COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE
SEVENTIETH CONGRESS
SECOND SESSION
PURSUANT TO
S. Res. 79
A RESOLUTION DIRECTING THE COMMITTEE ON INDIAN AFFAIRS OF THE UNITED STATES SENATE TO MAKE A GENERAL SURVEY OF THE CONDITION OF THE INDIANS OF THE UNITED STATES

PART 1
YAKIMA, WASH., AND KLAMATH FALLS, ORE.
NOVEMBER 12, 13 AND 16, 1928

Printed for the use of the Committee on Indian Affairs
COMMITTEE ON INDIAN AFFAIRS
LYNN J. FRAZIER, North Dakota, Chairman
NELSON A. MASON, Clerk
W. O. SKEELS, Asst. Clerk

SUBCOMMITTEE ON SENATE RESOLUTION 79
LYNN J. FRAZIER, North Dakota, Chairman
ROBERT M. LA FOLLETTE, Jr., Wisconsin. BURTON K. WHEELER, Montana. ELMER THOMAS, Oklahoma.
NELSON A. MASON, Clerk

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SURVEY OF CONDITIONS OF THE INDIANS IN THE UNITED STATES

FRIDAY, NOVEMBER 16, 1928

UNITED STATES SENATE,
Subcommittee of the Committee on Indian Affairs,
Klamath Falls, Oreg.

The subcommittee met, pursuant to adjournment, at 9.30 o'clock a.m., Senator Lynn J. Frazier presiding.
Present: Senators Frazier (chairman) and Pine.
Present also: Mr. Louis R. Glavis, chief investigator of the committee, and Mr. Nelson A. Mason, clerk of the committee.

The CHAIRMAN. The subcommittee will come to order. Will Mr. Crawford be the first witness?
Mr. GLAVIS. Yes.

TESTIMONY OF WILLIAM CRAWFORD

William Crawford, being first duly sworn, testified as follows:

By Mr. GLAVIS:
Question. Your name is William Crawford, of Chiloquin, Oreg.?
Answer. Yes.
Question. I think you had better give your occupation. What is your occupation?
Answer. Rancher.
Question. And your residence?
Answer. Chiloquin, Oreg.
Question. Are you a Klamath Indian?
Answer. Well, I'm a Modoc.
Question. Modoc? You are a member of the Klamath Tribe?
Answer. Yes, sir.
Question. How long have you resided on the Klamath Reservation?
Answer. All my life.
Question. What is your occupation?
Answer. Stock.
Question. Will you tell the committee just what you have done in the way of stock raising?
Answer. I raised cattle for many years—I could not say how many years—and made money.
Question. When did you go out of the stock business, and why?
Answer. Well, I began in the stock business 48 years ago; I was sick.
Question. How much stock and money did you have at that time?
Answer. I had $9,000 in the bank, and about 100 head of cattle when I took sick. I was in the hospital four years.

Question. Four years in the hospital?
Answer. Yes, sir; it took all of my money for doctor bills.

Question. Did you not go to the reservation hospital?
Answer. No; there was no hospital then.

Question. There was no hospital? There was a doctor there?

By the CHAIRMAN:
Question. You have a hospital here now?
Answer. Yes.

Question. When was that built?
Answer. It was built two years ago, I think.

Question. That hospital was built over the protest of the Indians, was it not?
Answer. Yes.

Question. Have you a big ranch now on the reservation?
Answer. Yes, sir.

Question. How many acres?
Answer. I have nearly 800 acres in one body.

Question. Most of it is hay land, is it?
Answer. Yes.

Question. Would you like to go back into the stock business?
Answer. I would like to, but we can not.

Question. Why can you not?
Answer. Because we have no range.

Question. What became of your range?
Answer. It is eaten out by the sheep clean up to the fences.

Question. Have you protested against the sheep?
Answer. Yes, we did—the whole tribe and the councilmen. They paid no attention and leased it for three years.

By Senator PINE:
Question. You made an official protest, did you?
Answer. Yes.

Question. Representatives appointed by the tribe protested against the leasing of your range to the sheep men?
Answer. Yes.

Question. And it was leased to white men over your protests?
Answer. Yes.

Question. And did the sheep hurt the range any?
Answer. Well, I don't know how they arranged it; the superintendent and the stockmen had the whole say. I do not know what they did.

Question. I say, it injured the range—killed off the range?
Answer. Just ruined it.

Question. Ruined it?
Answer. Yes.

Question. Did you have a meeting with the superintendent and protest to him about the sheep being grazed on the reservation?
PIONS OF INDIANS IN UNITED STATES

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SURVEY OF CONDITIONS OF INDIANS IN UNITED STATES

Answer. Well, we left it with—I was there when we got 12 council-

men and protested; and also I was with the tribe—the whole tribe—more than once.

Question. Did you at any time make a protest to Commissioner Burke against the approval of timber sales?

Answer. I did.

Question. Will you tell the committee about that?

Answer. Several years ago—I don't just remember when—we saw in the newspapers here where our timber was put on the market for $3.25 a thousand, and I told the people about it and we thought that was not enough; so we sent a telegram to the commissioner, stating our claim; that we realized our timber was worth more than $3.25, and asking the commissioner not to sell our timber at that price. Three men—two men signed besides me in the telegram, and we got a reply through the superintendent.

Question. How did you get a reply? Did Commissioner Burke reply to you?

Answer. No; to Superintendent Baker. And he sent for us to come up to the agency; and he read: “You people have no voice in your timber. I will sell the timber to whom I please, at any price.” And the superintendent asked us for a written apology for asking this, and he told me, “If you don’t, your fellows will get into trouble.”

Question. What do you mean, “written apology”? Answer. Wanted me to apologize; that I should not have asked that of the commissioner, that I was not satisfied with the price for the timber.

By the Chairman:

Question. That you should not do any complaining?

Answer. Yes.

Question. Did the commissioner request you to do that?

Answer. Yes. We did not see the letter; he had the letter and read it. I told him I would not make any apology.

By Senator Pine:

Question. That was Superintendent Baker, was it?

Answer. Yes.

Question. Where is Baker now?

Answer. I do not know. He is working for the Government service somewhere; I do not know where.

Question. You do not know where he went when he left Klamath?

Answer. No; I do not know where he went; he got a job somewhere in the service.

Question. Did they sell the timber at that time?

Answer. Yes, they sold the timber.

Question. For $3.25 a thousand?

Answer. Yes; that was my understanding, that they sold the timber that was on top of the Modoc Point country.

Question. And you thought it was worth more money at the time?

Answer. Yes.

Question. Did you have any offer for it?

Answer. No.
Question. Did you have knowledge of where timber was selling at a higher price?
Answer. Well, I don't know that part of it, but we were being told through our friends here in this country, some white men, that our timber—prices would go up every year, so we felt that our timber should not be sold for that price.

Question. And had gone up since, every year?
Answer. Yes; it went up to over $8 a thousand now.

By the CHAIRMAN:
Question. How long ago was this that it was sold for $3.25?
Answer. Oh, that was five or six years ago; I do not know how long Mr. Baker or how long Mr. Arnold was here.
Question. Five or six years ago?
Answer. Yes.
Question. Your telegram to the commissioner was respectful, was it?
Answer. Yes.
Question. Did you make any accusation, in the telegram, against the superintendent?
Answer. No. We talked to the superintendent first, several of us, about that matter, and he said that he had nothing to say; that it is up to the commissioner. Then we thought we would wire him, asking the commissioner to not sell our timber at that price.

Question. Can you tell us exactly what the superintendent said to you when he demanded an apology?
Answer. I had one old fellow with me; his name was Young Lo- bert. He said: "You better tell the old fellow here to sign it, and send to the commissioner a written apology. If you don't you fellows will get into trouble." "I told the old fellow in his language—I spoke their language thoroughly—what the superintendent said; and the old fellow was mad and he was going to pick up a stick or something and get at the superintendent. I said: "No; we will never get nowhere that way; we will get into trouble." So I told Mr. Baker—I said, "You go ahead; you and the commissioner go ahead and give me trouble if you want to." We went out.

Question. About how many of the Indians on the reservation have cattle of their own?
Answer. You mean now?
Question. Yes.
Answer. Very few; not over a dozen.
Question. Not over a dozen out of the whole tribe?
Answer. No.

By Senator PINE:
Question. And how many cattle have the dozen?
Answer. I could not tell you, just right off the reel.
Question. Are these Indians running cattle now? Are they increasing their herds, or are they being driven out of the business?
Answer. I do not know how they handle the cattle, but they all are discouraged with the range; we have no range.

By the CHAIRMAN:
Question. How much farm land have you on the reservation?
Answer. Farm?
Question. Yes; to cultivate; that you can raise crops on?
Answer. You mean myself?
Question. No; of the tribe?
Answer. I could not tell you that.
Question. Are there quite a lot of the Indians farming for themselves?
Answer. Yes.
Question. Have horses and machinery?
Answer. Yes. We raise good wheat and oats and alfalfa.

By Senator Pine:
Question. You would like to go into the cattle business but cannot because there is no range at this time?
Answer. Yes.
Question. Are you financially able to go ahead and buy cattle; or can you get the money?
Answer. Yes, I think I can get the money. It is not for that. It is useless; we can not make any success of raising cattle where we had no range.

By the Chairman:
Question. Well, if you had the range on your reservation—if you could get some of the range on your reservation—then would it not be all right to raise cattle?
Answer. Yes.
Question. You used it all for cattle years ago, did you not?
Answer. That is where our cattle used to run. There was all kinds of feed—bunch grass—and our cattle raised were the best cattle in Klamath County because we had so much feed; and since the sheep came—we can prove that to anybody—our range is gone. We went begging to the commissioner and the superintendent: "We don't want sheep on the range." They don't pay any attention to us; they lease to the sheep men.

Question. How long have the sheep been running on the range?
Answer. The big bunches for four years. The superintendent leased to the sheep men for forty or sixty thousand dollars a year, for three years. Sheep is all over them.

By Senator Pine:
Question. Did they make no reservation at all for the Indians' cattle?
Answer. Well, they have probably one or two places on the reservation. They had to fight for it, though, those who had a few head of cattle; they had an awful time to reserve a place for their cattle, two or three men that I know of.

Question. And the range that is reserved for the Indians is not located so that it is convenient for the Indians?
Answer. Well, since the cattle is sold out the Indians—very few of the Indians hang on to cattle; most of them sold out. A few years ago everything was dried up, not only on the reservation, but off the reservation, and the price of cattle went to nothing, and they had to sell out rather than lose it all.

The Chairman. Any other questions? I think that will be all at this time, thank you.
TESTIMONY OF JOSEPH BALL

Joseph Ball appeared before the committee, and being first duly sworn, testified as follows:

The CHAIRMAN. Your name is Joseph Ball?
Answer. Yes, sir.
Question. What is your residence, Mr. Ball?
Answer. Chiloquin, Oreg.

By Mr. GLAVIS:
Question. Mr. Ball, are you a member of the council of the Klamath Indians?
Answer. I am.
Question. What is the correct title?
Answer. It is known as the Klamath Tribal Council.
Question. How is that selected?
Answer. By the vote of the people.
Question. At an election?
Answer. No; it has never been definitely understood what period of time they are to serve, but it is generally about a 2-year period.
Question. And you have been a member of that tribal council for some time?
Answer. Almost since it was originated.
Question. Well, do you know approximately what the general, or what the estimated assets of the reservation are? How much is the property of the Klamath Indian Tribes valued at?
Answer. Well, just roughly estimated, I should judge about forty millions.
Question. And how many Indians are members of the tribe?
Answer. That fluctuates; I think at the present time there are about 1,272 or 1,274. I am not just accurate on that.
Question. So that the per capita wealth would be about $31,000; something like that?
Answer. Yes; something like that. I have never figured it out but I judge that would be about it.
Question. How much are you receiving a year?
Answer. Well, the last two years we have received, I think, $600 made in two payments of $300 each.
Question. That is a good deal less than 6 per cent on $40,000,000 would be, is it not?
Answer. Yes, sir; I should say.
Question. What I mean is, that is about 2 per cent on the value of all your property—less than 2 per cent, I guess. You have not figured that?
Answer. I have not figured it out, no; but it would not really be—

Question (interrupting). Mr. Ball, will you make a statement to the committee of the general conditions, as you view them, on the reservation? In other words, when the Bureau of Indian Research was here you made a statement or issued a report or something of that kind, and you are the chief of the business committee, as it were, and so forth.
Answer. Just in a general way?
Question. Yes.
Answer. My statement before that research was principally on the contention that we did not want any more of the management or conduct of our affairs, and that we did want full freedom and opportunities and privileges! And I have sympathy with the policy of the Interior Department of the tribal council, why, we have been working toward that freedom now for almost a period—we might say one generation—and if the Government can make the Indians understand their freedom at this time, when will conditions be better? And I really think the time has come when the Indians should be thrown on their own resources and let them run their own affairs.

Question. Have the Indians a plan which they would submit to the committee, as to how they could handle their business?
Answer. Well, there has been one or two plans, and to my mind the plan that the committee might offer; and I have thought that plan "to a great extent. In fact, we have thought our neighborhood, as to what we would save and this "corporation plan" is the plan best adapted to the universe for large concerns; and I think that would be the best thing for the profitably to this reservation.

Question. Describe just in a general way what you would have them do?
Answer. I think the people of this reservation rather than elect their own members, which might be "trustees," or whatever title it might be, for there should be an overseer appointed by the Government; and the Indians themselves should get familiar with their own affairs and run their own organization.

Question. In other words, each Indian would be a director in the corporation and they would elect a board of directors, just as any other corporation would?
Answer. Yes.
Question. Then you would let the Federal Government to direct and assist you in running it until you could satisfy the court and receiver you were competent, is that your view?
Answer. Yes.
Question. You are a taxpayer, are you not?
Answer. Yes.
Question. Have you children?
Answer. Yes.
Question. Do they attend the public school?
ONY OF JOSEPH BALL

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ordered to make a statement:

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reservation? In other words, when the Institute for Government
Research was here you made a statement of your views as to what
ought to be done, and so forth.

Answer. Just in a general way?

Question. Yes.

Answer. My statement before that research committee was based
principally on the contention that we did not have any voice in
the management or conduct of our affairs, and I may say at that time,
or, at this time, that we should be given a voice in the manage-
ment of our affairs; that we have been harbored on this reserva-

Appendix A: The Surveys of Conditions of Indians in the United States (1880-1920)
Answer. Well, I have two of them in a nonreservation school and one attending public school here in the Falls.

Question. Do most of the Indian children go to public schools?

Answer. Well, I should not say all of them.

Question. Most of them?

Answer. But the schools conducted on the reservation now are on the public-school basis—known as day schools, I believe.

By the CHAIRMAN:

Question. Which kind of school do you favor for your children—public schools or Indian schools?

Answer. Public schools.

Question. Why is that?

Answer. Because you get to mix with a better class of people; and the history of the Indian child which has been reared on the reservation is he is kind of timid, especially when you put him out in the public, and he is kind of bashful in a way and does not pick up like he would; and he has no accent to his voice. But if you put him out with white society—in my experience you have to associate with somebody who knows more than you do or else you are not going to learn anything either; and the same thing applies to the child.

Question. And so you think that they go to public schools and mix with white children is a greater benefit, education, and so on?

Answer. Absolutely. It has been proven that an Indian, given the same opportunities and advantages, will compete with his white brother.

Question. Where the Indian children attend the public day schools and are home each night with their parents, what do you think about the effect on the parents, especially if they are the older class of Indians—you know, who are not so much educated?

Answer. Do you mean, the parents have education?

Question. No; if the parents have not much education?

Answer. Well, it has been customary for the old people—they use their own native tongue in preference to English, which is natural.

Question. But the fact of the children going to school and coming home at nights—does that have any effect upon the parents, in the way they conduct their homes and keep house?

Answer. No; the inducement is not there for the child; it is elsewhere. Speaking of the older class of people—they don’t have the advantages.

Question. What I’m trying to get at is, whether or not the fact that the child goes to day school and is home each night—whether that has any wholesome effect on the home, and the activities of the home; or whether it makes any difference or not. Do you think it is an improvement for the home to have the child go into white schools and come home each night?

Answer. I just can not get your attitude at all in that respect.

Question. Well, if you send your children away to nonresident schools—to nonreservation schools—then they are away for a year or more at a time and do not come home; but if the children go to day school on your reservation, and they are home each night—whether or not that would have a good effect on the parents and the home and the way they keep house and improve the conditions of the home—the child away and is home each night?

Answer. Do I understand you that the difference?

Question. Yes; I wanted to know if the teaching the children get in school; the inflix—

Answer. That would depend upon the teacher, I presume, in domestic life. Ordinarily at that age—it would be interested in reading things as that. Whether they touch don’t, that manner, at this time, I would not say.

Question. Are there schools enough so that the children in the country can attend school?

Answer. Well, the conditions are getting, they have what they call rural delivery, or route, to the children in the country.

Question. There are schools enough so that the school age can attend school?

Answer. Yes.

Question. In regard to the farm situation: some of the farm land leased out or rented.

Answer. A great percentage; I could say most generally.

Question. How much rent does the Indian pay?

Answer. That all depends entirely upon most generally.

Question. What does it range from?

Answer. There are two or three varieties of farming—

Question (interrupting). The farm land? Answer. The farm land? Well, some depends on the value of the land.

Question. Yes; of course.

Answer. That fluctuates.

Question. Do you farm your own land?

Answer. I do.

Question. How much of a farm have you?

Answer. I have two 80-acre allotments.

Question. And is that enough for the land?

Answer. Yes.

Question. Are there schools enough so that the children can attend school?

Answer. Yes.
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away and is home each night?
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ence?
Question. Yes; I wanted to know if there is any influence—the
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Answer. That would depend upon the instructions given by the
teacher, I presume, in domestic life. Ordinarily, a child in school
at that age—it would be interested in reading, writing, and such
things as that. Whether they touch domestic affairs in school in
that manner, at this time, I would not say.
Question. Are there schools enough so that all the Indian children
can attend school?
Answer. Well, the conditions are getting better; yes, sir. They
have what they call rural delivery, or routes, so that they transport
the children in the country.
Question. There are schools enough so that all the children of
school age can attend school?
Answer. Yes.
Question. In regard to the farm situation on the reservation, is
some of the farm land leased out or rented out to white farmers?
Answer. A great percentage; I could not say what percentage.
There is a lot of leasing done on the reservation.
Question. How much rent does the Indian get ordinarily?
Answer. That all depends entirely upon the value of the land—
most generally.
Question. What does it range from?
Answer. There are two or three varieties of land; grazing and
farming—
Question (interrupting). The farm land I am talking about?
Answer. The farm land? Well, some of it leases—as I say, it
depends on the value of the land.
Question. Yes; of course.
Answer. That fluctuates.
Question. Do you farm your own land on the reservation?
Answer. I do.
Question. How much of a farm have you?
Answer. I have two 80-acre allotments; that would be 160 acres,
would it not?
Question. What do you think of the hospital being built on the
reservation? You were one who protested to that?
Answer. I was.
Question. Did all the Indians oppose it?
Answer. Practically all of them.
Question. Why were you opposed to it? And why was the Indian
council opposed to it?
Answer. The first condition was we did not really favor the ex-
penditure of that much money for a hospital; and in the second
place, the physicians we had experience with—they were not really
competent; and from my own experience—that you naturally cater
to some one physician. Most all the families generally have a family
physician—as it is so termed—and you take a person when they are
ill, and you have no confidence in your doctor, you are not going to get very many results as a rule. You have to have confidence in your physician to begin with, or perhaps you are not going to recover very fast; and we don’t like—did not like the idea of having to submit our troubles to one physician.

Question. Well, if you had a good physician in your hospital that you had confidence in? As a usual thing, it would be quite an advantage to have a hospital there right in your neighborhood and where you live.

Answer. It has been the history that, regardless of how popular a physician might be, he does not please all the people.

Question. You think you would like to select your own physician?

Answer. We should have the privilege of who we want to take our treatments from.

Question. Do the Indians have their own physicians in Klamath Falls and elsewhere?

Answer. Most of them do.

Question. Do many Indians go to the reservation hospital for treatment?

Answer. They tell me that the average attendance at the hospital has been about two per month.

Question. So, while they pay for it, they won’t go there?

Answer. It is hard for an Indian, after he has protested against anything, to go to work and submit to it afterwards.

Question. About how many Indians on the reservation pay taxes?

Answer. That has been the history of consideration. Where they thought we were away from them they would not submit to.

Question. You presented your wishes of they have been rejected?

Answer. Yes, sir; we have.

Question. Many times?

Answer. Well, it has been the history—the history of whatever consideration. Where they thought we were away from them they would not submit to.

Question. What salary does this doctor draw at the hospital?

Answer. I don’t believe I could answer that question.

Question. What was the cost of the hospital?

Answer. Well, as a result—

Question (interrupting). I mean the original cost of the building?

Answer. I think it was estimated about $25,000, to begin with; but their custom of building anything like that is that they put the estimate down low and then add to it, because it has to be equipped, you know.
Question. At the beginning you said the tribe had no voice in the management of its affairs and that you had been ignored. Have you officially presented your wishes to the Indian Commissioner and had them turned down—that is, as a united tribe?

Answer. Yes, sir; we have.

Question. Many times?

Answer. Well, it has been the history—that is, of anything worthy of consideration. Where they thought we were taking any authority away from them they would not submit to it whatever.

Question. You presented your wishes over and over again, and they have been rejected?

Answer. That has been the history of the tribal council in connection with the Interior Department.

Question. That, as I understand it, is your first complaint. I understood Mr. Wade to say the tribe protested against the contract under which they sold timber for $3.25 a thousand; do you know anything about that?

Answer. No; I don't just exactly know the conditions about that, but I know a protest that I made something similar to that—if you wish to hear it.

Question. We will be glad to hear it.

Answer. It was during the administration of Mr. West, and I was a member of the tribal council, and they were having some timber advertised for sale and bids were to be opened; being interested, I went up to the agency to see what happened at this sale. At that time the North Marsh unit sale was being advertised, and the Long Prairie, and another that I can not just recall. But at any rate, my testimony will refer to these two.

The bids were opened, and there were several competitors, and the highest bid on the Long Prairie unit was $6.67, and the bid on the North Marsh unit was $5.57; on the Long Prairie unit the Ewauna Lumber Co. bid the highest, and on the North Marsh unit the firm was known as Shevlin-Hixon. Well, I know—not Levi Walker, but there were three of us—we were interested in the results of these sales. So we got to talking the matter over and we did not see any reason why that North Marsh unit, consisting of a little more timber and better logging possibilities should not bring the same amount of money this Long Prairie unit did. We went to the extent of seeing what the report of our superintendent and chief forester stated. This was a few days later. They recommended that the Interior Department approve these sales. We went to Mr. West and told him we wanted to protest these sales; in fact, we sat down—in our little round-table conference—and addressed a telegram to the Commissioner of Indian Affairs. We never got any reply to it. Anyhow, we prolonged the sale to the extent of about three or four months, and finally it was approved. Shevlin-Hixon never did do anything with that logging; I'm not just familiar—but they sold it. The present owners of it now are the Forest Lumber Co.

Question. Do you know what they sold it for?

Answer. No. I went up yesterday to try and get that information, but Mr. Horan was out. He is the superintendent of the Forest Lumber Co. But it must have been sold at a profit.
Question. Naturally. How many million feet of timber were on that tract?
Answer. Between three and four million.
Question. Three and four hundred million?
Answer. Three and four hundred million; yes, sir.
Question. And the price was about a dollar a thousand lower than the bid on the other tract, which was practically the same?
Answer. Yes; in fact, that was better timber on the North Marsh unit.

By Senator Pine:
Question. And just as accessible as the other tract?
Answer. If not more so.
Question. Also complaint has been made about them taking the timber and not paying for it—not having it scaled; and taking it out at night. Do you know anything about that?
Answer. I have heard numerous reports of that but I have never been instrumental about learning the facts of the case; but I have protested and been ignored and denied the privilege—that is, not being represented, the Indian, by a scaler. It was giving an opportunity for awful graft.
Question. Has the council wanted a scaler there?
Answer. Yes. I think Senator McNary at one time promised to see we had a check scaler but there was never anything done about it. While we are speaking of the timber situation—I have a little report here; I have never given it much study—I just got it—but it has reference to the beetle situation. Mr. Kenney is the head of this department of timber in the Interior Department, and this beetle destruction, I think, was discovered as far back as 1918, and there has never been any effort made to subdue this pest, and there is a report here made by J. E. Patterson—it is a report made by the United States Department of Agriculture; and he goes on here and makes a report as far back as 1918, up to 1928—where it shows an increase in 1928. This pest, known as a beetle, was making a destruction of about 48 per cent, which increased to—no; forty-eight one-hundredths of 1 per cent, in 5-year period, increasing to 1.54.
Question. In this area through here?
Answer. This applies to the reservation.
Question. To the reservation?
Answer. Yes—which resulted in the loss of about 450,920,000 feet since a period of five years. In my estimation—on anyone else’s—that does not show very good efficiency.
Question. You said—the Indian Service did ask for an appropriation last year, did they not, in connection with beetles?
Answer. No: as far as I can figure out, in 1924 there was $150,000 appropriated; but that was allotted to county and State.
Question. But the Indian Service asked Congress for a small appropriation last year to combat beetles on the reservation?
Answer. I think they were allotted $125,000.
Question. You think they should have asked for that five or six years ago?
Answer. They should have made some attempt when it was first discovered.

SURVEY OF CONDITIONS OF INDIANS IN UNITED STATES

Question. You think if you had a corporation, were running your own affairs you would when it first started?
Answer. We sure would.
Question. Have you any other complaint?
Answer. I believe not.
The CHAIRMAN. Any other questions?
(There was no response to this question; excused.)
The CHAIRMAN. William Barkley.

TESTIMONY OF WILLIAM BARKLEY

William Barkley appeared before the committee duly sworn, testified as follows:
By Mr. Glavis:
Question. Mr. Barkley, you are a member of Indians?
Answer. Yes.
Question. Where do you live?
Answer. At Modoc Point.
Question. What is your occupation?
Answer. I am a farmer and dairyman.
Question. Tell the committee about your dairy business you are doing at present.
Answer. Well, I am farming 80 acres of 160 acres, and run a dairy herd of 25 about four years ago. I have a family of four, and have built our own house. I began my business partly from per capita and there was never anything done about it; I have never been asked for a check scaler but there was never anything done about it.

By Mr. Glavis:
Question. Do you use electric milking machines?
Answer. Yes. This year I have put in about $1,600 for that business. I began in business I put in from 15 to 17 $60 for that business.
Question. Where is that farm situated?
Answer. It is about 4 miles north of Lake Chiloquin, about 3 miles north of Lake Chiloquin, between the Chiloquin Bank and the American National Bank, to start in business; then last year I paid $75 a month to the bank; then I began in business I put in from 15 to 17 $60 for that business.
Question. Is that an Indian Bureau property?
Answer. Yes.
Question. Was that built with the consent of the Indians?
Answer. No; it was not.
Question. Tell the committee about that.
How many million feet of timber were on the reservation?

Our hundred million?

Or hundred million; yes, sir.

Was about a dollar a thousand lower than it, which was practically the same?

That was better timber on the North Marsh accessible as the other tract?

Int has been made about them taking the or it—not having it scaled; and taking it anything about that?

Numerous reports of that but I have never learning the facts of the case; but I have ed and denied the privilege—that is, not an, by a scaler. It was giving an oppor-

il wanted a scaler there?

Senator McNary at one time promised to but there was never anything done about of the timber situation—I have a little given much study—I just got it—but the situation. Mr. Kenney is the head of the Interior Department, and this beetle discovered as far back as 1918, and there made to subdue this pest, and there is a l. Patterson—it is a report made by the of Agriculture; and he goes on here and k as 1923, up to 1928—where it shows an t known as a beetle, was making a destruc-

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Survey of conditions of Indians in United States

Question. You think if you had a corporation of your own and were running your own affairs you would have gone ahead with it when it first started?

Answer. We sure would.

Question. Have you any other complaints, Mr. Ball?

Answer. I believe not.

The Chairman. Any other questions?

(There was no response to this question, and the witness was excused.)

The Chairman. William Barkley.

Testimony of William Barkley

William Barkley appeared before the committee, and being first duly sworn, testified as follows:

By Mr. Glavis:

Question. Mr. Barkley, you are a member of the Klamath Tribe of Indians?

Answer. Yes.

Question. Where do you live?

Answer. At Modoc Point.

Question. What is your occupation?

Answer. I am a farmer and dairyman.

Question. Tell the committee about your farm and what sort of a dairy business you are doing at present.

Answer. Well, I am farming 80 acres of our own and have leased 160 acres, and run a dairy herd of 25 head. I started in business about four years ago. I have a family of 9 and 10, at all times. I began my business partly from per capita payments and loans from the American National Bank, to start me in business. The first year I began in business I put in from 16 to 17 hours a day, to make a liv-

ing, and then to pay $75 a month to the bank to repay the money I had borrowed to start in business; then last year I increased my busi-

ness, with a loan from the Chiloquin Bank, to about $1,500, in in-

creasing my dairy herd; which I have now paid off, every cent of it—

the herd is all clear with the exception of a few minor payments to make on milking machines and such as that.

Question. Do you use electric milking machines?

Answer. Yes. This year I have put in electric power there, and other improvements from 19— from January 1, 1928, to the amount of about $1,600; whereas last year I made improvements to about $1,700 for that business.

Question. Where is that farm situated?

Answer. It is about 3 miles north of Lamm’s Mill.

Question. Within the Modoc Point irrigation project?

Answer. Yes.

Question. Is that an Indian Bureau project?

Answer. Yes.

Question. Was that built with the consent and approval of the Indians?

Answer. No; it was not.

Question. Tell the committee about that.
Answer. Well, I can give you a brief history of the organization of this project.

Question. Give a brief outline of it.

Answer. I have been investigating all irrigation on the reservation, and if you care to hear a report of it I will give you all of it.

Question. I might ask you first, are you a member of the council?

Answer. Yes.

Question. Was that your phase of the work that the council wanted you to present to the committee—the irrigation end particularly?

Answer. Yes.

Question. All right; I think we had better get the whole history of that project.

Answer. Well, I have most of it in writing here; I just got it, and I will read it to you as I find it. If you wish to interrupt me with questions you can stop me.

Irrigation within the boundaries of the Klamath Indian Reservation, in Klamath County, Oreg., was commenced under what is called the McLaughlin Agreement with the Indians—

That is, the whole tribe of Klamath and Modoc and Yahooskin Band of Snake Indians—

dated June 6, 1904, wherein it was provided that a portion of some $357,007, after paying certain expenditures, should be expended for drainage and irrigation of Indian lands, and for other purposes. The Indians did not want any irrigation projects, and they then protested; and ever since then have continued to protest against the expenditure of Indian moneys for irrigation and drainage without their request or approval.

However, since that McLaughlin agreement four projects were commenced on the reservation, known as the Modoc Point project—

These are the originals; they were changed afterwards—

Fort Creek Canal, Agency Springs Canal, Crooked Creek. The foremost of these projects is what is known as the Modoc Point project. This was planned to irrigate 6,000 to 8,000 acres, but the west-side extension was abandoned a long time ago.

That is on the west side of Williamson River; the projects are over on the east side of Williamson River now.

Prior to 1910 there was expended thereon $20,269.12; in 1911 the appropriation for construction amounted to $50,000; in 1913 appropriation was $105,000; in 1916 appropriation was $20,000; and later appropriations brought the entire construction costs to about $252,000.

Question. That is the Modoc project alone?

Answer. Yes; just the one project.

Question. How much did you say?

Answer. $252,000.

For this $252,000 construction charge what results can we find? The records show that in 1928 only 392 acres of land in this project were irrigated; and out of this acreage 183 acres were operated by Indians and 209 acres were irrigated by whites.

In 1928.

Senator Pine. Read the figures again about the acreages—392 acres?

Answer (reads):

Three hundred and ninety-two acres of land in this project were irrigated; and out of this acreage 183 acres were operated by Indians and 209 acres were irrigated by whites. This project secures water through the Sprague River Dam which was completed in 1914 at a cost of $22,090.48. It is claimed that...
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investigating all irrigation on the reserva-

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think we had better get the whole history of

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figures again about the acreages—392

acres of land in this project were irrigated; and out

this dam will supply water for over 6,000 acres. There is about 2,000 feet of flume near the dam and about 1,200 feet lower down, and another section of about 400 feet near Modoc Point. About 200 feet of the flume is erected on concrete pillars and 8 by 8 inch posts and set about 12 feet above ground.

I examined all of it; I went over there last summer to look the situation over, right there by the Chiloquin Mill. I will come to that later.

Canals and laterals are designated as main canal, and laterals C1, C2, and E. Part of these laterals are too small to supply the lands to be served thereby, and especially is this the case with lateral C1.

I might mention here that McKeever, head of the irrigation on

illiamson River now.

added thereon $20,269.12; in 1911 the appropri-

t the west-side extension was abandoned a long

project alone?

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acres of land in this project were irrigated; were operated by Indians and 209 acres were

4 at a cost of $22,090.48. It is claimed that

Question. How much did they charge for this water right?

Answer. $150 an acre, construction charges and controlling opera-

Question. Do they make you pay for that—only what you can

Answer. They make you pay for all of your land.

Question. How many acres do you irrigate?

Answer. I irrigate about 23 acres.

Question. And have to pay for 80?

Answer. That is what I have been doing; yes, sir.

Question. Then you mention the cost of this Modoc irrigation

project was $252,000, practically?

Answer. $252,000, construction charges and operating charges

amounting to about $60,000—appropriations made so far.

Question. Did the Indian Service provide for a drainage canal?

Answer. No; there were about three drainage canals on this project

which were built about 1916 and then all forgotten about afterwards, all filled up. There is water all over the place.

Question. You should have drainage canals to make it effective on

the land?

Answer. That is what we need. We need drainage. We have

irrigation and no drainage. I first came under the Modoc Point

project in 1921 and started to farming this 80 acres there, and about

the first two years I raised pretty fair crops, and the third year it

got to going the other way; water stood on the land, and it had alkali

on it and got so that we could not raise anything. The irrigation

was the ruination of this piece of land—the lack of drainage. If

we had drainage there we could turn the water on the land and wash

the alkali out of it.

By Senator Pine:

Question. Was this $252,000 cost of the Modoc project taken from

the tribal funds?

Answer. In the first place, there was $637,000 of tribal funds. About $20,000 of that went into the Modoc project to begin with;
then Congress went to work and appropriated a gratuity fund and made about two appropriations. Then later they made appropriations to be reimbursed from the tribal funds. That is the way it started. Then later appropriations were made from the tribal funds.

Question. You do not know what part of the cost came from the tribal funds?

Answer. Well, I think I had it here awhile ago; I have not it with me; I have it with my other papers. I can show that later.

Question. All right; go ahead.

Answer (reads):

In 1928 there was an appropriation for irrigation projects on the reservation in the sum of $6,000; sometimes such appropriation has been as high as $9,000. For 1928 there was employed one ditch rider for this project for three months at a salary of $125 per month, or $375. For 1928 there was employed one ditch rider for this project for three months at a salary of $125 per month, or $375.

Question. Were they white men or Indians?

Answer. No; he is a white man. This man here is the head of the irrigation on the reservation, Mr. McKeever—

who supervises irrigation on the reservation here, received $155 per month, or $1,860 a year.

He receives $1,860 a year, and there is no need of having such a man there—nothing for him to do. They have two ditch riders, or one ditch rider, and all he has to do is to get into his car and ride to Klamath Marsh or Spring Creek or Modoc Point on the highway; or he is in Chiloquin spending his time in pool halls. That is all he does. In the winter there is nothing to do.

The Chairman. How many miles of ditch does he attend to?

Answer. He has to attend to about—I figured about 18 to 20 miles—that is, with the free laterals beside the main canal. Now, I have this for three years:

Returns from lands irrigated, during the past three years are shown as follows: 1926, operation-charge revenue, $499; 1927, operation-charge revenue, $603; 1928, operation-charge revenue, $499.

By Senator PINE:

Question. Now, is that revenue from Indian lands, or both Indian and white?

Answer. Indian and white, both.

Question. As operated at this time the project is a failure, is it?

Answer. It is a failure under the conditions and under the way it is constructed. It would not be a failure if it was put in there in the right way and completed as it should be. It would be a paying proposition if it were put in other hands than what it is in now.

Question. You lack drainage ditches?

Answer. Yes.

Question. Without drainage ditches the alkali comes up there, does it not?

Answer. Yes; and it keeps getting worse every year; and it will keep on getting worse.

Question. Can you farm as much now as you could at first?

Answer. No; I can not farm any on our place but about 10 or 12 acres.

By the Chairman:

Question. Why is that? On account of its being water-logged?

Answer. Yes.
work and appropriated a gratuity fund and appropriations. Then later they made appropriations from the tribal funds. That is the way it appropriated from the tribal funds. That is the way it appropriations were made from the tribal funds.

I know what part of the cost came from the tribal funds. I had it here awhile ago; I have not it with other papers. I can show that later.

Go ahead.

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On account of its being water-logged?

Question. Not being able to turn the water away, the alkali comes on the surface?

Answer. Yes. In the spring of the year when the water is high it will stand there a month and a half or two months. There is no way to get the water off.

Question. How much would it cost for drainage ditches?

Answer. I do not know.

Question. No estimate has been made of that?

Answer. No.

Question. All right; go ahead.

Answer (reads):

Damages through irrigation: The laterals, as above stated, are not large enough, in many instances, to properly supply water to the lands intended to be served. Ditches are not kept in condition and become choked with weeds, refuse, and rubbish.

This is where I mentioned about that flume:

The Chiloquin Lumber Co. has been permitted to construct a dam which extends under the flume of this project and in such manner as to wash out the foundation and undermine the flume to such an extent that Mr. McKeever found it necessary to brace and reinforce that portion of the flume.

I measured that section of the flume; it is about 200 feet and sets up on posts 12 feet high and has concrete pillars for a foundation. The Chiloquin Lumber Co., when they put in the dam by the saw-mill, instead of putting up a wall to protect the foundation of the flume, they ran the dam right under the flume and patched the flume, so that the water pours over it and washes out the foundation from under the flume, and it will not be long before that whole construction begins to fall down in there, unless something is done about it. This is on the reservation, the property of the Indians. It should be looked into by some proper authority. It appears to me they have a right to protect that part of the canal, and I claim it is negligence or carelessness, or whatever you might call it, to allow that company to come in and put in a dam in such a way as that.

Question. Has that fact been called to the superintendent's attention?

Answer. This man McKeever is supposed to look after it, and he is the man who went there and braced this thing, and I have mentioned this to him.

Question. You have mentioned it to him?

Answer. Yes.

The CHAIRMAN. Go ahead.

Answer (reads):

Originally there were four projects, called, as stated, Modoc Point project, Fort Creek canal, Agency Springs canal, and Crooked Creek. Later there was a rearrangement of projects, and as the records are now kept they classify the projects into Modoc Point project, about 6,000 acres; San Creek, about 3,600 acres; miscellaneous projects, which include Spring Creek, Klamath Marsh, Fort Creek, Crooked Creek, and agency. Spring Creek project, about 1,020 acres under the project; total construction charge, $12,914, or about $5.15 per acre. San Creek includes waters from Scott Creek; acres under irrigation, about 3,000 acres; total construction charge, $25,000, or about $7 per acre; was finished and opened about June, 1920. For this project $25,000 was applied from tribal funds, and is being repaid by landowners at the rate of 35 cents per acre per year, without interest, and they have 20 years to repay the expenditure. This project serves lands entirely owned by whites. We do not believe it is good business for the tribal funds to be lent for construction of a
That is the way the law reads to-day—the law stands to-day, as I understand, and that is the wording:

To receive free patent free of all charges or encumbrances whatsoever.

At the present there is a lien of about $25,000, and we supposed with this law in force to-day.

Question. Did you not know about a tract of 80 acres having been sold or offered for sale?
Answer. It was put up for sale.

Question. What about that? What was the sale? Did you remember?
Answer. It was appraised at about $200-100-1921—it was when they began making the survey member whether it was five or six years, but it appears that the water charges and the land was appraised at a water charge of the value of the land, and the sum that you can figure out what it would be in 20 years.

In view of the fact that the expenditure of tribal funds was for the benefit of the whites only and not for the benefit of any Indians! This seems to be a gigantic wrong and can not be justified in any way. Any person, corporation, or whoever it might be, would not want their money invested in something where in 20 years they would lose $25,000. I should think this should be stopped. If the Government thinks that is good business, then the Government go ahead with it; I can not see that it is good business, and nobody else on the reservation can see it.

Question. When did Congress appropriate that money out of the tribal funds? Did Congress or the Indian Bureau do that?
Answer. The Secretary of the Interior. The Secretary of the Interior has the whole say over all of this.

By Senator PINE:

Question. Is this dam or project of any benefit at all to the Indians?
Answer. What one is that?

Question. The one you are speaking of.
Answer. It is a benefit to Indians and whites, too.

Question. You mean for the use of your $25,000? 1
Answer. No; this is another project. This is the Sand Creek project at Klamath Marsh.

Question. It is of no benefit whatever to the Indians?
Answer. No; they are all white owners up there; there are probably about three Indians' claims up there, but there are not any Indians living in that part of the county.

Question. Do the Indians own land in that part of the country that could be benefited by this project?
Answer. There are no Indians owning lands there, only about three claims in all; the rest are all white owners.

In many of the projects, lands have been embraced within the project that are unsuited to irrigation, as is shown by the fact that under the Modoc project, from the estimated area to be irrigated there must be deducted 927 acres of timberland, 82 acres of railroad right of way, and 42 acres in county road, so that the costs must be proportionately increased over the remaining acreage; so that this remaining acreage suffers an increased burden of construction costs and a like increased burden in charges for maintenance.

This is all I have to say in regard to this.

It appears from the foregoing, that efforts and plans were made to irrigate a vast area of land within the Klamath Indian Reservation, and some have been modified or abandoned; that much of the land watered by irrigation is not used or owned by Indians; that much land has been damaged by irrigation more than the general benefit would offset; that Indians are not skilled at the proper use of irrigation water, and have from time to time entered their protests against construction of the various projects within their reservation; that the Government has forced the irrigation upon landowners without their consent, and created a lien against such lands as are located within the various projects; that, because of such liens, the Government is unable to deliver patents to allotments "free of all charges or encumbrances whatsoever."
That is the way the law reads to-day—the allotment law; and that law stands to-day, as I understand, and has never been amended. That is the wording:

To receive fee patent free of all charges and encumbrances.

At the present there is a lien of about $30 an acre which conflicts with this law in force to-day.

Question. Did you not know about a trust patent allotment of 40 acres having been sold or offered for sale?

Answer. It was put up for sale.

Question. What about that? What was the appraised value of it per acre, do you remember?

Answer. It was appraised at about $200—this 40-acre tract. From 1921—it was when they began making the charge—and I don't remember whether it was five or six years, but anyway, there was $250 water charges and the land was appraised for sale at $200, and the water charges exceeded the value of the land by $50 at that time. So you can figure out what it would be in 20 years' time.

In view of the fact that the expenditure of tribal funds for irrigation within the reservation was originally made at the instance of the Secretary of the Interior, and against the wishes of the tribes, and in disregard of frequent protests made from time to time by the Indians; and further, in view of the fact that partial consent has at times been given by individual members of the tribe, as a required precedent to the per capita payment of tribal funds withheld by the Interior Department until such consent for construction of irrigation works should be signed by certain members of the tribe—

That is the way they put it up to the Indians—

If you don't sign the agreement for this irrigation project you are not going to receive any more money—per capita payments.

That is the way it was put up to them. You can find an agreement in Washington that was signed under this understanding.

Question. That you were compelled to sign, or you would not get any money out of your funds?

Answer. That is it.

Senator PINE. Who did that?

Answer. That was from the time McLaughlin made that agreement and that is the way they put it up to them and told them it did not make any difference whether they signed it or not, they were going to build the irrigation anyway. But he put it up in a smooth way:

"If you sign this agreement you will get more money from your principal held in the Treasury." so that they would have some agreement to show that the Indians did agree to some agreement for irrigation.

It is respectfully submitted, and the special committee on irrigation goes on record as approving the following: That in justice to the Indians there should be an appraisal of the actual value of the present irrigation works or plant to the lands within the projects, this to be ascertained by disinterested, competent experts—

By the Chairman:

Question. A subcommittee? Who is the subcommittee?

Answer. Here, that we have on the reservation.

Question. Subcommittee of your council?

Answer. Yes. This is the way I figured would be in justice to the Senate and probably justify the Indian Department or the Secretary...
of the Interior to have expert appraisers go on the reservation and appraise the value of these canals in proportion to what benefit it would be to the lands under the project.

That the Government of the United States be given credit for the amount so found by the appraisers to be the value of the irrigation plant to the irrigable lands under the projects; in other words, that the tribal funds pay for such irrigation works at the value to the lands as fixed by said expert appraisers. That the difference be then refunded by the United States to the general tribal funds. That thereafter the lands within the projects be classified as to their ability to pay irrigation charges, and whether farm land, timberlands, grazing lands, etc. That the total amount found to be the actual value of the irrigation plant be distributed equitably according to such classification over and upon the separate tracts involved. That thereafter the management and control of the irrigation plant be vested in the hands of an organization to be formed by the owners of the property in the project, under a plan to be directed by the Congress, or to be agreed upon between said owners and the Secretary of the Interior, or the latter to retain control, so far as may be necessary, of the interests of incompetent Indians whose lands are still held under trust patent.

I figured on special legislation on account of mixed lands. There is patent lands there and white owners and trust lands there. I figured that we would get some sort of special legislation. When we organized we would have some law to work under, whereby we can make our collections for operation equally, you know—for patent lands and trust lands. Without any special legislation we can not handle this trust land, being under the control of the Government.

(The document, parts of which were read by the witness, is here printed in full, as follows:)

IRRIGATION AND DRAINAGE ON THE Klamath Indian Reservation

Irrigation within the boundaries of the Klamath Indian Reservation, in Klamath County, Oreg., was commenced under what is called the McLaughlin agreement with the Indians dated June 6, 1904, wherein it was provided that a portion of some $557,000—after paying certain expenditures—should be expended for drainage and irrigation of Indian lands and for other purposes.

The Indians did not want any irrigation projects, and they then protested; and ever since then have continued to protest against the expenditure of Indian moneys for irrigation and drainage without their request or approval. However, since that McLaughlin agreement four projects were commenced on the reservation, known as the (1) Modoc Point project, (2) Fort Creek Canal, (3) Agency Springs Canal, and (4) Crooked Creek.

The foremost of these projects is what is known as the Modoc Point project. This was planned to irrigate 6,000 to 8,000 acres, but the west-side extension was abandoned a long time ago.

Prior to 1910 there was expended thereon $29,209.12; in 1911 the appropriation for construction amounted to $50,000; in 1913, appropriation was $105,000; in 1915, appropriation was $20,000; and later appropriations brought the entire construction costs to about $225,000.

For this $225,000 construction charge what results can we find? The records show that in 1928 only 392 acres of lands in this project were irrigated, and out of this acreage 183 acres were operated by Indians and 209 acres were irrigated by whites.

This project secures water through the Sprague River Dam, which was completed in 1914 at a cost of $22,990.48. It is claimed that this dam will supply water for over 6,000 acres.

There is about 2,000 feet of flume near the dam and about 1,200 feet lower down, and another section of about 400 feet near Modoc Point. About 200 feet of the flume is erected on concrete pillars and 8 by 8 inch posts and set about 12 feet above ground.

Canals and laterals are designated as main canal and laterals C1, C, C2, and E. Part of these laterals are too small to supply the lands to be served thereby, and especially is this the case with lateral C1.
scriptions of Indians in United States

... expert appraisers go on the reservation and these canals in proportion to what benefit it under the project.

The United States be given credit for the amount so be the value of the irrigation plant to the irrigable in other words, that the tribal funds pay for such use to the lands as fixed by said experts appraisers, refunded by the United States to the general tribal lands within the projects be classified as to their irrigability, and whether farm land, timberlands, grazing mount found to be the actual value of the irrigation plant according to such classification over and upon the land thereafter the management and control of the lands of an organization to be formed by the tribal project, under a plan to be directed by the Con between said owners and the Secretary of the control, so far as may be necessary, of the interests as lands are still held under trust patent.

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006.48. It is claimed that this dam will supply

flume near the dam and about 1,200 feet lower behind 400 feet near Modoc Point. About 200 feet rete pillars and 8 by 8 inch posts and set about mented as main canal and laterals Cl, C, C2, and E. ail to supply the lands to be served thereby, and lateral Cl.

Table: Survey of Conditions of Indians in United States

<table>
<thead>
<tr>
<th>Year</th>
<th>Operation Charge Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>1926</td>
<td>$409</td>
</tr>
<tr>
<td>1927</td>
<td>$603</td>
</tr>
<tr>
<td>1928</td>
<td>$499</td>
</tr>
</tbody>
</table>

DAMAGES THROUGH IRRIGATION

1. The laterals, as above stated, are not large enough, in many instances, to properly supply water to the lands intended to be served.

2. Ditches are not kept in condition and become choked with weeds, refuse, and rubbish.

3. The Chiloquin Lumber Co. has been permitted to construct a dam which extends under the flume of this project and in such manner as to wash out the foundation and undermine the flume to such an extent that Mr. McKeever found it necessary to brace and reinforce that portion of the flume.

4. Land has become water-logged because of receiving irrigation water without provision for proper drainage.

5. The benefits received are entirely insufficient to justify the expenditures already made, or such similar expenditures in the future.

Originally there were four projects, called (as stated) Modoc Point project, Fort Creek Canal, Agency Springs Canal, and Crooked Creek.

Later there was a rearrangement of projects, and as the records are now kept they classify the projects into: 1. Modoc Point project, about 6,000 acres; 2. Sand Creek, about 3,600 acres; 3. Miscellaneous projects (which include Spring Creek, Klamath Marsh, Fort Creek, Crooked Creek, and Agency).

Spring Creek project: About 1,020 acres under the project. Total construction charge, $12,914, or about $12.75 per acre.

Sand Creek (includes waters from Scott Creek): Acres under irrigation, about 3,000; total construction charge, $25,000, or $8.33 per acre. Was finished and opened about June, 1929.

For this project $25,000 was applied from tribal funds, and is being repaid by landowners at the rate of 35 cents per acre per year (without interest), and they have 20 years to repay the expenditure.

This project serves lands entirely owned by whites.

We do not believe it is good business for the tribal funds to be lent for construction of a project for white people, to be repaid in 20 years, without any interest whatever.

If the Government thinks that is good business, we suggest that the Government itself lend these white people the $25,000 in the same way; and we ask that they return to the tribal funds the moneys advanced in this way for the benefit of white people and not for any benefits to the Indians of this reservation.

If the Indians had taken $25,000 and invested it at 5 per cent in 20 years they would receive $25,000 in interest. Under the present practice they are the losers of $25,000.

In 1919 there was an appropriation for Sand Creek and Agency projects of $30,000, and in 1928 for the same purposes the appropriation was $6,100. (Later appropriations were made in a lump sum for all projects.)

Crooked Creek: Prior to 1910 there was expended on this project the sum of $814.80. Later appropriations were made under "Miscellaneous projects."
Klamath Marsh project, a drainage proposition: No area for this project has yet been definitely defined, but engineer's reports (especially appointed to survey the situation) indicate that 30,000 acres could be improved so as to be rendered irrigable.

Reports show lengths of canals and laterals as follows:

- Main canal: 10 1/4 miles
- Lateral: 10 1/2 miles
- Sublateral: 15 1/2 miles
- Drain: 4 1/2 miles

or a total of over 40 miles of construction.

SUMMARY

1. It appears from the foregoing that efforts and plans were made to irrigate a vast area of land within the Klamath Indian Reservation, and some have been modified or abandoned.
2. That much of the land watered by irrigation is not used or owned by Indians.
3. That much land has been damaged by irrigation more than the general benefit would offset.
4. That Indians are not skilled at the proper use of irrigation water and have from time to time entered their protests against construction of the various projects within their reservation.
5. That the Government has forced the irrigation upon landowners without their consent and created a lien against such lands as are located within the various projects.
6. That, because of such liens, the Government is unable to deliver patents to allotments "free of all charges or encumbrances whatsoever," as provided in section 5, page 388, United States Statutes of America, chapter 119, referring to allotments of lands in severality to Indians, etc.
7. That the appropriations made from year to year for the construction and for maintenance and operation of the various projects on the reservation are very burdensome to the Indians.
8. That on some projects, especially Sand Creek, the chief benefits of irrigation, if any, accrue to white men and not to Indians of the reservation.
9. That the irrigation works—canals, flumes, ditches, etc.—are not kept in proper condition of repair and many are not of sufficient size to adequately serve the lands supposed to be benefited thereby.
10. That the Government has been negligent in permitting the dam of the Chiloquin Lumber Co. to undermine a part of the Modoc project flume.
11. That, because of failure to provide drainage where needed, much land has become water-logged and rendered of little value for any purpose.
12. That the benefits received are not worth the money spent—and being spent—on present irrigation projects of the reservation.
13. That no further extension of irrigation projects, or creation of new projects, on the Klamath Indian Reservation is desired by the Indians.
14. That the United States should not appropriate from tribal funds moneys to pay for irrigation projects for the benefit of white men owning lands within the boundaries of the reservation.

VIEW OF THE Klamath INDIANS IN REGARD TO THE PRESENT STATUS OF THE IRRIGATION PROJECTS ON THE Klamath INDIAN RESERVATION, AND OF THE JUSTIFICATION OF THE SAME, FROM A FINANCIAL POINT OF VIEW

In view of the fact that the expenditure of tribal funds for irrigation within the reservation was originally made at the instance of the Secretary of the Interior, and against the wishes of the tribes and in disregard of frequent protests made from time to time by the Indians;

And, further, in view of the fact that partial consent has at times been given by individual members of the tribe, as a required precedent to the per capita payment of tribal funds withheld by the Interior Department until such consent for construction of irrigation works should be signed by certain members of the tribe;

It is respectfully submitted, and this special committee on irrigation goes on record as approving the following:

(A) That in justice to the Indians, there should be a return of the value of the present irrigation works or plant to them, as was done in the case of the irrigable lands under the projects, in other words, that the Government should pay for irrigation works at the value to the Indians.
(B) That the Government of the United States should not appropriate from tribal funds an amount as found by the appraisers to be the value of the irrigable lands under the projects, in other words, that the Government should pay for irrigation works at the value to the Indians.
(C) That the difference be then refunded by the Government to the tribal funds.
(D) That thereafter the lands within the project be put in such a condition that the Indians will be able to pay irrigation charges, and whether farmed by them or not, that the Government be made to bear the burden of the project.
(E) That the total amount found to be the amount that the Government has to bear, and that the Government be made to bear the burden of the project.
(F) That thereafter the management and control of the project be vested in the hands of an organization to be formed by the Indians, under a plan to be directly agreed upon between said owners and the Secretary of the Interior, to retain control, so far as may be necessary, of the lands whose lands are still held under trust patents.
(G) That no further irrigation works be under any circumstances authorized or appropriated therefor unless specifically requested by the Indians.

Respectfully submitted.

SPECIAL COMMITTEE ON IRRIGATION.

By Senator Pine:

Question. You think some of this land is irrigated if the proper arrangement is afforded the Indians?
Answer. Yes. It will all have to be watered, but perhaps not all of it but a big part of it. The high land, we need high land, to affect; high land in it because the water is low.

Question. The 200 acres of land that are not irrigated to whites are owned in fee by the whites, are they?
Answer. Yes.

Question. And 183 acres of Indian land are not owned in fee by the Indians, are they?
Answer. Probably not all in fee; some may be in trust, and that is just a record of what was irrigated on trust land.

Question. Of the $499 revenue from irrigation, what part of that went to the Indians?
Answer. Well, that is what I have been trying to say, that the fund that was credited.

Question. What part of the $499 revenue went to the Indians?
Answer. Well, it was all supposed to be divided among the Indians. I don't know whether it was from Indians or whites. I don't know whether it was divided.

Question. What do you mean by "revenue", what kind of revenue, district, to the irrigation district, or that is received from the Indians?
Answer. No; they made a charge of $1 a head for water. That was the operation charge; I don't know where it comes from.

Question. Then that was revenue for the irrigation district or the Indians?
a drainage proposition: No area for this project needed, but engineer's reports (especially appointed to the Secretary of the Interior Department until such consent by the Interior Department until such consent should be signed by certain members of the tribe, as a required precedent to the per capita expenditure of tribal funds for irrigation within the Reservation is desired by the Indians. Some were not worth the money spent—such irrigation projects are unimportant of the various projects on the reservation are unsucessfully Sand Creek, the chief benefits of irrigation men and not to Indians of the reservation. The sections—canals, flume, ditches, etc.—are not kept in as many as are not of sufficient size to adequately benefited thereby. The engineers have been negligent in permitting the dam of the project to be constructed at the proper use of irrigation water and to protect the protest against construction of the various projects. As forced the irrigation upon landowners without lien against such lands as are located within the project. No area for this project is desired by the Indians; there would be a sufficient number of irrigable lands within the area so as to be worth the money spent. There is no sufficient number of irrigable lands within the area so as to be worth the money spent. There is a lot of a drainage proposition: No area for this project is desired by the Indians; there would be a sufficient number of irrigable lands within the area so as to be worth the money spent.

Summary

After that efforts and plans were made to irrigate the Klamath Indian Reservation, and some have been damaged by irrigation more than the general skilled at the proper use of irrigation water and red their protests against construction of the various projects. As forced the irrigation upon landowners without lien against such lands as are located within the project. No area for this project is desired by the Indians; there would be a sufficient number of irrigable lands within the area so as to be worth the money spent. There is no sufficient number of irrigable lands within the area so as to be worth the money spent. There is a lot of a drainage proposition: No area for this project is desired by the Indians; there would be a sufficient number of irrigable lands within the area so as to be worth the money spent.

By Senator Pine:

Question. You think some of this land can be successfully irrigated if the proper arrangement is afforded?

Answer. Yes. It will all have to be worked over, that is, not all of it but a big part of it; high land, that irrigation does not affect; high land in it because the water naturally drains off anyway.

Question. The 209 acres of land that are not irrigated and belong to whites are owned in fee by the whites, are they?

Answer. Yes.

Question. Of the $499 revenue from irrigation on lands in 1928 what part of that went to the Indians?

Answer. Probably not all in fee; some may be in trust lands. That is just a record of what was irrigated is all. There is a lot of trust land.

Question. What part of the $499 revenue for 1928 went to the Indians?

Answer. Well, that is what I have been trying to find out—to what fund that was credited.

Question. What do you mean by “revenue”? That much to the district, to the irrigation district, or that much for the crops produced?

Answer. No; they made a charge of $1 an acre for the use of this water. That was the operation charge; that is where the money comes from.

Question. Then that was revenue for the irrigation district or their fund?
Answer. To that fund; what fund—that is, I do not know what they call it, or what fund that is credited to.

Question. How much was received by the Indians for crops produced on the 183 acres irrigated?

Answer. Well this year, in a wheat crop, it runs about 20 bushels to the acre. In hay-grain hay or such as that—it would probably run about 2 tons; and alfalfa about 2 tons, or 2 1/4; sometimes like that; it would average about 2 tons.

Question. Can you grow anything on the land if it is not irrigated?

Answer. Yes; the best crops are raised on high land. But, of course, you can not depend upon that; some years it might be dry and you could not raise anything. In good years you can raise good crops without irrigation.

By the Chairman:

Question. You stated you have a dairy herd. How many Indians on the reservation have dairy herds?

Answer. I don't know; there might be one or two more—probably three.

Question. Not very many more?

Answer. No.

Question. Have you children of your own?

Answer. Yes.

Question. Where do they go to school?

Answer. My children? I only have one child going to school; the others are home; but I have a stepchild—to Sherman Institute, Riverside, Calif., and to Chemawa, and at day school at Modoc Point.

Question. Can you tell the committee anything about the Indian Bureau's experimental farm, how that is managed; whether it is a help to the Indians or not?

Answer. I had a record of that, but it is not here. I believe I can express what it is for 1927, as to the money being appropriated and returns for that year. In 1927 there was appropriated $2,500 for the operations of what is called the experimental farm. I have lived on Modoc Point since the year of 1921, and I have never seen anything done on that farm to justify the place having the name of an experimental farm. There is a Government employee on that place and has been there since 1922 or 1923, and was employed under the term of being a stockman. He runs anywhere from 150 turkeys to probably 200 turkeys, his private property; and chickens and things.

Question. Is that the only stock he raises?

Answer. Well, he is the stockman of the reservation; that is his title. He lives on that place called the experimental farm.

Question. Are these turkeys his property?

Answer. Yes.

Question. And not the Government's?

Answer. Yes.

Question. And they run on Government property—on your Indian land?

Answer. Yes, sir; on that experimental land. And out of that $2,500 appropriation of 1927, so far as I can understand, all of that money was spent for that year, and the annual cost in 1927 were $390.

Question. What was that for; do you know where the income from?

Answer. From some grain that he threshed, and the record of hay that was cut there; you could have told, I tried, with some others, to find out what was it.

By Senator Pine:

Question. Has that farm been of any benefit to the Indians?

Answer. Never was; never will be under the present system.

Question. Did the Indians want it?

Answer. I never knew how it started. It was there when I first came to the country in 1921; it was there when I first saw it. Has it been in operation up to 1927?

Answer. Yes; it has been in operation on the reservation.

Question. What is the annual cost?

Answer. I think this year $2,500 also.

Question. And is it the general opinion among the Indians that it has no value whatever to the Indian tribe?

Answer. Well, I have never heard anybody could tell me what I have stated here.

Question. Do the Indians go there to find out something about raising stock in this territory?

Answer. Well, I guess they go there to have a row over the turkeys getting into the field, or something, or other than what I hear.

Question. Do they go there to learn anything about handling stock in this territory?

Answer. There is nothing there to learn in the place, or any farming, other than what we are doing.

Question. Does the man travel over the reservation and instruct the Indians in farming?

Answer. I never heard of it. He is supposed to look out for the stock on the reservation.

By the Chairman:

Question. Does he give the Indians any advice?

Answer. I am not very well versed in farming; I do not tell you.

Question. Well, you have a dairy herd. He has nothing to do with dairying, with the experimental farm on your reservation. He is to look after stock running on the reservation; look over some lands we leased there. The lease was three years to W. B. Barnes, now just terminated; and he paid, I think, $150, and.
money was spent for that year, and the returns from that experimental farm in 1927 were $2,500.

Question. What was that for; do you know? What was that income from?
Answer. From some grain that he threshed there. There was no record of hay that was cut there; you could not tell where that went. I tried, with some others, to find out what became of that hay.

By Senator Pine:
Question. Has that farm been of any benefit to the Indians?
Answer. Never was; never will be under the conditions.
Question. Did the Indians want it?
Answer. I never knew how it started. I came into that part of the country in 1921; it was there when I first came there.
Question. Has it been in operation up there each year since?
Answer. Yes; it has been in operation each year that I have been there.
Question. What is the annual cost?
Answer. I think this year $2,500 also.
Question. And it is the general opinion of the Indians that it is of no value whatever to the Indian tribe?
Answer. Well, I have never heard many Indians speak of it, but I don't know what else anybody could think of it as than what I have stated here.
Question. Do the Indians go there to find out what he is doing?
Answer. Well, I guess they go there once in a while when they have a row over the turkeys getting into somebody's field. That is what I hear.
Question. Do they go there to learn anything about farming or handling stock in this territory?
Answer. There is nothing there to learn; there is not any stock there, or any farming, other than what we are doing in other places.
Question. Does the man travel over the reservation in an effort to instruct the Indians in farming?
Answer. I never heard of it. He is supposed to be a stockman. When you go to see him he says he is a stockman; all he has to do is to look out for the stock on the reservation.

By the Chairman:
Question. Does he give the Indians any assistance on the care of stock, or any advice?
Answer. I am not very well versed in stock. I think others may tell you.
Question. Well, you have a dairy herd?
Answer. He has nothing to do with dairy farms. He is supposed to look after stock running on the reservation, the stock of people leasing land on the reservation; look out for their lands and keep them in limits, or something.
Question. Well, you had some experience about stock trespassing on your land which you and your wife owned?
Answer. Yes; I guess you have my complaint there. This was over some lands we leased there. The land was leased for a term of three years to W. B. Barnes, now justice of the peace here in Klamath Falls. He paid, I think, $150, and then he was to make im-
provements to the amount of $50 in fences. After three years—after his 3-year term was up—he did not make any improvements. We made a report at the agency office. Mr. Baker was then superintendent; he sent this stockman, Mr. Wiley, down. I went with him, and we went down and looked the place over. After we came out I asked him what he thought. He said, "It appears to me he did about $15 worth of fences out of the $50 he was supposed to put on there." He said he would make a report in the agency office. Instead of making a report in the agency office he came down and talked with Mr. Barnes and went back to the agency office and made a report that Barnes had fulfilled his contract. We had no kick coming. That is the experience I had in regard to that.

Question. Did the stockman explain later why he changed his opinion?

Answer. Yes; he and Mr. Arnold both explained it to me.

Question. What did they say?

Answer. They said that a man—when it comes to a day—a man's time might amount to $10 or $20 a day, and it would not take many days to put in that much fence; he could make it $50 a day. That is how they explained it to me.

Question. Did you agree with them?

Answer. No; I did not. I said, "It appears to me if we brought suit against Barnes the court would determine whether or not his time would be worth $40 or $50 a day." I think the court would have to determine what his time is worth as a farmer.

Question. What about the leasing of good leased lands, or your wife had some land leased, over which you had some trouble?

Answer. Yes; there were two men from Fort Klamath who wanted a piece of land, 160 acres; they both came to me and wanted me to do what I could for them, to get the land. I said, "Being that you two want it, the only thing I could suggest is that you put in sealed bids." One man bid $210 and the other bid $425; then later we made an agreement in the office that he was to put in $375 in cash and $50 in improvements. In about the fore part of June I asked them if everything was all fixed up, and the lease signed. He told me: "No: the man would not sign the lease." So they did not try to do anything about it; they let it run on. Away last fall I spoke to Mr. Arnold as to what had been done about it, if we were going to get anything; he said, "I do not know; we filed it in the United States court in Portland."

Question. Filed what, a suit?

Answer. Yes; filed a suit for collection. Then later, in the fore part of October, or the latter part of September, this man came down and wanted to compromise; and we talked it over and told him we would compromise. He told me the suit had never been filed. I went to the agency office and inquired if a suit had been filed and they said no the suit had never been filed. So we compromised.

Question. How much did you lose?

Answer. I guess we lost about $250 on that.

Question. Who made the settlement?
Answer. Mr. Arnold; it is not settled yet. He was to fix the lease up. Now, it has gone like it did before: It is not fixed up and he will not do anything. It started out like it started out last spring—there is nothing done to settle it yet.

By Senator Pine:

Question. Is it hard to get tenants for land down here?

Answer. Not for land outside of the Modoc Point district. This is not under that district, though.

Question. Superintendent Arnold has attended your council meetings, has he?

Answer. Yes.

Question. How has he acted toward you in connection with considering your suggestions or complaints or objections?

Answer. Well, he acted all right, only at one time he said he was not going to be lambasted by everybody; he said, "if you are going to lambast me I can get along without your Tribal Council."

Question. What was he being lambasted for?

Answer. Something about stock raisers and violation of contracts in leased lands and so forth.

By the Chairman:

Question. What about the leasing of grazing lands? Have you had any experience with that?

Answer. No; I have not.

Question. It has been stated there are only a comparatively few Indians who have livestock. In your opinion, what is the reason they do not have livestock?

Answer. My understanding is that they have been closed out.

Question. What do you mean "closed out"? Foreclosed on their livestock?

Answer. No; crowded out from outside leases; running sheep and overstocking the range, and so forth.

Question. Do you think the agency shows an unfair attitude toward the Indians in not giving them leases where they should have them?

Answer. I'm not very well versed on that. I think there are other members here who can give you that information.

Question. Did you have any experience with efforts to collect for stock going on your lands?

Answer. I did. There were sheep coming on our land, trespassing on it, and I could not get anything out of it.

Question. What do you mean? You could not get any money?

Answer. No. There was not supposed to be any sheep in that district.

Question. Did you not tell me something about some stock trespassing on your land and you finally had to make a settlement?

Answer. Yes.

Question. Tell the committee.

Answer. I went up there and I found stock on some land I was interested in and I went and make a report to the stockman, Mr. Wiley. He said he would see about it. It went on for more than a month; I said, "Are you going to do something pretty soon; and are they going to move the stock out?" He would not do anything
at all. I went to work and hired a man to come with me, paid him $5 a day, and got the stock on the range—250 head. I talked with this man and asked if he was going to make a settlement, and if he was not going to make a settlement I was going to bring other action against him. But he made a settlement with me, gave me his note for $75 for trespass; he did not have the money. I came back down. I did not relate anything to Mr. Wiley, the stockman, about that. He sold his beef that fall and Mr. Wiley and him went to Klamath Falls for some reason—I did not know what it was for. When he came back I asked Mr. Wiley if he paid my collection on that trespass deal. He said, "I have forgotten all about it"; I said, "I guess you did not have to do it; I have his note; I done that myself." I said, "It appears to me you are not very much interested in looking after our business or welfare," which he did not.

Question. Did you collect your money on your note?
Answer. Yes; I did.

Question. Have you had any experience with the new hospital on the reservation?
Answer. Yes; I have.

Question. What about that?
Answer. We had a girl going to school at Chemawa Institute, and after she came back she was back about a week and her feet and legs began to swell and we took her up to Doctor Rogers, of the Klamath Agency, to the hospital. He asked her to pull down her stockings and he looked at her legs, and that is about all he did. He said, "It is neuralgia of the skin." He gave her some medicine and said, "That will be all gone down and all right in about five days." After a week's time the swelling continued, and was getting higher, and I brought her to Klamath Falls. I told her mother that that doctor did not know what was the matter with her; I brought her to Doctor Carlson here; he said, "It is a kind of Bright's disease." He said, "There is not any doctor living that can tell you that is going to go off in five or six days." That was paid from her funds in Klamath Agency, her own money.

Question. Did you also have a boy at the hospital?
Answer. Yes; I had my boy there. He had a little trouble with his eye. He could not do anything about that; I brought him here and had an operation performed by Doctor Gass, which took $25 of his own funds to pay for that.

By Senator Pine:
Question. Then you are in the position of paying for a physician who can do you no good?
Answer. That is what they are paying him for, something he is not entitled to; he is doing us no good whatever.

Question. You borrow considerable money at the banks?
Answer. Sometimes I do when I want to make improvements; I pay 10 per cent.

Question. You have an interest in the tribal funds?
Answer. Yes.

Question. What rate of interest do you pay in the tribal funds?
Answer. I don't draw any.

Question. Your child draws?
Answer. Yes; the child draws 4 or 5 per cent.

By the Chairman:
Question. Do you have any trouble in getting money to buy cattle or anything?
Answer. They gave notice not to credit any Indians; what they have charged in the banks I would have to take a chance on collecting.

Question. You own your own land?
Answer. I don't own land; just livestock.
and hired a man to come with me, paid him $25 on the range—250 head. I talked with him about giving me a settlement, and if he was going to bring other action on a settlement with me, gave me his note for not having the money. I came back down. I went to Mr. Wiley, the stockman, about that. I and Mr. Wiley and him went to Klamath Falls; did not know what it was for. When he went, he said, "I guess your money on your note?" did any experience with the new hospital on that? going to school at Chemawa Institute, and her up to Doctor Rogers, of the Klamath Falls. I told her mother that that was the matter with her; I brought her here. "It is a kind of Bright's disease," he said, "which he did not. It was until two years ago. It has been abandoned? I heard it was suspended a year or two; whether or not it is opened up I do not know. I can give you that information about that if you wish to hear it.

Question. Is it that much?
Answer. That is what they told me—4 or 5 per cent.

Question. Is it that much?
Answer. Yes; something about 4.

By the CHAIRMAN:

Question. Do you have any trouble in getting all the credit you want at the bank?
Answer. I never went very far in credit; just what I thought I could pull out of. I could go further and make more money, but I don't like that kind of business.

Question. Does the superintendent object to the Indians borrowing money to buy cattle or anything?
Answer. They gave notice not to credit any Indians at all.

Question. Gave notice to whom?
Answer. To anybody; that they would not stand responsible for any Indians; what they have charged in the tribal funds.

Question. That is, if the banks did loan money to Indians they would have to take a chance on collecting?
Answer. The banks take ironclad security.

Question. You own your own land?
Answer. I don't own land; just livestock.

By Senator Pine:

Question. Is there a boarding school on the reservation?
Answer. It was until two years ago.

Question. It was until two years ago? It has been abandoned?
Answer. I heard it was suspended a year or two; whether or not it is opened up I do not know. I can give you that information about that if you wish to hear it.

Question. Yes; I would like to hear it.

Answer. These employees in the Government service, I deem they receive salaries as much as anywhere else; their house rent is probably cheaper than they can get anywhere else; probably $15 a month, with wood and light furnished. Now, in the last three or four years, I guess, we all know the price of beef is 25 or 30 cents a pound; market pork is 40 cents a pound.

By the CHAIRMAN:

Question. You mean, when you buy it at the butcher shop?
Answer. Yes. During the times of these prices all employees at the agency there—the school had some beef and pork and such as that; they could go and buy their beef at 14 cents a pound, while outside market was 35 and 40 cents; milk, on the open market, was 13 and 14 cents a quart, and they would buy it at 6 cents a quart.

Question. That was just for the attendants who were working there?
Answer. Yes.

By Senator Pine:

Question. Were the Indian children properly fed at that school?
Answer. Yes. During the times of these prices all employees at the agency there—the school had some beef and pork and such as that; they could go and buy their beef at 14 cents a pound, while outside market was 35 and 40 cents; milk, on the open market, was 13 and 14 cents a quart, and they would buy it at 6 cents a quart.

Question. That was just for the attendants who were working there?
Answer. Yes.
Answer. Yes.

Question. Tell the committee about that.

Answer. This here photograph is of the year 1927, and all of that stuff was raised on the reservation and brought down here to the fair, and this booth here [indicating] took first prize at the fair.

By the Chairman:

Question. That was raised by the Indians?

Answer. Yes.

By Senator Pine:

Question. Who arranged that exhibit?

Answer. I think Mr. Wiley, the stockman. I took two prizes in that, and other Indians.

Question. Is Mr. Wiley, the stockman, still here?

Answer. No; I think he is changed to the Forest Service.

Question. To the Forest Service?

Answer. Yes.

Question. What is the name of your stockman at this time?

Answer. I don't know of any; I don't know as there is any stockman.

Question. I mean, what is the name of the man on the experimental farm here?

Answer. He is still there.

Question. What is his name?

Answer. Wiley, the same man; he is still there.

Question. But is he now in the Forest Service?

Answer. Yes; chief forester or something; he got a raise in his salary.

Question. What is he doing now?

Answer. I guess the same thing as he usually does.

Question. Raising turkeys?

Answer. I see lots of turkeys there.

The Chairman. Any further statement that you want to make?

Answer. No; nothing.

The Chairman. That will be all; thank you.

(Witness excused.)

TESTIMONY OF WARREN C. HUNT

WARREN C. HUNT appeared before the committee and, being first duly sworn, testified as follows:

The Chairman. Are you a physician here in this city?

Answer. I am.

By Mr. Glavis:

Question. Give your name and address.

Answer. Warren C. Hunt, 405 Pine Street, Klamath Falls, Oreg.

Question. Do you have a hospital here, Doctor?

Answer. I do.

Question. Do you have occasion to treat the Klamath Indians?

Answer. I do.
Question. I hand you a list showing a number of names of Indians having received treatment [handing paper to witness]. Were they treated by you?

Answer. I think it likely. I recognize all of these names.

Question. That is a list you prepared?

Answer. Treated, we will say, at the Klamath Valley Hospital by various physicians; 15 or 20 different men.

Question. I see; you are the hospital physician, or physician in charge of the hospital, and the hospital is used by other physicians?

Answer. Yes.

Question. It is open to all physicians?

Mr. Glavis. I think this list should go in as an exhibit also.

The Chairman. All right, put it in.

(The list referred to was marked "Exhibit No. 54 and is as follows:"

Exhibit No. 54

Data regarding Klamath Indians

<table>
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<tr>
<th>No.</th>
<th>Name</th>
<th>Diagnosis</th>
<th>Number of days</th>
<th>Cost</th>
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<td>Pearson, Opal</td>
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<td>Taylor, Charlotte C</td>
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<td>Hart, Mose</td>
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### SURVEY OF CONDITIONS OF INDIANS IN UNITED STATES

**Data regarding Klamath Indians—Continued**

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Diagnosis</th>
<th>Number of days</th>
<th>Cost</th>
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<tr>
<td>1384</td>
<td>Charlie, Marion</td>
<td>Confined</td>
<td>12</td>
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<tr>
<td>1386</td>
<td>Mayfield, James</td>
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<td>Briggs, Ethel</td>
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<td>Ford, A. E.</td>
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<td>Ford, A. E.</td>
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<td>Ford, A. E.</td>
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<tr>
<td>1457</td>
<td>David, Katie</td>
<td>After confinement</td>
<td>15</td>
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<tr>
<td>1458</td>
<td>Skelos, John</td>
<td>Appendicitis</td>
<td>13</td>
<td>142.50</td>
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<tr>
<td>1509</td>
<td>Shawley, Florence</td>
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<td>13</td>
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<td>1462</td>
<td>Wëlve, Leona</td>
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**Editions of Indians in United States**

- **Confinement**
  - 1384 Charlie, Marion: $107.00
  - 1386 Mayfield, James: $108.50
  - 1388 Briggs, Ethel: $24.00
  - 1408 Briggs, Ethel: 320.00
  - 1439 Ford, A. E: $24.00
  - 1444 Ford, A. E: 21.50
  - 1457 David, Katie: 162.00
  - 1458 Skelos, John: 142.50
  - 1509 Shawley, Florence: 142.50
  - 1462 Wëlve, Leona: 100.00
  - 1462 Wëlve, Leona: 54.00
  - 1489 David, Jeanette: 135.00
  - 1489 David, Jeanette: 170.00

- **Flu, lupus of left forearm**
  - 1457 David, Katie: 162.00

- **Mastoiditis, tic, discharging sores, otitis media**
  - 1444 Ford, A. E: $24.00

- **T. and A. and tubercular glandular infection**
  - 1384 Charlie, Marion: 142.50

- **Trachea**
  - 1444 Ford, A. E: $24.00

- **T. and A.**
  - 1384 Charlie, Marion: 142.50

- **Teeth extraction and tonsillectomy**
  - 1489 David, Jeanette: 170.00

- **Wounds**
  - 1489 David, Jeanette: 170.00

- **Wounds**
  - 1489 David, Jeanette: 170.00
<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Diagnosis</th>
<th>Number of days</th>
<th>Cost</th>
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<tr>
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<td>Hicks, Mrs Sadie</td>
<td>Confinement</td>
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<td>2167</td>
<td>George, Christman</td>
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<td>2161</td>
<td>Charles, Melvira</td>
<td>Infection after confinement</td>
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<td>2125</td>
<td>Jackson, Nora</td>
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<td>Gallagher, Fanny</td>
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<td>2068</td>
<td>Knight, Theodore</td>
<td>Threatened pneumonia</td>
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<td>2027</td>
<td>Gallagher, Mrs. Fannie</td>
<td>Eye trouble</td>
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<td>2008</td>
<td>Crawford, Betty K</td>
<td>Injury</td>
<td></td>
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<td>1966</td>
<td>Mitch, Mrs. Joseph</td>
<td>Tubercular leg</td>
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<tr>
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<td>Mitchell, Mrs. Rita</td>
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<td>1919</td>
<td>Johnson, James</td>
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<td>1914</td>
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<td>1865</td>
<td>Johnson, Della</td>
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<td>2</td>
<td>90.00</td>
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</table>

*Unpaid.*
### TABLE 1

**Diagnosis** | **Number of days** | **Total cost** |
--- | --- | --- |
Bowel infection | 3 | $139.50 |
Cancer liver | 3 | 55.00 |
Confinement | 13 | 72.25 |
Neoplasms | 1 | 5.00 |
Tuberculosis of heart | 14 | 59.50 |
Tuberculous foot | 3 | 15.00 |
Tonsillectomy | 1 | 25.00 |
Tonsillitis of eyes | 2 | 11.00 |
Tuberculosis of eyes | 10 | 207.50 |
Tuberculosis of leg | 19 | 235.80 |
Fractured scapula | 10 | 65.00 |
Tuberculosis of leg | 10 | 207.50 |
Cholecystitis | 20 | 100.00 |
Abscesses of eye | 4 | 20.00 |
Tuberculosis of leg | 19 | 235.80 |
Fractured scapula | 10 | 65.00 |
Tuberculosis of leg | 10 | 207.50 |
Gonorrhea | 20 | 104.00 |
Tuberculous bowel | 12 | 107.00 |

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Tuberculous bowel | 12 | 107.00 |
Question. Are you acquainted at all with the hospital of the Klamath Reservation?
Answer. Only by knowledge that it is there. I have not been in the hospital.

Question. Do you know whether or not the agency physician is equipped for work of all kinds—in connection with treatment of all kinds of diseases and operations?
Answer. You mean in hospital equipment running up to major surgery, we will say, and things turning up?

Question. Yes.
Answer. I could not say; I have not been in the hospital. It would not appear so, however, from the reports of the Indians.

The Chairman. What about the date of this list? What does that cover?
Answer. This hospital was built in 1920, and the hospital there was finished, if I remember rightly, in the latter part of 1926. So this is compiled from the hospital register here—in this hospital—from 1920 and to 1927, we will say. Now, there are some conditions here that were taken care of in Mr. Baker’s incumbency at the Klamath Agency—tonsils and adnoids removed. Of course, tuberculosis has been the bane of the Indians from time immemorial; and I regard the fact that the children on the reservation having their tonsils and adnoids removed prevented a tremendous amount of pulmonary tuberculosis. Doctor Ross was the Government specialist and a very competent man; and I think that has been one of the big lifts to health conditions, you might say, on the Klamath Reservation that I know of to my knowledge of the reservation, dating back to 1911. I might say that I was physician at the agency for three or four months, before I had definitely located at Klamath Falls, between the going of Doctor Ford and coming of Doctor Reilly. There has been a great number of physicians coming and going, of course, at the Klamath Agency Reservation. There was no physician there at that time, and Dr. Edson Watson was agent and I was footloose, so to speak, and he asked me to come up and help him at the reservation. I might say that I have been all over the reservation; I drove a team then and enjoyed the work very much there. There is a great deal of work for a physician there; you may do a great deal of pleasurable work there. The highways are a great deal better, of course. There were a great many whites who were called in there—competent physicians, too—and two or three men would have all they could do if they looked after the population in that end of Klamath County—the north end of the county. I know that I had more than I could do at that time, and there are a great many more whites now. Surgical cases, fractures, and maternity, as I say, were such that a man had much more than he could do.

By Senator Pine:

Question. As a rule, does the reservation physician take an interest in the work, and does he do all he can do?
Answer. That is hard to say. Undoubtedly he is hard driven at times, and it is hard for him to make connections at all quarters. I fear that he has never had the confidence of the Indians; they feel he is in the nature of a contract doctor and don’t appreciate his hard goings, you might say—that is, his direction.

Question. In other words, if a patient is in as bad a condition as possible, it is not his fault?
Answer. Why, no; of course not.

The Chairman. Anything else?
Senator Pine. Do the city doctors use the ambulance?

Answer. No, they do not. Personally, I don’t see why one doctor there—to do anything I could do to help the incumbent physician. He has never met me; he has never offered me a suggestion or offer to get along. I think that is an unfortunate condition because all of the physicians here with the exception of Doctor Abbe, the North Dakota reservation—is an unfortunate condition because all of the physicians here with the exception of Doctor Abbe have operated with him and would help him all the years I have known all the doctors and, I might say—if you will pardon my digression—that the physicians at the agency have never met each other, and you must know that it is an easy thing to look this or that, or that it is some acute surgical case remedied by medicine; but, as I say, it is something else; that is the diagnosis of the death certificate. That is an unfortunate condition because all of the physicians at the agency have never met each other, and you must know that it is an easy thing to look this or that, or that it is some acute surgical case remedied by medicine; but, as I say, it is something else; that is the diagnosis of the death certificate. That is an unfortunate condition because all of the physicians have never met each other, and you must know that it is an easy thing to look this or that, or that it is some acute surgical case remedied by medicine; but, as I say, it is something else; that is the diagnosis of the death certificate. That is an unfortunate condition because all of the physicians have never met each other, and you must know that it is an easy thing to look this or that, or that it is some acute surgical case remedied by medicine; but, as I say, it is something else; that is the diagnosis of the death certificate.
Conquered at all with the hospital of the reservation, that it is there. I have not been in
knowledge of the reservation, dating back to 1920, and the hospital there stood
rightly, in the latter part of 1926. So the hospital register—hospita—will
now whether or not the agency physician is in the other services?
the reservation physician take an interest in hospital equipment running up to major things turning up?
At the Klamath Reservation. There was no physician doctor there; you may do a great
enjoy the work very much there. There
Edson Watson was agent and I was foot-
ry Reservation. There was no physician coming and going, of the physicians coming and going, of the physicians coming and going,
Doctor Ford and coming of Doctor Reilly. I had definitely located at Klamath Falls,
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about the date of this list? What does that
I was built in 1920, and the hospital there stood fifty years, in the latter part of 1926. So the hospital register—hospita—will
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the reservation physician take an interest in hospital equipment running up to major things turning up?
As I say, the reservation physician take an interest
do all he can do?
so say. Undoubtedly he is hard driven at
made connections at all quarters.
had the confidence of the Indians; they of a contract doctor and don’t appreciate
his hard goings, you might say—that is, in his efforts in their direction.
Question. In other words, if a patient dies when he is not there it is not his fault?
Answer. Why, no; of course not.
The Chairman. Anything else?
Senator Pine. Do the city doctors use the reservation hospital? Do they work in that?
Answer. No, they do not. Personally, I have sought to do work there—to do anything I could do to help Doctor Rogers, the incumbent physician. He has never met me half way in any consultation or offer to get along. I think that is his attitude toward all the physicians here with the exception of Doctor Gass. Now, that is an unfortunate condition because all of the doctors are glad to cooperate with him and would help him all they could. In previous years I have known all the doctors and, I think, universally we have gotten along in an ideal way; Doctor Abbott, particularly—now in the North Dakota reservation—is an excellent man and a very competent man—a Boston man, and very competent. However, I might say—if you will pardon my digressions on these lines—that the physicians at the agency have never been surgeons. Now, you must know that it is an easy thing to think that a patient has this or that, or that it is some acute surgical disorder that can not be remedied by medicine; but, as I say, it is an easy thing to call it something else; that is the diagnosis that may go down on the death certificate. That is an unfortunate thing.
So I say, while there are real shortcomings of physicians, as they come and go, any physician in this county who comes in contact with them will be of the same opinion: They have never been surgeons. They have been medical men, but very inexperienced in surgery. So, as I say, the surgical problems coming from the agency are terrific. Now we will take the case of such a woman as Mrs. George Wright at Chiloquin, Oreg., with a strangulated umbilical hernia. I could give the history of any case here [indicating Exhibit No. 54]; I know them all personally. But take the case of Mrs. George Wright, a very nice woman, a delightful character, and who, as I say, had a strangulated umbilical hernia; a woman weighing from 200 to 300 pounds at that time, I have no doubt. At that time we did not have roads from Klamath Falls to Chiloquin amounting to anything; the agent sent for the ambulance to come up, but I knew there was one sort of swamp place between the highway and Chiloquin where horses could not get through—they had four horses to pull the stage through—and I thought the team might not be there; or they might pull something apart in the ambulance. It was important that she be operated on or gotten to the hospital; I sent my own car and she was brought in; also I sent word to my wife, who was a graduate nurse, when she got in the ambulance. She was operated on and about 15 or 20 pounds of fat removed from that umbilical hernia and the rupture corrected. Now, there has never been a physician at the agency who could have taken care of such a thing. Now, the doctor at that time was over from Beatty—a very competent man in a medical way; he could diagnose things pretty good—that is, make an accurate
opinion of what ailed the patient; and he had the ethics to refer them to some man who could take care of them—some one to save their life, possibly. He referred that patient to me. That patient I had never had occasion to visit since, but visited her husband when he had lumbar pneumonia. Both of them are happy and all right. I merely cite that as one of the many hundred cases just exactly the same. Now, as I say, these conditions were strangulated umbilical hernia, and empyemia, and bullet wounds; brain surgery, chest surgery, and abdominal surgery, and fractures. There has never been a man capable of taking care of those at the agency.

The Chairman. Those are taken care of though by outside help? Answer. Private surgeons.

By Senator Pine:

Question. And the hospital and the equipment there is not used in taking care of them?

Answer. Not by civil physicians. Any man would be glad to cooperate. We have good roads; they could turn over half the treatments to the encumbent physician there—do everything in their power.

Question. You think there is a lack of cooperation on the part of the agency physician with the doctors in the city?

Answer. Yes.

Question. Anything further? That will be all, Doctor.

(Witness excused.)

The Chairman. We will recess until 1 o'clock; and we will meet this afternoon at the court room in the courthouse—the circuit court room.

(At 11.55 o'clock a.m. a noon recess was taken until 1 p.m.)

Afternoon Session

The committee and all interested parties being present, the following proceedings were had herein:

The Chairman. Mr. Lang.

Testimony of Thomas Lang

Thomas Lang appeared before the committee and, being first sworn, testified as follows:

By Mr. Glavis:

Question. Mr. Lang, where do you live?

Answer. Williamson River, Klamath Indian Reservation.

Question. Are you acquainted with the logging conditions on the Klamath Reservation?

Answer. Yes.

Question. Did you at any time see any logs cut, that were cut from the reservation, removed without being or having any scale marks?

Answer. Well, in 1924 and 1925, during Mr. Baker's time as superintendent, the companies hauled logs day and night; and I just wondered to myself one day, and I thought to-morrow I'm going to follow that great, long string of logs that close to midnight, and so I did the next night, and Ed Rouse with me and we came down to there.

Question. What is at Pelican City? Answer. Yes, one of the sawmills that time. When they came through with that stopped six and seven cars at every mile. Modoc Point, and they had six carloads rough. So we got off and said, "Let's see if the came to find out that big logs, about that hadn't scaled. I told the boys.

Question. About how many feet, board guess at?

Answer. About 600 or 700 feet. And the other end—the best logs in that bunch.

Question. No markings at all?

Answer. No.

Question. Evidencing they were scaled?

Answer. No. So I went up to the agent Mr. Baker; I said, "How are these logs so to have marked every log coming from the action?" He said, "Yes." "Well." I said, "Better do something; there is a lot of log merchantable logs going out from this reservation. So he looked at me a little while and he said, "Do you think those companies would taking it?" "Well," I said, "hard telling; day from this reservation and there might said, "Well, Mr. Lang, I will tell you, Mr. companies and they could do no such thing. Baker, "You had better go and see for your men employed on this reservation on purpose to see every foot of it is scaled."

Question. Did you tell him what you saw?

Answer. I told him what I saw, and I for himself; so he came or sent somebody went; and that is all the answer he gave reliable companies and don't want to do a

By Senator Pine:

Question. Is that the only time you checked up on them four or five times?

Answer. I checked up on them four or five times.

Question. And you found the same condition?

Answer. The same conditions; in a lot of the sawmills, there were either five or six cars on the car, there were either five or six cars on the cars. And the others? Answer. Which were "U. S."

Question. And were scaled?

Answer. We were scaled.

Question. Could these logs have been the reservation lands?

Answer. At this time all these logs came outside any place.
the patient; and he had the ethics to refer could take care of them—some one to save e referred that patient to me. That patient son to visit since, but visited her husband ment. Both of them are happy and all hat as one of the many hundred cases just as I say, these conditions were strangulated myemia, and bullet wounds; brain surgery, ominal surgery, and fractures. There has tle of taking care of those at the agency e are taken care of though by outside help? ons.

spital and the equipment there is not used physicians. Any man would be glad to co-roads; they could turn over half the treat- physican there—do everything in their he is lack of cooperation on the part of h the doctors in the city!

other? That will be all, Doctor.

ill recess until 1 o'clock; and we will meet room in the courthouse—the circuit court a noon recess was taken until 1 p.m.)

AFTERNOON SESSION

interested parties being present, the fol-

ng.

ONY OF THOMAS LANG

d before the committee and, being first "ere do you live?
ver, Klamath Indian Reservation.
ember of the Klamath Tribe?
of the Klamath Tribe.
ainted with the logging conditions on the

follow that great, long string of logs that come out in the night, close to midnight, and so I did the next morning. I took Mrs. Lang and Ed Rouse with me and came down to Pelican City and stopped there.

Question. What is at Pelican City? One of the sawmills?

Answer. Yes, one of the sawmills that was in operation at that time. When they came through with those logs at night they stopped six and seven cars at every mill—like Lamm's mill at Modoc Point, and they had six carloads right here at Pelican City. So we got off and said, "Let's see if those logs are scaled." We came to find out that big logs, about that high [indicating] were not scaled. I told the boys.

Question. About how many feet, board measurement, would you guess at?

Answer. About 600 or 700 feet. And they did not have any scaler on the other end—the best logs in that bunch.

Question. No markings at all?

Answer. No.

Question. Evidencing they were scaled?

Answer. No. So I went up to the agency the next day and told Mr. Baker; I said, "How are these logs scaled? Are they supposed to have marked every log coming from the Klamath Indian Reservation?" He said, "Yes." "Well," I said, "Mr. Baker, you had better do something; there is a lot of logs not scaled; and the best merchantable logs going out from this reservation are not scaled." So he looked at me a little while and he said, "Mr. Lang," he said, "Do you think those companies would take you timber without scaling it?" "Well," I said, "hard telling; logs are going night and day from this reservation and there might be some mistake." He said, "Well, Mr. Lang, I will tell you. Mr. Lang, those are reliable companies and they could do no such things as that." I told Mr. Baker, "You had better go and see for yourself. You have a lot of men employed on this reservation on purpose to look at that timber to see every foot of it is scaled."

Question. Did you tell him what you saw?

Answer. I told him what I saw, and I told him he could see that for himself; so he came or sent somebody. But that is as far as it went; and that is all the answer he gave me. He said, "Those are reliable companies and don't want to do anything like that."

By Senator Pink:

Question. Is that the only time you checked up on that?

Answer. I checked up on them four or five different times.

Question. And you found the same conditions every time?

Answer. The same conditions; in a lot of logs in a bunch, loaded on the car, there were either five or six logs unscaled; no mark.

Question. And the others?

Answer. Which were "U. S."

Question. And were scaled?

Answer. Were scaled.

Question. Could these logs have been taken off any other lands other than the Indian reservation lands?

Answer. At this time all these logs came off the reservation; none outside any place.
Question. Had the scale marks been on the logs you would have seen them?
Answer. I would have seen them because I can see pretty good.

By the Chairman:
Question. And you looked carefully for scale marks?
Answer. We looked carefully, three of us at a time; we looked carefully.

Question. What have you to say with reference to the prohibition enforcement on the reservation?
Answer. During September, 1927, I went to Turner Lake. On the way over we found out there was a still at Bear Flat—that is close to the Indian reservation, or supposed to be. When I came home on the 10th of September, I think it was, I went to Mr. Arnold and told Mr. Arnold that there was a still out there—whisky still out in the reservation; it was out toward Silver Lake. I told Mr. Arnold: “You have a lot of policemen here; if you send one I will send my boy with the Federal officer.” Mr. Arnold said, “All right; I will look into it.” And I did not hear from him soon. Finally I had to go up again, and I asked him about it again—when he was going to take action. Nothing doing; he won’t take action.

Question. Were you ever in the cattle business here?
Answer. I had a few head of cattle along in 1918 and 1919, during Mr. Edward B. Ashurst’s time. He was stockman on the reservation.

Question. Why did you quit the cattle business?
Answer. I had to sell out because the Government had leased all the swamp land to the California-Oregon Power Co. and that was the only place that a lot of us depended on for our hay for the cattle in the winter.

Question. Is that in the reservation land?
Answer. That is in the reservation.

Question. The power company?
Answer. The California-Oregon Power Co. The Government had leased all the swamp land to the California-Oregon Power Co. for range—for dikes, and the range in our reservation was up there.

By Senator Pine:
Question. What revenue do they get from that land?
Answer. The Government?

Question. How many cattle did you have now?
Answer. None now.

Question. How many have you now?
Answer. Why, I had to sell out the cattle because the Government leased our swamp lands out to the California-Oregon Power Co., as we had no more range, on account of the tribal range to the white men.

Question. How many cattle have you now?
Answer. None now.

Question. Why did you sell the cattle?
Answer. Why, I had to sell out the cattle because the Government leased our swamp lands out to the California-Oregon Power Co., as we had no more range, on account of the tribal range to the white men.

Question. How many of the Indians have quit the cattle business for the same reason?
Answer. Well, there are quite a number.

By the Chairman:
Question. In other words, the Indians have not as many cattle now as they had a few years ago?
Answer. No; they have not many.

Question. Is there anything else. That is all.
(Witnessed excused.)

Reuben Baird.

TESTIMONY OF REUBEN BAIRD

Reuben Baird appeared before the committee and testified as follows:

By Mr. Glavis:
Question. Mr. Baird, what is your post-office address?
Answer. At present, Chiloquin, Oreg.

Question. Are you a member of the Klama tribe?
Answer. No.

Question. Are you an Indian?
Answer. Yes.

Question. What tribe?
IONS OF INDIANS IN UNITED STATES

Question. Where do they attend school? Day school?
Answer. Two of them are attending the public school close to the farm station.

Question. Have you had any of them going to Indian boarding school?
Answer. I used to have children going to boarding school at the agency.

Question. What kind of a school do you think the children get the most benefit out of—day school or boarding school?
Answer. Public schools—day schools.

Question. Day schools?
Answer. Yes; because I have been to one of those boarding schools myself.

Question. Do you think that running a boarding school now is the same as when you were going to school?
Answer. In some places I would say they run a little bit worse.

By Senator Pine:

Question. How many cattle did you have in 1918 and 1919?
Answer. We have—or we had—pretty close to 100 head.

Question. How many have you now?
Answer. Why, I had to sell out the cattle, as I said, since the Government leased our swamp lands out to the power company; and as we had no more range, on account of the superintendent leasing our tribal range to the white men.

Question. How many cattle have you now?
Answer. None now.

Question. No cows either?
Answer. No cows either.

Question. How many of the Indians have gone out of the cattle business for the same reason?
Answer. Well, there are quite a number.

By the Chairman:

Question. In other words, the Indians have not as many cattle now as they had a few years ago?
Answer. No; they have not many.

Question. Is there anything else. That is all, thank you.
(Witnessed excused.)

The Chairman. Reuben Baird.

TESTIMONY OF REUBEN BAIRD

REUBEN BAIRD appeared before the committee and, being first duly sworn, testified as follows:

By Mr. Glavis:

Question. Mr. Baird, what is your post-office address?
Answer. At present, Chiloquin, Oreg.

Question. Are you a member of the Klamath Tribe of Indians?
Answer. No.

Question. Are you an Indian?
Answer. Yes.

Question. What tribe?
I answered. The Oneida Tribe of Wisconsin.

Question. What is your occupation?

Answer. Timber scaler, up to the 1st of April of this year, with the Government.

Question. What branch of the Government—Indian Bureau?

Answer. Yes.

Question. What branch of the Government?

Answer. Indian Service.

Question. What were you doing during the time of your employment as scaler for the Indian Bureau?

Answer. My duty was to get a scale on every log that was logged off by the companies where I was assigned to.

In 1926 I was assigned to the Bray Mill White Pine Lumber Co. to scale, and I was given notice to scale for the company also.

Question. What did you do about that, when the Bray Lumber Co. offered you that job?

Answer. Why, I put it up to my superior officer.

Question. Who did you put it up to?

Answer. A man by the name of Jensen, was directly over me at the time, who was forest assistant. He was in charge of that particular timber sale, and, in fact, he was right there with me; he took me there to that camp, and I told him if he could go back to agency and find out from Mr. Moffitt—he had charge of all the timber sales—if I could go ahead and do that. So he went back, and the next day he left me a note at the cabin where I was staying, saying it was O.K. with Moffitt.

Question. Have you got that note?

Answer. No; I lost that.

Question. Then you thereupon took employment from the Bray Lumber Co. to scale logs which you were also scaling for the Government?

Answer. Yes.

Question. And which the Bray Lumber Co. was purchasing?

Answer. Yes.

Question. From the Government?

Answer. Yes.

Question. Well, was there later objections raised to your having done so?

Answer. Yes; in the spring of 1927, I think, all scalers got notices.

Question. Were there other scalers doing the same thing—that is, working for both the Government and the lumber company?

Answer. I had heard of other scalers in another camp getting $3 a day scaling for the company, and that was the price I set with the Bray Mill Lumber Co.

Question. What was done about it at that time by the Indian Bureau?

Answer. I was given notice that whatever amount I had earned from the Bray Mill Co. I was to return it.

Question. If you did not return it what happened?

Answer. Well, at the particular time there was no ultimatum given me about that—until here in January or February of 1928. Then I was given to understand I would have to defend myself, so I told them to go against me; but different scalers came along and said it would be better for me if I resigned. The Chairman. What did you do?

Answer. So I resigned.

Question. Who suggested that you resign?

Answer. Well, there was Silvers, a scaler of the Wolf River, where I was situated at that time in town just previous to the 1st of April, at the Hotel. He advised me the best thing to do. He said, "Did Meek state if you resign, you can take another position in the Indian Bureau or in the Government?"

Answer. Yes.

Question. What did he say about that?

Answer. He said he would be ready to resign at the time.

Question. For some other reservation?

Answer. Yes.

Question. What did the other timber scalers do who sold money from both the lumber company and the Government?

Answer. I understood some of them passed on money to their families.

Question. Are they still working for the Government?

Answer. I think so; yes.

Question. What are their names? Do you know of any car Logan from the reservation without having been noticed?

Answer. Yes; Earl Silvers.

Question. Do you know of any car Logan from the reservation without having been noticed?

Answer. Well, I have not any direct knowledge of that.

Question. You have heard about it?

Answer. I have heard; yes.

Question. As timber scalers themselves.

Answer. Yes, as timber scalers themselves.

The Chairman. Well, as a scaler when you did you not know whether all logs were cut to size?

Answer. In my own particular scale I could—all I could find; anybody is apt to make a mistake. If it went out I would not know it.

Question. What is the practice of taking the logs in?

Answer. Yes; Earl Silvers.

Do they always cut the logs into 16-foot logs, or do they sometimes pull the whole tree out?

Answer. Why, they generally cut them to 14 and 16 feet.
I was given to understand I would have to return that money or take the consequences.

Question. What did you say then?
Answer. Well, at the time I thought I was in a position to be able to defend myself, so I told them to go ahead and prefer charges against me; but different scalers came along and advised me to resign—it would be better for me if I resigned.

The CHAIRMAN. What did you do?
Answer. So I resigned.

Question. Who suggested that you resign?
Answer. Well, there was Silvers, a scaler who came up to Sprague River, where I was situated at that time; he advised me right here in town just previous to the 1st of April. I met him in the Hall Hotel. He advised me the best thing to do was to resign.

Question. Did Meek state if you resigned he would help you get another position in the Indian Bureau on another reservation?
Answer. Yes.

Question. What did he say about that?
Answer. He said he would be ready to recommend me at any time.

Question. For some other reservation?
Answer. Yes.

Question. What did the other timber scalers who were accepting money from both the lumber company and from the Government do? Did they resign, or did some of those pay back?
Answer. I understood some of them paid back.

Question. Are they still working for the Government?
Answer. I think so; yes.

Question. What are their names? Do you know?
Answer. Well, there was Ed Neeve and this fellow Silvers I mentioned.

Question. Earl Silvers?
Answer. Yes; Earl Silvers.

Question. Do you know of any car loads of logs being removed from the reservation without having been scaled?
Answer. I have not any direct, personal knowledge of any.

Question. You have heard about it?
Answer. I have heard; yes.

Question. As timber scalers would talk among themselves; is that it?
Answer. Well, not exactly the scalers, but generally the lumberjacks themselves.

Question. They would know more about it than the scalers?
Answer. They would be apt to; yes.

The CHAIRMAN. Well, as a scaler when you were working there, did you not know whether all logs were scaled or not?
Answer. In my own particular scale I always managed to get all I could—all I could find; anybody is apt to miss a log out of a bunch. If it went out I would not know it.

Question. What is the practice of taking the logs out of the woods? Do they always cut the logs into 16-foot lengths, or do they sometimes pull the whole tree out?
Answer. Why, they generally cut them into short logs from 12 to 14 and 16 feet.
Question. You do not know of any instance where they cut them into long lengths and sawed them up afterwards, do you?
Answer. Well, they did last winter where I scaled for the Big Lakes.

Question. Is it not very injurious? Does that no damage the young trees a great deal more?
Answer. The way this was done it did, by skidding them out with a caterpillar.

Question. Caused great damage to the young trees?
Answer. Yes, it did.

Question. Do you know the practice of the United States Forestry Service? Does it permit the removal of long logs; or do they compel the cutting of short ones and hauling them out that way?
Answer. I think the general regulations requires them to be removed in short logs, but they have given special permission in one or two cases to remove them in long logs by steam logging; but they have to get special permission.

Senator Pine. What could be object of the lumber company in paying the scalers additional money?
Answer. The object in this place where I was—I would save them about $3 a day, where they would have to hire another scaler of their own, outside of the Government man. About $6 a day is the average price.

Question. In other words, the lumber company would take your scale as their scale?
Answer. Yes.

Senator Pine. Could they not do that without paying you $3 a day?
Answer. I suppose they could.

Question. Well, they could get your scale from the Government anyway, and be guided by that scale?
Answer. Well, in this particular case in mind, a man had a contract where to log and he preferred to take my scale to the company's scale.

Senator Pine. What was the Government paying you? How much money?
Answer. I was getting $125 a month.
Senator Pine. That is all.
(Witness excused.)

The CHAIRMAN. William M. Mayfield.

TESTIMONY OF WILLIAM M. MAYFIELD

William M. Mayfield appeared before the committee and, being first duly sworn, testified as follows:

By Mr. Glavis:
Question. Your name?
Answer. William M. Mayfield.
Question. What is your post-office address?
Answer. Chiloquin, Oreg.
Question. What is your occupation?
Answer. Taxi business at present.
Question. Are you a member of the Klamath Tribe?
Answer. No, sir.
know of any instance where they cut them and shipped the wood afterwards, do you? Know of any instance where Indians cut them up afterwards, do you?

Was it done last winter where I worked for the Big Sandy Company? Does that not damage the young trees?

Was it done by skidding them out with damage to the young trees?

Is the practice of the United States Forestry the removal of long logs; or do they compel and haul them out that way? General regulations requires them to be removed by wheel loads by steam logging; but they usually are loaded out and probably the Government scaler would be on a tract, four or five landings, and they would be loaded out and maybe one would tell them and they would catch them on the cars at the camp before they went out on the main line; most of the time they went out unscaled.

Have you a brother who also noticed the same conditions in other camps?

Do you have any idea of the percentage of logs that were not scaled?

They would be object of the lumber company in the first place where I was—I would save them, and they would have to hire another scaler of Government man. About $6 a day is the usual man's scale.

If these logs were not scaled the Indians received nothing for them?

Do you have any idea of the percentage of logs that were not scaled?

They would be object of the lumber company in the first place where I was—I would save them, and they would have to hire another scaler of Government man. About $6 a day is the usual man's scale.

Did you observe logs being removed that were not scaled by the Government?

Tell the committee about that.

Well, some days you would notice maybe half a dozen wheel loads go out; wheel loads average about 1,500 feet to the load. Maybe it would go for three or four days that you would not notice any; and maybe in a day you would notice two or three. They were overlooked by the Government scaler; probably the Government scaler would be on a tract, four or five landings, and they would be loaded out and maybe one would tell them and they would catch them on the cars at the camp before they went out on the main line; most of the time they went out unscaled.

Have you a brother who also noticed the same conditions in other camps?

Do you have any idea of the percentage of logs that were not scaled?

They would be object of the lumber company in the first place where I was—I would save them, and they would have to hire another scaler of Government man. About $6 a day is the usual man's scale.

Have you a brother who also noticed the same conditions in other camps?

Do you have any idea of the percentage of logs that were not scaled?

They would be object of the lumber company in the first place where I was—I would save them, and they would have to hire another scaler of Government man. About $6 a day is the usual man's scale.
Answer. Well, some days it would average maybe four or five thousand would go out, and some days 15,000.

Question. That is only one camp; the camp you were in?

Answer. Yes.

Question. How many camps were there all over the reservation operating at this time?

Answer. Well, there were several; there was Algoma and Lamm's and the Ewauna and the Forest and Chiloquin and Bray, besides the other little "gypo" camps.

Question. And these companies had more than one camp, did they not, sometimes operating?

Answer. No; not that I worked for.

Question. Of course, you do not know of your own personal knowledge whether the same thing was true in other camps or not?

Answer. No. What I am telling about I saw with my own eyes.

The CHAIRMAN. That is all.

(Witness excused.)

The CHAIRMAN.

TESTIMONY OF DICE CRANE

DICE CRANE appeared before the committee and, being first duly sworn, testified as follows:

The CHAIRMAN. Your name is Dice Crane?

Answer. Dice Crane.

By Mr. GLAVIS:

Question. What post-office address have you?

Answer. Sprague River.

Question. What is your occupation?

Answer. Ranching.

Question. Are you a member of the Klamath Tribe of Indians?

Answer. Yes.

Question. Have you any cattle?

Answer. I have not any cattle.

Question. No cattle now?

Answer. No.

Question. Did you have any cattle?

Answer. I did have some; yes, sir.

Question. Why did you give up the cattle business?

Answer. Because we did not have any range for them.

The CHAIRMAN. How many cattle did you own?

Answer. Well, at the time we had cattle, we had cattle together—my father and Mr. Peet, now deceased. We run about 100 head altogether; between 70 and 80 head of cattle, and the rest horses.

The CHAIRMAN. How long ago was this that you sold them out?

Answer. About 1926, I guess.

Question. To get water?

Answer. To get water. Well, then, the superintendent, I guess, had charge of the leasing.

The CHAIRMAN. Who were these sheepmen?

Answer. I do not know; I understand his name was O'Shea.
ditions of Indians in United States

days it would average maybe four or five and some days 15,000. In one camp; the camp you were in?

camps were there all over the reservation were several; there was Algoma and Lamm's Forest and Chiloquin and Bray, besides the ps.

companies had more than one camp, did they?

I worked for.

I do not know of your own personal knowling was true in other camps or not!

I am telling about I saw with my own eyes. is all.

Crane.

Mony of Dice Crane

before the committee and, being first duly

is; name is Dice Crane?

office address have you?

r.

r. occupation?

ember of the Klamath Tribe of Indians?

y cattle?

y cattle.

w?

any cattle?

me; yes, sir.

give up the cattle business?

d not have any range for them.

many cattle did you own?

me we had cattle, we had cattle together—now deceased. We run about 100 head alto-

head of cattle, and the rest horses.

long ago was this that you sold them out? guess.

ing your range away from you?

perintendent, I guess, had charge of the

as grazing the land?

ing to sheepmen.

were these sheepmen?

I understand his name was O'Shea.

Question. He was not a Klamath Indian? He was a white man?

Answer. He was a white man.

Question. Did you complain to Superintendent Arnold about this condition?

Answer. Yes; I did everything in my power to stop it.

Question. What did you do?

Answer. We went to Mr. Arnold—my father-in-law and I did—we went and asked him if there could be some arrangement so that he might not lease to any sheepmen on that range. We were running stock there altogether. Mr. Brown—Harrison Brown—was in the same range we were; it was a very small range. Where we were there were not many watering holes, and our cattle had to go back about 4 miles from our line fences.

Question. To get water?

Answer. To get water. Well, then, the sheep had the use of all the water, and then when our cattle would go in there those sheepmen would draw the cattle away from there; and, naturally, it forced our cattle down to the fence, and the cattle we had—Mr. Brown and Mr. Peet, together, it got so they came down to our neighbors adjoining—they had our fences—and busted the fences and got into the fields. We had a little hay that year that we were going to cut, and rather than make trouble for our neighbors we had to take our cattle and put them in our own field, and we did not cut any hay that year at all.

Question. What did Superintendent Arnold say about it?

Answer. He did not seem to give us any satisfaction at any time.

Question. What did you do?

Answer. I came to Klamath Falls and sent a telegram to the commissioner.

Question. Commissioner Burke?

Answer. Yes, sir; along in May.

Senator Pine: What year?

Answer. I don't remember the year. I could have had them here with me; when I was subpoenaed to be here doing a little dental work and I had no chance to get home.

Question. Two or three years ago?

Answer. Yes.

Question. Did you finally hear from the commissioner?

Answer. We finally heard from him in July; and a letter was sent in—from a report that Mr. Arnold sent in it seems as though we had plenty of range; and it also stated I had no stock in that range.

Question. Was that so?

Answer. No; it was not so.

Question. You had stock?

Answer. Yes.

Question. Then what did you do with the cattle?

Answer. Well, we sold our part of the cattle.

Question. And have been out of the cattle business since that time?

Answer. Yes; we had no cattle and no horses other than work team and a few around the ranch.
The CHAIRMAN. Did the men who owned the sheep live near the reservation?
Answer. Yes.
The CHAIRMAN. Did they run a big band of sheep?
Answer. Yes, they ran a big band. There were two or three bands in there then.
Question. Running up into the thousands?
Answer. There was more than that; there was at one time a good many thousands.
Question. They would run two or three thousand in a band?
Answer. I think they generally run about 1,500 in a band.
Question. Are there Indians on the reservation who are anxious now to go back in the stock business?
Answer. Yes.
Question. Do you think it would encourage young Indian boys to go back?
Answer. Yes; there is no encouragement at all now—at the present—for a man to be engaged in the cattle business.
Question. Do you know any young boys who are anxious to go into the stock business?
Answer. Yes; I know a good many boys who would go in if they had a chance.
Question. Who are they?
Answer. There are a good many of those Piute boys; there is one boy who has some cattle, and they just keep enough cattle that they can keep on the ranch—Sylvester Meisell and Henry Noyon and Sammie Goodau and those boys.
Question. What is the shape of the land? It is ruined, is it?
Answer. Yes.
The CHAIRMAN. How do you mean?
Answer. It is getting so that there is not any feed; it is getting pretty close. I want to say also that I even went as far as getting a petition so that we might stop the leasing. I drew the petition myself and addressed it to the tribal council, and in some way or another it met with defeat at that time. They used to take it up with the council every year, but it has gotten to where they don't consult the council about it.
Question. You mean the Indian Bureau don't?
Answer. Yes.
Question. They go ahead and lease without getting consent?
Answer. Yes.
Senator PINE. Did the council sustain your position? Did they ask the agent not to lease the lands?
Answer. I do not know what became of the result of that.

By the CHAIRMAN:
Question. You are not a member of the council?
Answer. Yes,
Question. Now, not then?
Answer. I was just getting in the council—the present council.
Question. How is the Tribal Council elected?
Answer. Chosen by vote at different precincts.
Question. At a general meeting?
Answer. Yes.

SURVEY OF CONDITIONS OF INDIANS IN UNITED STATES

Question. All the Indians can vote, are they?
Answer. I guess they do; I was not at the

By Senator PINE:
Question. You had a stockman out here?
Has he been of any benefit to the Indians?
Answer. He has never been of any benefit to me. I live in the east part of the reservation.
Question. Has any official connected with the agency, been able to assist the Indians in stock raising or farming?
Answer. Not to my knowledge; I never

By the CHAIRMAN:
Question. Do you farm land yourself?
Answer. Yes; I am hay ranching now.
Question. Hay?
Answer. Yes; a small hay ranch.
Question. Cut hay and sell it? Wild hay?
Answer. Yes; it is wild hay.
Question. How many acres?
Answer. I am on the estate property—something like 500 acres.
Question. You have horses of your own?
Answer. Just what I use on the ranch.

The CHAIRMAN. That is all.
(Witness excused.)
The CHAIRMAN. Harrison Brown.
Do you understand English; you understand English.

TESTIMONY OF HARRISON BROWN

Harrison Brown appeared before the committee, was duly sworn, testified as follows:
The CHAIRMAN. What is your name?
Answer. Harrison Brown.

By Mr. GLAVIS:
Question. Mr. Brown, what is your place of residence?
Answer. Beatty, Oreg.
Question. What is your occupation?
Answer. Raising stock.
Question. You have been quite extensively engaged in raising stock, have you?
Answer. Yes.
Question. Tell the committee how much business you did here when you first started in the cattle business?
Answer. Well, I used to start pretty good—about 500 or 600 head. I first began.
The CHAIRMAN. How long ago was that?
Answer. It must be about 10 or 15 years.
Question. How long did you keep the business, when you were in the cattle business?
Answer. I was in the business maybe a...
TIONS OF INDIANS IN UNITED STATES

The men who owned the sheep live near the

they run a big band of sheep?

a big band. There were two or three bands

into the thousands?

re than that; there was at one time a good

run two or three thousand in a band?
generally run about 1,500 in a band.

ndians on the reservation who are anxious

k business?

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o encouragement at all now—at the pres-
gaged in the cattle business.

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good many boys who would go in if they

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and they just keep enough cattle that they

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ng in the council—the present council.

al Council elected?

different precincts.

UITELY OF INDIANS IN UNITED STATES

SURTVEY

Question. All the Indians can vote, are entitled to vote?

Answer. I guess they do; I was not at the last election.

By Senator Pine:

Question. You had a stockman out here on the experimental farm.

Has he been of any benefit to the Indians?

Answer. He has never been of any benefit to our community where

I live. I live in the east part of the reservation.

Question. Has any official connected with the agency attempted to

assist the Indians in stock raising or farming, or in any other way?

Answer. Not to my knowledge; I never knew of any.

By the Chairman:

Question. Do you farm land yourself?

Answer. I am hay ranching now.

Question. Hay?

Answer. Yes; a small hay ranch.

Question. Cut hay and sell it? Wild hay?

Answer. Yes; it is wild hay.

Question. How many acres?

Answer. I am on the estate—property—of Mr. Pitts; I think it is

something like 500 acres.

Question. You have horses of your own?

Answer. Just what I use on the ranch—work team and saddle

horses.

The Chairman. That is all.

(Witness excused.)

The Chairman. Harrison Brown.

Do you understand English; you understand it enough, do you?

TESTIMONY OF HARRISON BROWN

Harrison Brown appeared before the committee, and being first
duly sworn, testified as follows:

The Chairman. What is your name?

Answer. Harrison Brown.

By Mr. Glavis:

Question. Mr. Brown, what is your post-office address?

Answer. Beatty, Oreg.

Question. What is your occupation?

Answer. Raising stock.

Question. You have been quite extensively in the cattle business?

Answer. Yes.

Question. Tell the committee how many cattle you had and how

much business you did here when you were in the business.

Answer. Well, I used to start pretty good at one time.

Question. How many approximately?

Answer. Well, I had started about a couple hundred head when

I first began.

The Chairman. How long ago was that?

Answer. It must be about 10 or 15 years ago.

Question. How long did you keep these cattle—that is, how many

years, when you were in the cattle business?

Answer. I was in the business maybe about 44 years.
Question. Have you got any cattle now?
Answer. Just a few.

Question. How many about?
Answer. About, probably 50 head.

Question. Did you do as high as $11,000—sell as much as $11,000 worth of cattle here when you were in the business?
Answer. Well, at one time I sold about $9,900 worth of cattle: I sold 115 head at one time.

Question. That year?
Answer. Yes.

Question. Why did you go out of the cattle business?
Answer. Well, I was starved out.

Question. Starved out? What do you mean?
Answer. Strayed out, and dying—some of them; starving.

Question. Does sheep interfere at all with the cattle business on the reservation?
Answer. Oh, yes: that is why—chased my cattle away: too many cattle from the outside got in, and sheep, and eat off the grass. That is why I lost my cattle.

The CHAIRMAN. Did you ever own any sheep?
Answer. No.

Question. Are you anxious to get back into the cattle business extensively again?
Answer. I am trying to.

Question. But you can not; is that it?
Answer. I think I can if I try; I have to.

Question. Have you complained to anybody about the sheep running on the reservation?
Answer. There are lots of sheep on the reservation.

Question. Have you complained to the superintendent about it?
Answer. The superintendent brings in the sheep.

Question. How?
Answer. He is the fellow who brings the sheep in.

Question. And you don't want it?
Answer. We don't want it. Ever since the line riders got in the reservation—the sheep came in at that time; ever since the line riders came in we have had sheep.

Question. A few years ago there were a good lot of Indians there in the cattle business, were they, on the reservation?
Answer. Yes.

Question. What?
Answer. Yes.

Question. Were there many a number of years ago—were there many Indians in the stock business?
Answer. There used to be; all of them had cattle—all of them.

Question. The Klamath Indians like the cattle business, don't they?
Answer. Yes.

Question. Have you any other comment to make or statement to make? Do you want to tell the committee anything else about anything?
Answer. No.
 questions. Do you farm any land yourself?
Answer. Yes.
Question. How much?
Answer. Oh, 100 acres and put in grain.
Question. What crops do you raise on your farm?
Answer. Rye mostly, oats, and wheat.
Question. Alfalfa?
Answer. No.
Question. No alfalfa?
Answer. No.
Question. Is it irrigated land?
Answer. Just a little; about 20 acres, I think.
Question. The rest is dry farming?
Answer. Yes, dry farming; but I have water there.
Question. You don't need it?
Answer. No; don't know how; could not use it.
Question. Well, do you pay for the water rights?
Answer. Yes.
Question. Whether you use the water or not?
Answer. No.
Question. You just pay for what you use?
Answer. I don't know. They make me pay for it. When I want water I cannot get it; I cannot get the water when I want it—right over at Modoc Point. I have my land in there, 80 acres, and he charge me for them 80 acres, and I cannot get the water sometimes; they claim I get the water for them acres; he won't let me have it.
Question. How much do you pay for? How much water do you pay for?
Answer. We pay for about $70 or $71.
Question. How many acres do you pay for?
Answer. Eighty acres he charge me for. I had it up with Mr. Manning; he is the fellow who was attending to my business, Mr. Manning.
Senator Pine. Does the superintendent pay any attention to you in your complaints?
Answer. No.

By the CHAIRMAN:
Question. Do you farm any land yourself?
Answer. Yes.
Question. How much?
Answer. Oh, 100 acres and put in grain.
Question. What crops do you raise on your farm?
Answer. Rye mostly, oats, and wheat.
Question. Alfalfa?
Answer. No.
Question. No alfalfa?
Answer. No.
Question. Is it irrigated land?
Answer. Just a little; about 20 acres, I think.
Question. The rest is dry farming?
Answer. Yes, dry farming; but I have water there.
Question. You don't need it?
Answer. No; don't know how; could not use it.
Question. Well, do you pay for the water rights?
Answer. Yes.
Question. Whether you use the water or not?
Answer. No.
Question. You just pay for what you use?
Answer. I don't know. They make me pay for it. When I want water I cannot get it; I cannot get the water when I want it—right over at Modoc Point. I have my land in there, 80 acres, and he charge me for them 80 acres, and I cannot get the water sometimes; they claim I get the water for them acres; he won't let me have it.
Question. How much do you pay for? How much water do you pay for?
Answer. We pay for about $70 or $71.
Question. How many acres do you pay for?
Answer. Eighty acres he charge me for. I had it up with Mr. Manning; he is the fellow who was attending to my business, Mr. Manning.
Senator Pine. Does the superintendent pay any attention to you in your complaints?
Answer. No.
Answer. That is what they think. I had quarrels with them twice for that business, and Mr. Wiley; the first man who came there, line rider, is Mr. West. He came up to me and wanted to lease that for some man; I did not know which—maybe sheep. He came up to my place two times at Modoc Point. One day I was in the middle of the road, going after two loads of wood, and there was me and my boy; Mr. West said, "Say, I have been up to your house; I want to lease that place." I had the land there and I had it a long time but I had my cattle there. "No," I said, "I do not want anyone to lease that place; I want to shape my stock there; I want to see my stock get fat; I want to get money. I don't want anybody else to get that money from my land." He said: "No, you will get money just the same." Him and Wiley came up and stopped me in the road. I said: "You go ahead. if you want to lease my place." Wiley was there—both of them; then he started off.

Question. And they leased your land?
Answer. No.

Question. You did not lease it?
Answer. No.

Question. But the cattle ran over, and the sheep ran over, just the same?
Answer. Yes, a lot of sheep and cattle.

Question. They grazed on your land, and the sheep herders ran your cattle from that range?
Answer. Yes; they got come in so thick that my cattle were going away. I could not find them; they strayed off. That is how I commenced to losing cattle. The cattle strayed off with them.

Question. Did you lose some cattle that way?
Answer. Yes, I lost a lot of them that way. I had 400 head of cattle at that time; that is how come I lose all my cattle.

Question. You never lost any cattle until they began to lease to other people?
Answer. Yes; we never lose them when we had our Indian cattle on there. We had a pretty good bunch of cattle when we started.

By the CHAIRMAN:

Question. Did you lease any of your land to white man?
Answer. No; them line riders leased my land when I don't want it; up to Sprague River, he leased that land now. Two times he paid me; most all the seven years he never pay. I just got $50 for one piece; the rest he never pay; just like that all the years. He had sheep right back of my place; he got a lot of sheep last summer and this summer.

Question. Did you go to the agency?
Answer. I asked them.

Question. Asked who?
Answer. Asked the superintendent—the line riders; wanted my money for that in renting my place.

Question. What do you mean by these line riders?
Answer. Stockman.

Question. Are they agency men?
Answer. Yes; employees.

Question. Government men?
Answer. Yes. One is named Wiley, and one over there is Hartwell. Whenever he go to the reservation and get them sheep on those sheep; and go to California and bring ride horse; just ride automobile.

Question. These line riders ride automobile?
Answer. He never ride horse; he ride automobile; just ride automobile.

Question. How much were they worth?
Answer. He sold them for $2.50.

Question. Were they worth any more?
Answer. We had been getting $20 and $8.

He said: "You're man who's going to sell these horses; I can not put me in that place like that, somebody's horses for?" I said: "Don't law for me to sell them horses?" I said, he just left the corral.

Question. Wiley tried to get you to claim to you?
Answer. Belonged to nobody; just told them he would sell them; he was going to take to lease some places to cattle people and took new cattle from the outside. That is why we have cattle back; cattle is a good thing in business.

The CHAIRMAN. That is all.

(Witness excused.)

The CHAIRMAN. Mr. Henry Dillstrom.

**TESTIMONY OF HENRY D. DILLSTROM**

Henry D. Dillstrom appeared before the commission, first duly sworn, testified as follows:

By Mr. GLAVIS:

Question. Give your name to the report?
Answer. Henry D. Dillstrom.

The CHAIRMAN. Where do you live?
Answer. 1410 Lakeview, Klamath Falls.

Question. What is your post-office address?
Answer. Klamath Falls.

Question. What is your occupation?
Answer. Mechanic—auto mechanic.

Question. Are you a member of the Klai?
Answer. No, sir; I am not enrolled as have one-eighth Modoc.

Question. One-eighth Modoc?
Answer. Yes.

The CHAIRMAN. Are you a member—enrolled?
Answer. Not that I know of.
Question. Government men?
Answer. Yes. One is named Wiley, and one up there is Taylor, and one over there is Hartwell. Whenever these men come in they go to the reservation and get them sheep men and make them bring those sheep; and go to California and bring those sheep. He never ride horse; just ride automobile.

Question. These line riders ride automobiles instead of horses?
Answer. He never ride horse; he ride automobile. He go in that road where men have bunch of sheep; he never look around that line.

Now, one time Government buy horses from us; he give us good horses—stable horses—and we leased them; and when Wiley come up there he gather up them horses at Modoc Point; he make them sell them horses for $2.50 a head.

Question. How much were they worth?
Answer. He sold them for $2.50.

Question. Were they worth any more?
Answer. We had been getting $20 and $30. He pointed to me and he said: “You're man who's going to sell them horses.” I told him: “You can not put me in that place like that. What I'm going to sell somebody's horses for?” I said: “Don't you know it is against the law for me to sell them horses?” I said, “You can not do that.” I just left the corral.

Question. Wiley tried to get you to claim horses that did not belong to you?
Answer. Belonged to nobody; just told the boys to corral them and he would sell them; he was going to take them away. He wanted to lease some places to cattle people and then bring them sheep and cattle from the outside. That is why we get poor. I would like to have cattle back; cattle is a good thing in this country.

The CHAIRMAN. That is all.
(Witness excused.)

The CHAIRMAN. Mr. Henry Dillstrom.

TESTIMONY OF HENRY D. DILLSTROM

HENRY D. DILLSTROM appeared before the committee and, being first duly sworn, testified as follows:

By Mr. GLAVIS:
Question. Give your name to the reporter.
Answer. Henry D. Dillstrom.

The CHAIRMAN. Where do you live?
Answer. 1410 Lakeview, Klamath Falls.

Question. What is your post-office address?
Answer. Klamath Falls.

Question. What is your occupation?
Answer. Mechanic—auto mechanic.

Question. Are you a member of the Klamath Tribe?
Answer. No, sir; I am not enrolled as a Klamath or Modoc. I have one-eighth Modoc.

Question. One-eighth Modoc?
Answer. Yes.

The CHAIRMAN. Are you a member—enrolled?
Answer. Not that I know of.
Question. Were you at any time employed by the Indian Bureau on the Klamath Reservation?
Answer. Yes.

Question. State the nature of the employment?
Answer. I went to the Klamath Agency as supervisor of ditches in charge of irrigation in 1915, I believe it was. I worked at that until December 19—about two years ago; it must have been about 1925. They abolished the position there; and after that I was in the school as disciplinarian for two years.

By the Chairman:

Question. You were the supervisor of the irrigation district?
Answer. Yes.

Question. Of ditches?
Answer. On what is known as the agency farm.

Question. You had nothing to do with looking after the water that the Indians used, or the white men used who leased Indian lands?
Answer. No, sir.

Question. Is that the so-called experimental farm?
Answer. The school farm—the boarding school; right back of the boarding school.

Question. You raised stuff for—
Answer. The subsistence.

Question. Did they have a herd of cattle, too?
Answer. Yes.

Question. Then what did you do after that?
Answer. After?

Question. After that employment, what did you do?
Answer. I was disciplinarian in the boarding school in charge of the boys two years.

Question. When you finished that work?
Answer. After the school was suspended I was employed, having charge of labor at the agency, in charge of the irregular employment.

Question. Were many Indians employed as irregular employees?
Answer. Not very many.

Question. How many, about?
Answer. During 1927 we had about—the most at any one time was four or five.

Question. And how many whites?
Answer. As high as 15.

Question. Is that so?
Answer. Yes.

Question. Were the Indians—were they as good workers as the whites?
Answer. I always found them just as good, on the average.

Question. Do you think that the Indians were discriminated against in employment?
Answer. Not until this last spring.

Question. What happened this last spring?

Answer. Mr. Arnold went to Washington and assumed a different attitude toward hiring, told me, but Mr. Wheat did.

Question. Who is Mr. Wheat?
Answer. Assistant to Mr. Arnold.

Question. What did he say?
Answer. He told me not to hire Indians.

Question. Did he give any reasons?
Answer. He said they were running an Indian and he did not want to hire them.

Question. Who were?
Answer. The Indians. They were trying...

Question. Did they dismiss the Indian credit?
Answer. Dismissed them all, I guess.

Question. Are there any Indians working there now?
Answer. Not that I know of; I have not heard of.

Question. What happened to the farm on the reservation?
Answer. I believe it is all stored there at the present time.

Question. Was any good machinery destroyed that could have been used? Or did they destroy that?
Answer. No; I don’t. Of course, there was gotten some benefit out of; but as a general rule, was of much value, although I believe it could be used by some of the Indians, probably was condemned there than was on a lot of Indian reservations.

Question. And machinery condemned, but would still be destroyed rather than given to them?
Answer. Yes.

Question. Did you pass an examination?
Answer. Yes.

Question. Did you get an offer of employment?
Answer. I got an offer; yes, sir.

Question. Where?
Answer. In Montana.

Question. You did not take that?
Answer. No; I had my girls in high school.

I was kind of encouraged at that time to take charge of the men and Mr. Wheat did.

Question. That was a number of years ago?
Answer. No; last year. He said I had no one else there; but he changed his mind.

Senator Pine. What was the reason he charged?

Answer. No reason whatever that I could get Mr. Vance had always done the same; and I could get Levi to shoe the horses, and take them to Chiloquin. I had men to do it.
at any time employed by the Indian Bureau.

nature of the employment?

he Klamath Agency as supervisor of ditches in 1915, I believe it was. I worked at that position for two years. I believe it was about two years ago; it must have been about the position there; and after that I was in charge of the position there; and after that I was in

ie supervisor of the irrigation district?

nown as the agency farm. Did you do anything with looking after the water that white men used who leased Indian lands?

so-called experimental farm? Did you do anything about the school farm—the boarding school; right back there?

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ol was suspended I was employed, having charge of the irregular employment?

Indians employed as irregular employees? Did you do anything about the most at any one time?

y whites?

lians—were they as good workers as the whites? Did you do anything about that?

I had my girls in high school and could not take it. I was kind of encouraged at that time to stay at the agency. I was in charge of the men and Mr. Wheat did not want to let me go.

Question. That was a number of years ago?

Answer. No; last year. He said I had to stay there, and there was no one else there; but he changed his attitude afterwards.

Senator PINE. What was the reason given when you were discharged?

Answer. No reason whatever that I know of yet, to-day; I never asked him. I will tell you how it came about. I wanted a team of horses shod and went to Mr. Wheat and told him about it. Before that Levi Vance had always done the shoeing and I asked him if I could get Levi to shoe the horses, and he said no. He told me to take them to Chiloquin. I had men to look after there and I had...
charge of a bunch of men cutting brush, and so I sent another fellow. He took exception to that because I did not go myself. And, also, one reason that I did not go was because I thought it was not good policy anyway. I was kind of sore—their paying $18 to get a team of horses shod when you could get them shod for $2; it did not look like good policy to me. Levi shod the horses there for $2 for half a day—he charged the regular labor rate. It would take him half a day. In Chiloquin I believe they charged in this instance $14, and it took a man all day at $4.50 to take them over there. So you can see the difference, at $14, what it cost to get them home. We had shoes and nails and everything there. Just because Levi was an Indian— and I took exception to it and told him.

Question. And you were discharged?
Answer. Yes.

Question. Are Indians encouraged to go into the livestock business?
Answer. I encouraged them all I could at school—the children—but they are young and never paid any attention to it. I never had much occasion myself to get out among the older Indians.

By the CHAIRMAN:
Question. What was the nature of your work as disciplinarian at the Indian school?
Answer. In charge of the boys—the same as the military.

Question. That was a boarding school?
Answer. Yes; a boarding school.

Question. On the reservation?
Answer. Yes.

Question. How were the children treated?
Answer. Treated good, fairly good in some cases; last year pretty bad.

Question. Well fed and clothed?
Answer. Yes, sir; they were well fed.

Question. They were pretty well taken care of?
Answer. Yes.

(Witness excused.)

The CHAIRMAN. Mrs. Dufault.

TESTIMONY OF MRS. CELIA DUFALUT

Celia Dufault appeared before the committee and, being first duly sworn, testified as follows:

By Mr. GLAVIS:
Question. Mrs. Dufault, will you give the reporter your name and address?
Answer. Celia Dufault; 1028 West Fifth, Santa Ana, Calif.

Question. Are you a member of the Klamath Tribe?
Answer. I am.

The CHAIRMAN. Did you used to live here?
Answer. Yes.

The CHAIRMAN. How long did you live here?
Answer. I lived here 22 years.

The CHAIRMAN. How long have you been away then?

Answer. I have been away—one time I could not tell. Now I am just away for a year.
demissions of Indians in United States

...cutting brush, and so I sent another fellow. That because I did not go myself. And also, not go was because I thought it was not good kind of work—their paying $18 to get a team, you could get them shod for $2; it did not look right. Levi shod the horses there for $2 for half regular labor rate. It would take him half a day to do it. They charged in this instance $14, and $4.50 to take them over there. So you can see what it cost to get them home. We had shoes and told him.

...enticed to go into the livestock... from the school, the children—never paid any attention to it. I never had... get out among the older Indians.

...the nature of your work as disciplinarian at the boarding school?

...the question of conditions of the schools now?

...the reason why it has increased?

OF MRS. CELIA DUFALUT

...will you give the reporter your name and address?

1028 West Fifth, Santa Ana, Calif.

Member of the Klamath Tribe?

...did you live here?

...years.

...have you been away then?

...one of the first.

...how were you treated? What did you think of it?

...we were underfed and mistreated the moment we were taken in there; we were worked to death.

...how long did you remain in the school?

Two years.

...Do you know anything about the conditions of the schools now?

...I know nothing about it whatsoever.

...have you children, Mrs. Dufault?

...I have three children.

...did you send them to an Indian Bureau school?

...I did for three years; 26 years ago I put them in an Indian school, or rather, my husband did.

...Then did you educate them?

...I took them out and educated them in public schools here, and afterwards I sent them to the University of California.

...University of California?

...Yes.

...You have one daughter there now, have you?

...I have a daughter who graduated last May, and she has been teaching fellowship this year and working for a master's degree.

...What is her name?

...Helen Dufault.

...Is one of your sons married?

...They have a girl three years old.

...Does the Indian Bureau permit the child's father to handle the son's money?

...No, sir.

...Is your son competent to handle the money?

...I think so.

...What does your son do?

...He has been in business but now he is working in the oil fields.

...In the California oil fields?

...Yes.

...Now, you spoke about the children's treatment at the school. Was there much tuberculosis in those days?

...None at all.

...It has increased a good deal since then, has it?

...I think it has.

...What do you believe to be the reason why it has increased?

...I suppose unsanitary conditions. I do not know; I thought it was because they did not get to take baths as we did in the olden times; we just lived in the water. We were limited to one
bath a week after we entered school in the warm weather. Previous to that we used to bathe in the lakes and rivers.

Question. Took a bath every day?
Answer. Every day, and sometimes twice.

Question. Were you ever in the stock business on the reservation?
Answer. Yes.

Question. Did you own any cattle?
Answer. Yes; I have owned quite a number of cattle at different times.

Question. Are you acquainted with the conditions on the reservation now in regard to grazing?
Answer. Yes.

Question. Did you see that range 30 years ago—20 years ago?
Answer. I don't quite remember 30 years ago, but I saw it 6 years ago. It was just as bare as this [indicating] in most places, where the sheep had been.

Question. Do you not know whether it was good range before then?
Answer. I am told it has been a most excellent range before.

Question. Do you think the range on the Klamath Indian Reservation is worse now than prior to when the sheep arrived there?
Answer. I am told so. Of course I do not ride over as I used to in my youth; I used to go all over the reservation.

Question. Have you seen sheep ranging over in the Lakeview district?
Answer. Yes.

Question. Are you acquainted with the conditions on the reservation now in regard to grazing?
Answer. Yes.

Question. What do you think of them?
Answer. I think it is quite deplorable.

Question. Why?
Answer. Because the Indians have no range whatsoever left; it has all been leased.

Question. Is there sheep on the reservation now?
Answer. I am told so. I do not know that personally.

Question. Have you ever seen sheep ranging over in the Lakeview district?
Answer. Yes.

Question. Did you see that range 30 years ago—20 years ago?
Answer. I don’t quite remember 30 years ago, but I saw it 6 years ago. It was just as bare as this [indicating] in most places, where the sheep had been.

Question. Do you not know whether it was good range before then?
Answer. I am told it has been a most excellent range before.

Question. Do you think the range on the Klamath Indian Reservation is worse now than prior to when the sheep arrived there?
Answer. I am told so. Of course I do not ride over as I used to in my youth; I used to go all over the reservation.

Question. Have you any other statement that you wish to make to the committee?
Answer. Only with regard to our allotments and fee patent allotments; because in my case—and there are quite a number similar—we are told we must fence it in order to get any rent for it. It seems that the Oregon law says your neighbor is supposed to fence half and you fence the other. But I have never received any rent for mine. I had my fee patent and allotment and that of my children a number of years and I have never received any rent for it. We asked for an adjustment on that and we were told we had to fence it. Well, how are we going to fence it if the superintendent does not fence the other half when he rents it?

Question. Did you own any cattle?
Answer. Yes; I have 960 acres.

Question. Do you lease that?
Answer. I can not lease it because the whole is leased already.

Question. Why can you not lease yours?
Answer. Well, I can not get anyone to fence, and they say I can not fence it unless the superintendent to fence it before the tribe.

Question. Is it grazing land; is it?
Answer. It is grazing land, and I had all of my timber, and I had a permit the superintendent to fence the tribe. I have given permission to a timber road through some of my holdings, and they charge some exorbitant sum and for me now.
4. 

INHIBITIONS OF INDIANS IN UNITED STATES

tered school in the warm weather. Previously in the lakes and rivers.

h every day?

and sometimes twice.

ver in the stock business on the reservation?

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ep on the reservation now?

I do not know that personally.

ver seen sheep ranging over in the Lakeview

that range 30 years ago—20 years ago?

remember 30 years ago, but I saw it 6 years-

e as this [indicating] in most places. where

know whether it was good range before

has been a most excellent range previous

sh the range on the Klamath Indian Reser-

ior to when the sheep arrived there?

Of course I do not ride over it as I used

gard to our allotments and fee patent allot-

ny other statement that you wish to make

ward of the Government in

fairs promotes the development of the In-

Answer. No; it does not; it suppresses it. Of course, it does not suppress me. I am perfectly independent of the agency office; I get my per capita payments, of course, but I am not looking for it. It keeps them from doing all they might. That is the reason I advocate a corporation.

Question. We are told that the Indians have been driven out of the cattle business. Do you understand that to be true?

Answer. I think so; I would not know why it would not be true. We have so little to say in regard to our land on the reservation. It does not make any difference if you are competent or able to understand any part of the business or not; they will make all sorts of promises but there are never any attended to that I know of.

Question. Do you know anything of these irrigation projects on this reservation?

Answer. I attended the meetings when they first began it and they told us when the irrigation work was finished there would be no other expenses; otherwise, we would not have voted for it. Since then, of course, it has been quite an expense.

Question. As operated at this time it is a failure; is it?

Answer. I would think so from the looks of it. I don't live here, to be very familiar with it.

Question. You have given some thought, no doubt, to the conditions here for some time?

Answer. I have.

Question. What is the solution of this problem?

Answer. Well, it is a very hard question to answer. I have thought of quite a number of things; but I do think the only solution is to get some way to be free from the Indian Bureau.

The CHAIRMAN. In other words, you think the administration of the Indian Bureau is detrimental to the Indians?

Answer. It is detrimental to any human reason—the system here, according to my idea. I would never have developed or have known anything about business if I had not left here. They are suppressed and not permitted to handle anything—not to have any voice in their financial affairs.

Question. You say you own some land on the reservation now?

Answer. Yes; I have 960 acres.

By the CHAIRMAN:

Question. Do you lease that?

Answer. I can not lease it because the whole area around me is leased already.

Question. Why can you not lease yours?

Answer. Well, I can not get anyone to come there unless it is fenced, and they say I can not fence it unless the Indian Office permits the superintendent to fence the tribal lands around me.

Question. Is it grazing land; is it?

Answer. It is grazing land, and I had some timber. I sold all of my timber; it is grazing land, and if I should get a tenant to go on, he is charged some exorbitant sum and can not afford to go there. That is what I'm told. I tried to rent it a number of times; just now I'm giving permission to a timber corporation to build a road through some of my holdings, and they are paying the taxes for me now.
Senator Pine. Those who lease the tribal lands graze your land and pay you nothing for it?

Answer. Pay nothing; for years I have never got but $22 out of it. I can not remember how many years I had fee patent to all of my children's land; there are six of us altogether.

The Chairman. Any further statement you wish to make?

Answer. No; I don't think so.

The Chairman. That is all, then; thank you.

(Witness excused.)

The Chairman. Levi Walker.

TESTIMONY OF LEVI WALKER

Levi Walker appeared before the committee, and, being first duly sworn, testified as follows:

By the Chairman:

Question. Your name is Levi Walker?

Answer. Yes.

Question. What is your address?

Answer. Beatty, Oreg.

Question. Do you have land out here on the reservation?

Answer. Yes.

Question. Work it yourself?

Answer. Yes.

Question. Farm it?

Answer. Yes.

Question. What crops do you raise?

Answer. Wild rye hay.

Question. Do you have a man out here at the agency they call the "Farmer—Boss Farmer"?

Answer. We have a development farm; I do not know what the title is he is working under—but it is a development farm at our end of the reservation. His name is Loveless, I think.

Question. Does he come around to your farm?

Answer. Well, he is just a new man. The one before that—we had Mr. Taylor and Mr. Huddie; but I think they have the title of being stockmen—looking after stock.

Question. Have you ever had one of the Indian "boss farmers" come to your farm and tell you how to farm?

Answer. No sir.

Question. Never been there?

Answer. No. They have been there, but they never proposed anything that I thought might be of benefit to me.

Question. Do you raise livestock? Have you got cattle?

Answer. I used to have cattle but no more.

Question. How long ago did you get rid of them?

Answer. 1920.

Question. 1920?

Answer. Yes.

Question. That was when the price of cattle was very low?

Answer. Yes.

Question. Why did you get rid of them?

Answer. Why?
Some who lease the tribal lands graze your land for it? How many years I have never got but $22 out of it; there are six of us altogether. Would you like to make a further statement? I think so. That is all, then; thank you.

Timothy of Levi Walker

Testimony of Levi Walker

Testimony of Levi Walker. I used before the committee, and, being first duly sworn:

Who is Levi Walker? What is your address? Have you land out here on the reservation? yourself?

Do you raise? Have you a man out here at the agency they call the desarrollo? I do not know what the under— but it is a development farm at our. His name is Loveless, I think. How long have been around to your farm?

is a new man. The one before that—we fr. Huddle; but I think they have the title of owner. ever had one of the Indian “boss farmers”

I tell you how to farm?

in there? have been there, but they never proposed anything be of benefit to me. Use livestock? Have you got cattle? Have cattle but no more. how ago did you get rid of them?

when the price of cattle was very low? you get rid of them?

Question. Yes?

Answer. Why, we had cattle here for about three years and the hay was very scarce and the range was very scarce; and during that time the bureau or the Secretary of the Interior held that, on account of the war, our range must be leased to outsiders to utilize the grass, claiming we only had about 10,000, or such matter, of cattle that could not utilize the range. Since that time it has continued—until the present day; and that is one reason I sold out; I did not have range to take care of all the cattle I had. I had about 50 head.

Question. Would you like to keep cattle now, if you had the range for them?

Answer. That is my plan just now; yes.

Question. What about your neighbors? Do you know of any others who would like to keep cattle if they had a chance?

Answer. I think they would. For instance, down at the Roland Jackson place is a fine ranch—about a couple miles from me—that would care for about 50 head of cattle.

Question. What is on that range now? Is that range leased now?

Answer. That ranch? I think he leases it every year for a small amount; I do not know just how much.

By Mr. Glavis:

Question. Are you a full-blooded Klamath Indian?

Answer. Yes.

Question. And a member of the business council?

Answer. Yes.

Question. Have you—were you president of the council a year or so ago?

Answer. No, sir.

Question. You were not?

Answer. No, sir. Once in awhile they appoint me as chairman of the general council.

Question. Has the council objected to the leasing of lands for sheep grazing?

Answer. Why, that has been the sentiment of the people at large, from the stories just now told, since 1918—as far back as I can remember. I was delegated to go to Washington. That was one of the resolutions prepared for me to present to the Interior Department.

Question. Did you present it?

Answer. Yes, we presented it; and that was the ground they turned it down on—during the war time.

Question. Necessary to win the war?

Answer. Yes. In order to prosecute the war we had to have the grass for beef and one thing another—we were not utilizing the grass on the range. Of course, since then it has been carried on as a part of the war.

Question. The war is not over yet, so far as the sheep are concerned?

Answer. No.

Question. Well, have you sent a complaint about it since the war ended?
The Chairman. And your Indian council has opposed the leasing of the range to the Indian agent? Have you taken that up with the Indian agent also?

Answer. The council has passed several resolutions in this way. Since they can not get the whole range back they adapted the plan to lands where it is adapted for sheep only, and separate the two items, you might say—the range for cattle and the range for sheep. In that way they have regarded the sheep there.

Question. That is, you would like all the range back; but if you can not get that you would like the range divided—is that what you mean?

Answer. No; that is the present restriction of the range. The records will show—at the tribe—that they reserve a certain amount of territory for the Indian stock.

Question. You were in Washington in 1924 also, were you?

Answer. Yes.

Question. At that time did you tell the Indian Bureau about how the logs were being removed by the timber interests without being scaled or paying for them?

Answer. No; I did not in the bureau; but I did mention before the house committee regarding the scaling of our timber. I mentioned there and it was unlucky—

Question (interrupting). It was what?

Answer. I was going to send the papers to you, and I misplaced my address to find you. It was about 1923—I think it was after I sold my cattle that I went to work on. Just about that time the highway was booming and I took a contract for the delivery of about 500 cords of wood to the government on the highway points. At this time we were interested in Mr. Steiger's contract. I lived a little south of Steiger's camp—south of the house—and being out every day with the boys working—I had about six boys working with me—and one day there was something funny happened; like everything else, now and then you change employees. This time there was a change in employees as scaler—just a new man from the east, supposed to be an expert scaler. Mr. Steiger's men were diking logs. I guess you understand. They were piling up logs, for instance, two or three hundred logs in a pile. One man, a new man—I never learned his name—came out to work; and I happened to be at the agency when they started out. He did not even know how to guide a horse.

Now, whether he knew anything about scaling I do not know; but the horse started up the road with him and the horse turned back. He got hold of the reins some way and then hung on the saddle-horn, and the horse turned around and took him back to the agency where he started from; and so I drove on and did not pay any attention, but I got quite a kick out of it. I got back to camp and went on with my work. I came on up there where I happened to be working—where the logs were diked; I do not know whether he was singing, riding along, or not but it sounded funny to me.
He came up to me and he said: "Say, boys, can you tell me where
the logs have been diked here, that are not scaled?" I said: "I
don't know either; I am not paying any attention to that." He said:
"Well, we have lost two dike deeks, I guess. I don't know what
he called them. I said, "I do not know anything about them;" he
said, "Well, we have lost two or three piles—about two or three
hundred logs." I said, "I guess you will find them." He said,
"I have hunted all over this place and I can not find them." I
said, "I can not help you; I do not know anything about them;
I'm just working here." He said, "I don't care. I'm going to quit
anyway; I don't care whether I find them or not." He told a slim
fellow there he was just a new man. And sure enough, not long
after he was either discharged or quit himself; I do not know what
became of him. So it was a wonder to me—whether that was the
case in several camps or all of the camps. I had not had any touch
with other camps, only that one—being close to it every day, you
might say. At that time they were hauling logs in the night.

Question. Do they still haul logs that way?

Answer. They were; yes, sir.

Question. Do they do so now?

Answer. I live about 50 miles east of here and I do not know
about down in here. I tried to inquire into this little matter and
I never could get the information as to whether anyone was looking,
on the part of the Indians, into the night haulings—when they
were loading logs in the night. So I just mentioned this matter
to the Committee on Indian Affairs, asking them whether there
could be a check-scaler appointed under their authority. I think
they threwed it back to me something like this: "Have you not got
a business committee there?" I said, "Yes; we have;" but then
they said, "Why can you not appoint from your business com-
mittee a check-scaler?" We have no authority; we don't even have
a voice in the administration of our affairs.

Question. You mean the congressional committee?

Answer. I talked to the House committee. They said there must
be some provision made about having a check scaler. That is where
I got myself in a jack-pot. We never did propose anything in
our hearings there; we were mostly interested in the reimbursement
appropriation of five millions which might be segregated for every
member of the tribe for their own personal use. That is what we
were interested in.

Question. Did you at one time ask for a statement of the timber
that was cut since 1910, and were told it was not available?

Answer. During the time we visited Mr. Hood and Mr. Wilson,
I think, we got our statement from 1910 up to date—to 1924, I think
it was.

Question. Do you consider the council of the Klamath Indians
have a sufficient voice in the administration of your affairs?

Answer. That is one of the most important objections I have—
that is, to criticize the Government or the legislative part of the
Government; in not giving us a voice in the administration and sus-
taining of our tribal property; we are ignored to that extent, to
have no provision whatsoever, the authority being conferred on the
Secretary of the Interior altogether and the Commissioner of Indian Affairs. Like all things, you know, when he makes a decision under each law, or under each authority, when he does make a mistake he makes a pretty big mistake: It hampers about 1,200 people of the Indians, you might say. That is where I criticize it very much.

Senator Pine. Did the Indians object to that irrigation project on the reservation?

Answer. Well I think they do now; yes, sir. I think, partly, I'm responsible for the objection they are making; I'm ready to take the consequences at any time. The early part of this contract that the Government and the Indians made, in dealing with the excluded lands and the area surveyed of our east boundary, there was to be appropriated for the payment of these excluded lands $537,127.20. In one of the clauses in this agreement was their expenses for the irrigation project at Modoc Point. That amount has not been made available by the Interior Department at no time until recently, and the amount of $35,141.59 which is taken from five hundred and thirty-seven thousand, being the remainder which was applied to the irrigation project at the beginning. The Department of the Interior never did give credit to the Indians for this payment as the first payment, which should have been a per capita charge of the Indians who remained under that project. So that was one objection I started on with the department—over that question.

Question. You don't think that the irrigation charge should be continued against the land in the project; is that it?

Answer. We have several objections outside of what I have stated: In the first instance, the survey is made under the project, or, the land under this project is subjected to charges regardless of whether they receive any water or not. For instance, you take an allotment of, say, 160 acres within the survey; then comes 40 acres which might be irrigable—being high or something. Then, under the plan it is all charged just the same, whether you receive one bucketful of water or none. It is not called, or is not classified. I presume that it is all high, first-class land; I don't know what you would call it—timber, cut-over land, high, or alkali—I don't know what.

Senator Pine. All in the same classification?

Answer. All in the same class. I have pondered on this question for a number of years; I have retired from the question and some others are taking it up, for instance, Mr. Barkley and Wade Crawford, and others.

The CHAIRMAN. In your opinion do they need a drainage ditch in connection with that?

Answer. Yes; in some cases drainage is needed. I think they have drainage, too, but I don't think it is in operation.

Senator Pine. What has been the effect upon the Indians of the administration by the Indian Bureau, good or bad?

Answer. Well I have found that, being a member of this tribe—that their administration of the affairs of the Indians of Klamath is at long-distance, you might say—a long ways from home, and they are not informed about the things that are happening around in our country. The only way they receive any information is from the superintendent, and once in a while we send a telegram or something in protest: and in that way we don't have any voice in the things and therefore it makes it very disagreeable—the whole proposed for the Indians. The Indian feels that his land is hampers about 1,200 people of the Indians, you might say. That is where I criticize it very much.

For that reason, you might say, and part of the Government—not considering —to do—being wards of the Government, subject to Government for misappropriation of lands on the part of the Government. So, nature with the proposition of our Government under the authority of old laws which when our ancestors were wild, you might think perhaps the present condition. While we have not so far for it we have in a small way provided we would give, you might say, a small relief. connection I for one have always criticized Interior Department for keeping us down; you try to crawl you ought to help him. We helped ourselves and tried to do something would say: "We can not allow it." For instance where we proposed that $5,000,000 We feel we are wards of this great Nation year by year, so many millions of dollars. Government is collecting it—holding the sack and pay it out. We feel that the Government left and should be willing to give us a hand. I criticize the Interior Department, the Secretary of the Interior: it is very much; when those matters went before Department said: "I recommend no such thing. Sam Hill is not the department the legislat.s the Secretary of the Interior dictate to tell me what I can not understand. It does not allow for redress. It seems to be, sometimes, we are.

The CHAIRMAN. In the past have you seen here who seemed to get along with the Indian be in sympathy with them and helped them?

Answer. Well, I could not say very much. I base my argument on the theory that Congress, the Secretary of the Interior and charged him with these affairs, and the superintendent and instructions from that department. Now I have had superintendents who have had a call to help us, now and then. That they got off a little too far up the road one time of how our Mr. West went to Mr. little deal; he thought he was favoring us; but out the country that he had done us a great he did, but a suit grew out of that little which amounted to something like six or seven simply because the act of Congress at that time.
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sition for the Indians. The Indian feels that he is disregarded, 
yet he holds a share in the tribe and has not a word to say about 
it. In business and the ordinary things of life you will find, you 
might say—I don't think there is a body of men or even a single 
person, where he owns any property which is his, where he will 
allow anything to go on like that. 
For that reason, you might say, and through neglect on the 
part of the Government—not considering what the Indian may fail 
to do—being wards of the Government, suits were filed against 
the Government for misappropriation of lands—that grew out of neglect 
on the part of the Government. So, naturally, we are dissatisfied 
with the proposition of our Government dealing with the Indians 
under the authority of old laws which were enacted years ago 
when our ancestors were wild, you might say; it does not meet the 
present condition. While we have not as yet offered any remedy 
for it we have in a small way provided a bill which we thought 
give, you might say, a small relief, or such as that. In that 
connection I for one have always criticized the Government or In-
terior Department for keeping us down; you might say, as a child 
tries to crawl you ought to help him. When the Indians tried to 
help themselves and tried to do something the Indian Department 
would say: “We can not allow it.” For instance, I will cite one 
instance where we proposed that $5,000,000 loan—industrial loan. 
We feel we are wards of this great Nation and our money is coming 
eyear by year, so many millions of dollars, and the Interior 
artment is collecting it—holding the sack and getting paid and could 
pay it out. We feel that the Government lends money to the depart-
ment and should be willing to give us a little aid. Here is where 
I criticize the Interior Department. the Secretary of the Interior, 
very much; when those matters went before Congress the Interior 
Department said: “I recommend no such legislation.” Why in the 
Sam Hill is not the department the legislative branch? Why does 
The Secretary of the Interior dictate to the legislature? That is 
what I can not understand. It does not allow us to go to Congress 
for redress. It seems to be, sometimes, we do not know where we 
are. 
The Chairman. In the past have you not had superintendents 
here who seemed to get along with the Indians well and seemed to 
be in sympathy with them and helped them a good deal? 
Answer. Well, I could not say very much about that. Of course, 
I base my argument on the theory that Congress had authorized 
the Secretary of the Interior and charged him with the administration 
of these affairs, and the superintendent and employees receive their 
instructions from that department. Now I think, of course, that 
we have had superintendents who have had a favorable view of us and 
are willing to help us, now and then. That is well and good; sometimes 
they get off a little too far up the range. Now, I remember 
one time of how our Mr. West went to Mr. Wilson and made a nice 
little deal; he thought he was favoring us; he expressed it through-
out the country that he had done us a great favor. Of course, I guess 
he did, but a suit grew out of that little favor that was done us 
which amounted to something like six or eight millions of dollars; 
simply because the act of Congress at that time was dominated under
lots of graft; and they claimed that those whose lands were taken under that graft—they ought to recover their lands under this change. Lots of these things where sweet on top, but the bottom of it is no good, you see.

Senator Pine. I notice that in your testimony before the Institute for Government Research, when they held their investigation here, you made the statement that the only time he supervised his property is when he has a little money: You were referring to the Government and to the Indians as owners of the property? What did you have in mind, Mr. Walker?

Answer. I thing that statement is based on the general principles of administration.

Question. That seemed to be the policy of the Government?

Answer. Yes. Now, you take, for instance—the United States Government is the father of our Indians, you might say. Here he has the Klamath Indians, or the Oklahoma Indians, or the Osage Indians. They want to supervise and do something for you—supervise your finances and things, whatever it may be. When it comes to Indians who are without any tribal resources do they pay any attention to them? No. Take the people down here in California: Hundreds of the Indians are homeless. What do they do? Nothing. Take the Indians in Florida: What do they do for them? Nothing. That argument is based on the general principles of the administration. For instance, the Klamaths have an income of something like $1,000 a year—they will be right here and supervise it. They don't seem to take an interest in the other part of advancing us so that we might better our conditions.

Senator Pine. I think you are right. That will be all Mr. Walker; thank you.

(Witness excused.)

The CHAIRMAN. S. E. Kirk.

**TESTIMONY OF S. E. KIRK**

S. E. Kirk appeared as a witness before the committee, and, being duly sworn, testified as follows:

The CHAIRMAN. Your name is S. E. Kirk?

Answer. Yes.

The CHAIRMAN. And your address?

Answer. Klamath Agency.

The CHAIRMAN. Do you own land here on the reservation—have an allotment?

Answer. I do; yes, sir.

The CHAIRMAN. Patent in fee?

Answer. Trust patent.

The CHAIRMAN. Trust patent?

Answer. Yes.

By Mr. Glausi:

Question. What is your occupation, Mr. Kirk?

Answer. I have no special occupation at all.

Question. Are you a member of the Indian council of the Klamath Reservation?

Answer. No; I am not.
claimed that those whose lands were taken ought to recover their lands under this thing where sweet on top, but the bottom e that in your testimony before the Institute, when they held their investigation here, that the only time he supervised his property money: You were referring to the Govern-s as owners of the property? What did you ter? statement is based on the general principles to be the policy of the Government? you take, for instance—the United States er of our Indians, you might say. Here he ns, or the Oklahoma Indians, or the Osage supervise and do something for you—superv ising, whatever it may be. When it comes out any tribal resources do they pay any
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TIMONY OF S. E. KIRK

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your address?
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ember of the Indian council of the Klamath

Question. Were you at one time?
Answer. Yes.
Question. Were you opposed to the building of the hospital on the reservation?
Answer. Closed, did you say?
Question. Opposed to the building of the hospital a few years ago?
Answer. I could not say that I was.
Question. You did not protest against that?
Answer. I did not make any protest; no.
Question. You do not know whether other Indians did?
Answer. There was quite a protest from the Indians in having the hospital built.
Question. Have you a statement that you would like to make to the committee about the conditions on the reservation?
Answer. First, if I may ask a question as to what end is my testimony going?

Senator PINE. To inform Congress, particularly the Senate Committee on Indian Affairs.
Answer. You mean, if I have any complaint or anything, or just a general statement?

The CHAIRMAN. We want to find out what the conditions of the Indians are, what they are living under, and how they are handled by the agent under the Indian Bureau.
Answer. Well, it has been—on my part as a member of the council—it has been an uphill struggle, it seems like. It is a long story; I could not tell it in a few words. There are a good many years that it covers and I could not just very well condense it.

Question. Do you farm on the reservation?
Answer. No; I don’t.
Question. Lease your land?
Answer. I have an allotment given to me; I have that leased.
Answer. Yes.
Answer. How much do you get out of that?
Answer. $220 a year or $225.

Question. Did you ever have cattle on that reservation?
Answer. Not to speak of.

Question. What?
Answer. Not to speak of.

Question. What do you think of the school problem on the reservation?
Answer. Well, I could not say—that is, I am not acquainted with the conditions as they exist to-day. We have public schools all over the reservation—that is, not all over, but they have public schools where the children are attending.

Question. Do you think that is better than attending the reservation schools?
Answer. I could not say; I never went to public schools. All the experience I had was in the Indian schools.

Question. What?
Answer. Indian schools.

Senator PINE. Is the administration assisting in the development of the Indian to the point where he becomes self-supporting?
Answer. Why, I could not say that it has. To a certain degree it has. I believe, to make a wide statement—make a wide statement as far back as 1864, when the Indians made a treaty with the United States Government, the Government agreed to do certain things and so did the Indians. In this sense, the Government agreed to educate and bring up the Indians to where he was self-supporting and a citizen of the United States. But whether the Government has done its part or not I could not say; from appearances it has; but whether the Government is taking any further steps to advance the Indian any further—it don't appear to do so. It seems to be kind of stagnation on the part of the Government.

Senator Pine. At this time?

Answer. At this time.

The Chairman. Do you favor the corporation plan that has been mentioned by some of your council?

Answer. I am not in a position to express anything on the subject at all; I am not acquainted with the corporation or anything on that nature.

Senator Pine. Do you think that many of these Indians are not qualified to handle their own property and make their own living?

Answer. That depends on what property they get.

The Chairman. The land?

Answer. The original allotments of the Tribal lands, segregated.

Senator Pine. Well—

Answer (interrupting). Some of them are just as much as any other people; there are some. You will find that in any class of people.

Senator Pine. That will be all.

(Witness excused.)

The Chairman. Jesse Lee Kirk.

TESTIMONY OF JESSE LEE KIRK

Jesse Lee Kirk appeared before the committee, and being first duly sworn, testified as follows:

By Mr. Glavis:

Question. Give the reporter your full name.

Answer. Jesse Lee Kirk.

The Chairman. Where do you live?

Answer. Three miles south of Chiloquin.

The Chairman. Do you farm here on the reservation?

Answer. Well, I have some but it is not in any shape to farm; it is just low land, undeveloped.

The Chairman. What do you do?

Answer. At the present time I'm clearing land.

Question. Are you a member of the Klamath Tribe?

Answer. Yes.

Question. And as such, did you go to the superintendent and complain as to prohibition violations?

Answer. I don't just understand your question.

Question. Did you complain to Superintendent Arnold as to prohibition violations?

Answer. Yes; I have mentioned something of that nature.
I not say that it has. To a certain degree make a wide statement—the Government agreed to do certain things. In this sense, the Government agreed the Indians to where he was self-supporting in the United States. But whether the Government could not say; from appearances it has; neither is taking any further steps to advance—it don't appear to do so. It seems to be part of the Government. You will find that in any class of one. You will find that in any class of

NY OF JESSE LEE KIRK

ed before the committee, and being first known:

What are the conditions as to prohibition?
Answer. At that time I mentioned it to the superintendent I don't think it was of the best—at that time.

Question. Well, is it all right now?
Answer. I don't think—no; conditions have not improved any.

Question. When did you complain to the superintendent?

Answer. I don't remember the exact date.

Question. Do you remember the year?
Answer. About 1926, I believe.

The CHAIRMAN. Do you mean there was a good deal of violation of the prohibition laws on the reservation now?

Answer. Yes.

The CHAIRMAN. Liquor sold to the Indians?

Answer. Yes.

Question. Much drunkenness?
Answer. Yes.

The CHAIRMAN. You think that too is detrimental to the welfare of the Indians?

Answer. Yes.

The CHAIRMAN. Is there not any effort made to enforce the prohibition laws on the reservation?

Answer. Well, I can not see any results of any enforcement anyway; there is just as much drunkenness now, and selling moonshine liquor, as any time previous to this.

Question. Are you a patent-in-fee Indian?
Answer. Yes.

Question. Do you still own land patented?
Answer. No; I sold it during the war.

Question. Have you purchased other land?
Answer. I purchased cattle after I came home.

Question. You went in the Army during the war?

The CHAIRMAN. Have you still a herd of cattle?

Answer. No, sir.

The CHAIRMAN. Why did you sell out?

Answer. Because I did not think I had a chance to raise any cattle because the Government had the policy of leasing range to outside stockmen.

The CHAIRMAN. You think then the Indians have been discriminated against by the Indian agents down here, in leasing your tribal lands to your outside sheepmen?

Answer. Yes.

The CHAIRMAN. Do you know who own these sheep that are there?

Who leased that land for the sheep?

Answer. I guess there are quite a few; McAuliff owns some, and O'Shea. I could not recall the names, but there are quite a number of sheep—the amount of several thousand head on the reservation.

The CHAIRMAN. Do they live around that part of the county?

Answer. As I understand, they don't own any Indian land on the reservation, or any land in Klamath County.

The CHAIRMAN. The outsiders don't?

Answer. Yes.

Question. When was it that outside stockmen came on the reservation?
SURVEY OF CONDITIONS OF INDIANS IN UNITED STATES

Answer. It was some time during the war. It was a war-time measure to begin with.
Question. Previous to that?
Answer. I had not known of any.
The CHAIRMAN. Do you happen to know what the Indian agent gets for the leasing of this land?
Answer. No, I don't; it is a 3-year lease.
Question. How much?
Answer. Three years' lease.
Senator PINE. How much land do you own, Mr. Kirk?
Answer. At the present time I have not any.
Senator PINE. Have not any?
Answer. No, sir.
The CHAIRMAN. Do you thing it a mistake by the Government to give the Indians patent in fee of their lands and letting them dispose of it?
Answer. I don't know. Lots of them were compelled to dispose of it.
The CHAIRMAN. Compelled how?
Answer. Having other land and wanting capital to better their conditions.
The CHAIRMAN. They were not compelled to take the patients in fee; were they?
Answer. No; they applied for it, because they wanted the money to better other lands.
Senator PINE. That is your understanding of things, that the leasing of this range has forced the Indians out of the livestock business?
Answer. Absolutely.
The CHAIRMAN. Would any particular number of the Indians go back into the livestock business, in your estimation, if they could get these ranges again that they had?
Answer. I think so. That seems to be the general sentiment of the Indians.
The CHAIRMAN. That is all, Mr. Kirk.
(Witness excused.)

TESTIMONY OF MRS. WADE CRAWFORD

MRS. WADE CRAWFORD. Appeared before the committee, and being first duly sworn, testified as follows:
The CHAIRMAN. Your name is Mrs. Wade Crawford?
Answer. Yes.
The CHAIRMAN. Where is your home, Mrs. Crawford?
Answer. My address is Chiloquin, Oreg. I don't live right in town, though.

By Mr. GLAVIS:
Question. Mrs. Crawford, are you secretary of the council of the Klamath Indians?
Answer. No; I am not. I was secretary of the general council last year and of the Klamath delegation to Washington. I served on as temporary secretary of the tribal council.

Question. Are you acquainted with the Indian Bureau doctor and others on the agency?
Answer. Yes; I have had some experience with them.
Question. Doctor Arnold?
Answer. Or, Doctor Rogers—by going to the hospital.
Question. Will you tell about that?
Answer. About the protest of the Indians.
Question. Well, how is it being conducted?
Answer. Well, the Indians protested because they felt they wished to have their own hospital; but it seems the Indian Bureau felt that the agency hospital was sufficient for the Indians.

Question. That is your understanding of things, that the leasing of this range has forced the Indians out of the livestock business?
Answer. Absolutely.
Question. Did you ever go there?
Answer. No, sir.
Question. Are you acquainted with Doctor Rogers?
Answer. I met Doctor Rogers there.
Question. Under what circumstances were you acquainted with him?
Answer. No. I went to the agency to get disinfectant.

Question. Then not very many of the Indians are acquainted with Doctor Rogers?
Answer. No, they do not.
Question. Do you enjoy the rights of citizenship?
Answer. No.
Question. In what way?
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it?

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the tribal council.

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<tr>
<th>Question</th>
<th>Answer</th>
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<tr>
<td>Are you acquainted with the manner and character of the Indian Bureau doctor and others on the reservation?</td>
<td>Well, I have not had any experience with Doctor Arnold.</td>
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<tr>
<td>Doctor Arnold?</td>
<td>Or, Doctor Rogers—by going to him for attention; but I have had some experience in the way things are being conducted.</td>
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<tr>
<td>Will you tell about that?</td>
<td>About the protest of the Indians.</td>
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<td>How is it being conducted?</td>
<td>Well, the Indians protested the use of the hospital because they felt they wished to have their own medical attention. They have always gone to doctors and in hospitals where they had confidence, and they felt they did not want an Indian Bureau hospital; but it seems the Indian Bureau felt the Indians should have a hospital because, over a period of years, they spent a great deal of money in one year—the years they spent a great deal of money for hospital attention in Klamath Falls. So they now appropriate in the Budget, or justification to Congress—the Indian Bureau asks an appropriation of $33,100 for the fiscal year 1929 for the maintenance of the hospital on the agency; and that included supplies, equipment, and nurses; fuel, heat, and light; and brings it to the sum—figuring 365 days a year—$33,140. If they used that as the justification calls for, it costs us $93.53 a day for the operation maintenance and some new equipment. And I have it from a nurse—one of the field matrons—that an average of two patients a month are treated at the hospital.</td>
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<td>Then not very many of the Indians go there?</td>
<td>No.</td>
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<td>Did you ever go there?</td>
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<td>Have you had any dealing with him?</td>
<td>I met Doctor Rogers there.</td>
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<td>Under what circumstances then? Not in a medical way?</td>
<td>Yes. And he immediately began to complain about the Indians—about their general characteristics, their racial characteristics—as he claimed. He claimed they were dirty and lazy and ignorant and liars. Those are the very words he used in connection with the Indians.</td>
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<td>He did not know you were an Indian?</td>
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<td>Did you enjoy the rights of citizenship?</td>
<td>No. At first I thought he was insulting me. Then I discovered that he never knew me; I let him talk and then I asked him if he knew me and I told him who I was. That was the experience I had with Doctor Rogers.</td>
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Answer. In my property rights I don't enjoy the privileges of a citizen.

The Chairman. You have an allotment also on the Indian Reservation?

Answer. Yes, I have an allotment; and as far as the per capita payments are concerned, and in the political and personal phases of my being—but in my property rights, which I think touch closer the hearts of Americans. It is the property rights—the thing that is taken away from the Indians; and on account of that we have no voice in the management of our affairs and we have nothing to say, and in many instances—as we are trying to show—our property rights—our property is being gradually dissipated.

The Chairman. Do you lease your land?

Answer. No, I sold my land, and a small bit of timber. We have a small ranch; we have a sort of fishing and hunting and bathing beach, and gasoline station, on the highway.

Senator Pine. You say your property is being dissipated?

Answer. Yes.

Senator Pine. And you are not able to help yourself? You have made protests, have you?

Answer. Yes, we have. We would like to have a voice in the management of our affairs. We feel that the time has come that the Indian should be given a voice because our property is being dissipated, as I said. I do not know what the trouble is, but they are living on the capital and not the income; and we are maintaining an Indian Bureau personnel that eats up capital. Every time a tree falls in the forest that means our capital, and they use that in maintaining the Indian Bureau and paying it out in small per capita payments to the Indians, of $300, perhaps, every five or seven months; and they use it in living expenses, and that per capita is not income.

Question. And you feel that you could manage your affairs better than the Indian Bureau manages them?

Answer. I would not say personally what I could do, but I think—yes, I know we could find a plan whereby, with the aid of competent people—people who are educated in that line of endeavor—who could help us, I know we could.

The Chairman. And from your experience of Indians who were given patents in fee and sold their lands, do you think that was a mistake to give them their lands and allow them to sell them?

Answer. Well, it is like everything else; there are several different aspects to that: Some of the Indians had allotments quite a ways out and they had other land, and by selling that allotment they were able to make payments—or, rather, make improvements on some other particular piece of land. Of course, a great many of them had the patent fee thrust upon them—a great many of them became greatly involved—I don't know how it happened—but a great many of them sold their fee patents; but there were reasons that happened. They were given fee patents and they did not understand they were assuming responsibilities of taxation and it sort of—they were not educated to that particular point; some of the older people.

The Chairman. Where were you educated? In the public schools or Indian?
ty rights I don't enjoy the privileges of an allotment; and as far as the per capita and in the political and personal phases of property rights, which I think touch closer it is the property rights—the thing that Indians: and on account of that we have lost of our affairs and we have nothing to eat—as we are trying to show—our property is being gradually dissipated.

I lease your land? your property is being dissipated?

We would like to have a voice in the management of our property; we feel that the time has come that the tribe is not getting value received for the money expended on the hospital?

Answer. Yes; I never went to the Indian schools. I was educated in public schools and in private boarding schools.

Senator PINE. You think the tribe is not getting value received for the money expended on the hospital?

Answer. No; I know they are not.

Senator PINE. That is a waste of the Indians' funds?

Answer. It is a waste of the Indians' funds.

Senator PINE. As it is operated at this time?

Answer. Yes.

Senator PINE. That is all.

(Witness excused.)

The CHAIRMAN. We will recess for five minutes and then continue the hearing.

(A five-minute recess was taken, after which the following proceedings were had:)

The CHAIRMAN. Mr. Charles S. Hood.

TESTIMONY OF CHARLES S. HOOD

Charles S. Hood appeared before the committee, and being first duly sworn, testified as follows:

By Mr. GLAVIS:

Question. Your name is Charles S. Hood?

Answer. Yes.

Question. Mr. Hood, what is your post-office address?

Answer. Chiloquin, Oreg.

Question. Are you a member of the Klamath Tribe?

Answer. I am.

Question. Are you also a member of the council?

Answer. I used to be but not this time.

Question. What is your occupation?

Answer. I am in the real estate and insurance, and local agent for the Fidelity & Deposit Co. of Maryland.

Question. Have you given any thought or have you any suggestions to make to the committee, with reference to how the property of the Klamath Indians might be handled? Were you here this morning?

Answer. Yes.

Question. Did you hear the corporation idea discussed?

Answer. Yes.

Question. What do you think of that?

Answer. Well, I think the corporation idea—while it was extended to us during our session with the research committee something like over a year ago—I was one of the members of the committee that met that research committee—and they rather expounded that matter to us in a sense; yet, in one way they kind of discouraged it to a certain sense. While I don't really favor the corporation idea myself very much, I think one of the best solutions for settling the property of the Klamath Reservation, or any Indian reservation—was something similar to the idea that Charles D. Carter presented some years ago.

Question. Of Oklahoma?

Answer. Yes, of Oklahoma. That idea that he proposed was unanimously adopted and sanctioned even by the Secretary of the
Interior, and he recommended the approval of the legislation; but in some way it hung fire and it was just sidetracked; it was not defeated.

Question. Explain that plan.
Answer. Well, I think Mr. Carter's idea was to appraise all the assets, or the estate of any reservation, and then to divide the property equally among the Indians—that is, every one of them who was a member of that reservation, and then for the Government to, or, for Congress to legislate the money—the payment; of advancing this money, and then the property was to be held as a security for these advances that they would give to these people who lived on the reservation.

Question. The Government would get title to the property which the Indians owned?
Answer. Yes; and I think that is the best way it could be settled.

Question. Different conditions on different reservations?
Answer. Yes; and I think that is the best way it could be settled. Of course, there are quite a number of people getting kind of tired of the restricting bureau and want to get out of the bureaucratic power of the Interior Department and want to manage it for themselves. Of course, in this condition here, now, we have quite a lot of our people who are very competent and capable of managing their own affairs, like you heard the statement this morning of Mr. Barkley. I know that he has applied himself very diligently and is making some progress, and he is doing very well—even with his own finances. Now, if the property—if such men as that could have their property and their title given to them of their per capita share of this reservation I know, probably, he could branch out and utilize his business capacity a great deal more and in a larger way; but in the condition he is now in, he is handicapped. He has to go out and borrow money. And then we have a large number of people here who are capable of doing such things, but they are handicapped and can not get the finances to do it with. The Government holds his property and he is not able to use it as security for a loan.

Question. He is worth $31,000, or has an interest that is worth $31,000 in tribal property, but has no credit at the local banks?
Answer. No, sir; he has not; and of course, he is worth $31,000 on paper. Of course, if he should drop off and die to-morrow he would lose that title—his property could not descend, either to his children or his beloved one; it reverts back to the State.

Then, of course, such a condition as that is not unusual; then, that our people are the shoulders and want to sever their connection in some way. The policy, to some extent, is to make them unintelligent and incompetent; but it does make an intelligent, competent Indian. Of course, such a condition, you know—as to the competency of the members of any reservation may be, he is capable and competent of utilizing the good uses it should be given him. Of course, there are quite a number of people getting kind of tired of the way of administering the estates of those who are not able to take care of their property; and the Government advanced?

Answer. Well, that is one of the things of Congress appropriated something $315,000? Now, that is on a per capita basis. I am paying $135 out of my tribal estate. Now, that is on a per capita basis. The functionings of the Klamath Agency. We pay the superintendent, the clerical force, the time thing else—the hospital that you have been talking about. Of course, we consider the cost of that excessive?

Answer. Yes; absolutely, because I think of Congress appropriated something $315,000? Now, that is on a per capita basis. I am paying $135 out of my tribal estate. Now, that is on a per capita basis. The functionings of the Klamath Agency. We pay the superintendent, the clerical force, the time thing else—the hospital that you have been talking about. Of course, we consider the cost of that excessive?

Answer. Yes; absolutely.

Question. Is there any other statement you make?
Answer. Yes; absolutely.

Question. Does not cost as much to administer locally administered better administered through restrictions?
Answer. Absolutely, yes; absolutely.

Question. From your personal State?
Answer. Yes.

Question. From your personal?
Answer. Personal estate; yes, sir.

Senator Pine. What did your per capita?
Answer. $600 annually?

Question. Then in addition to that you?
Answer. $600 a year; yes.
The approval of the legislation; but it was just sidetracked; it was not a plan.

Mr. Carter’s idea was to appraise all the reservation, and then to divide the property among—each person who was a member of the tribe—then to divide the property; of advancing this property was to be held as a security for these adults to give to these people who lived on the reservation; and then for the Government to, or, for the money—the payment; of advancing this property was to be held as a security for these adults to give to these people who lived on the reservation.

Senator Pine. Are the estates of incompetent white people that are locally administered better administered than the estates of Indians?

Answer. Absolutely, yes; absolutely.

Question. Does not cost as much to administer them either?

Answer. No; it does not.

Question. Do you consider the cost of running this reservation as excessive?

Answer. Yes; absolutely, because I think it—I think the last session of Congress appropriated something like $185,000—was it not? $185,000? Now, that is on a per capita share of about $135. Now, I am paying $135 out of my tribal estate in order to administer the functionings of Klamath Agency. We pay all of the expenses of the superintendent, the clerical force, the timber operations, and everything else—the hospital that you have been talking about; we maintain that with our own funds. Now, of course, then, it costs $135 of my own money to operate that, and the same amount from every allottee on that reservation. Now, then, you can readily see that is an enormous expenditure, an enormous tax.

Question. Then in addition to that you are also a taxpayer to the State?

Answer. Yes.

Question. From your personal—

Answer. Personal estate; yes, sir.

Senator Pine. What did your per capita payments amount to last year?

Answer. I think for the last two years we have been getting about $300 payments twice a year.

Senator Pine. $600 annually?

Answer. $600 a year; yes.
Senator Pine. And it has cost you about $135 a year for administration?
Answer. Yes.
Senator Pine. That is more than 20 per cent?
Answer. Yes, sir. That is on a ratio of about $6,000 valuation; that is, the tax to Klamath County, on a ratio of so much in mills on a total, amounting to $135—about $6,000 or $7,000 of property.
Senator Pine. I figured it on the basis of your income.
Answer. I understand.
Senator Pine. And they charge you about 20 per cent?
Answer. Yes.
Question. What have you to say with reference to the irrigation question?
Answer. I don't know; I hardly have given any thought to the irrigation.
Question. You made some reference to that in your discussion with the Institute for Government Research?
Answer. Yes; I did. I thought in a way it should be adjusted to their satisfaction—those people who are living under the ditch. Now, one of the things I would like to speak about is, as I stated a while ago. We are paying the administration, the maintenance of the force at the Klamath Agency. Now, then, we have about seven or eight policemen, I think—I do not know what they call them. I think, Federal men—we are paying them police. Now, those policemen are doing police duty for the town of Chiloquin. I live just outside of the incorporation of the town of Chiloquin: and now those policemen are policing that town. I know that because I live there and I observe that quite often. And then while those policemen are being paid by the Indian funds they are very keen to arrest an Indian who has—who may be called a little bit tipsy—throw them in jail; but they stand around the gambling tables that are being operated by the billiard halls right in town, watching them, and yet let them go. They don't seem to exercise their authority when it is the white man in business and doing damage and utilizing a dangerous purpose in order to get the best of some of our Indian boys as go in there to gamble with them sometimes. I have seen them do that. I sometimes have thought that some way could be reached wherein we could get better protection in the town of Chiloquin. They say that Chiloquin is an Indian town. It is within the borders of our reservation. Of course, it is deeded property; and yet our Indian policemen are policing the town for them at our expense.
The CHAIRMAN. Do the Indian policemen have any authority in town?
Answer. I don't know; they don't bother them, at least.
The CHAIRMAN. I don't imagine they have any authority over them at all.
Answer. Of course, I don't know; I'm just telling this commission that maybe they can agitate something wherein we can get the right protection. Something should be done for paying for the policemen and the policing of the town. They don't give us the right protection, and it goes to naught.
Senator Pine. Are there many bootleggers?
Answer. I could not say. They are handin
Senator Pine. And these Indians can get
Answer. I don't know as to that.
The CHAIRMAN. Are they making any attempt to control the liquor business?
Answer. Well, they may to a certain extent—many cases they become negligent in it just as officials in any other place. I know the superintendent of Chiloquin sit down and gamble with the boys, and yet let them go. I don't think he knows that.
Question. What is the name of the policeman?
Answer. Why, Campbell, I think his name is Campbell. Of course, I do not know that or not—that is, or the superintendent. Of course, I do not know.
The CHAIRMAN. That will be all, Mr. Hood. (Witness excused.)

TESTIMONY OF D. W. CRA

D. W. Crawford appeared before the commission duly sworn, testified as follows:

By Mr. GLAVIS:
Question. Mr. Crawford, will you give your name?
The CHAIRMAN. And your post-office address?
Answer. Chiloquin, Oreg.
Question. Are you a member of the Klamath?
Answer. Yes.
Question. What is your official connection?
Answer. I am the chairman of the business council.
ITIONS OF INDIANS IN UNITED STATES

has cost you about $135 a year for adminis-

tations. Is that on a ratio of about—say an estimate of

that is, the tax on Klamath County, on a

on a total, amounting to $135—about $6,000-

ed it on the basis of your income.

\[ \text{ey charge you about 20 per cent?} \]

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Agency. Now, then, we have about seven

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I thought there was only one Indian

one white police officers?

; paying for six or seven; I was told here

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protection. Something should be done for the money that we are

paying for the policemen and the policing of those towns down there. They
don’t give us the right protection, and of course our money goes to naught.

Senator Pine. Are there many bootleggers there?

Answer. I could not say. They are handling a lot of moonshine.

Senator Pine. And these Indians can get all they want?

Answer. I don’t know as to that.

The Chairman. Are they making the moonshine on the reservation?

Answer. I could not say as to that; I don’t go around those places.

The Chairman. Do you think that these policemen are making an

honest attempt to control the liquor business there?

Answer. Well, they may to a certain extent. I guess in a great

many cases they become negligent in it just like any other set of

officials in any other place. I know the policemen they have in

Chiloquin sit down and gamble with the boys; he may not know he is

not doing his duty.

Senator Pine. Who employs him?

Answer. I think the town of Chiloquin.

Senator Pine. Does the town or the superintendent employ the

policemen?

Answer. How is that?

Senator Pine. These police who sit down and gamble with the

boys—are they employed by the town or the superintendent?

Answer. There was one of the men on the police force who used
to gamble with the boys, and I think he is being paid by the office
of the superintendent. Of course, I do not know whether he knows

that or not—that is, or the superintendent knows he is keeping a

man on the police force who used to gamble with the boys. I don’t

think he knows that.

Question. What is the name of the policeman you refer to?

Answer. Why. Campbell, I think his name is; Mr. Campbell.

Mr. Glavis. Anything further?

The Chairman. That will be all, Mr. Hood, thank you.

(Witness excused.)

The Chairman. Mr. Wade Crawford.

TESTIMONY OF D. W. CRAWFORD

D. W. Crawford appeared before the committee, and, being first
duly sworn, testified as follows:

By Mr. Glavis:

Question. Mr. Crawford, will you give the reporter your full

name?

D. W. Crawford.

The Chairman. And your post-office address?

Answer. Chiloquin, Oreg.

Question. Are you a member of the Klamath Tribe?

Answer. Yes.

Question. What is your official connection with the tribe?

Answer. I am the chairman of the business committee, or tribal

council.
Question. How is the tribal council elected?
Answer. They are elected by the people—they are elected by vote; each member of the tribe is allowed to elect their own member of the council, of this committee of 12 members; and then the committee appoints their officers—or their president, or their secretary.

Question. What have you to say with reference to the children attending the Indian Bureau's schools? Do you think that is better than the public schools?
Answer. No, sir; I don't. I have experienced that in my life; I attended Government schools and then public schools. I think the public schools are the only thing for the Indians.

Question. Did you also attend the higher Indian Bureau colleges or schools?
Answer. I attended three years at Chemawa Institute.

Question. That is a higher school?
Answer. Yes; and then I went also to Willamette University for two years.

Question. Willamette University? That is a white university?
Answer. Yes.

Question. And you base your statement on a comparison from your own experience?
Answer. My experience at Klamath Agency, in Oregon, on our own reservation, and in Salem.

Question. Do the Indians here attend the public schools now—most of them?
Answer. They are all public schools now.

Question. Are they assessed in these, for attendance?
Answer. I think the restricted Indians are assessed 40 cents a day.

Question. How is that paid? Out of the tribal funds?
Answer. Yes.

Question. So that you, as a taxpayer and a nonrestricted Indian, also must pay part of that expense?
Answer. Yes.

Question. What do you think of that?
Answer. I think it is wrong, for some members of the tribe; it is double taxation to the fee patent Indians.

Question. How many of these fee patent Indians are there?
Answer. There are 342 up to date, I think.

Question. That is, about one-fourth of the Indians are taxed double?
Answer. And those are mostly all adults.

The CHAIRMAN. Have those patent fee Indians their lands now; or, if they sold their original patent lands, have they bought other lands?
Answer. Some of them have; yes.

The CHAIRMAN. Do you think it a wise provision of the department to grant them patent fee and allow them to sell their lands?
Answer. Yes, sir; I do.

The CHAIRMAN. Generally speaking?
Answer. Yes sir, I do. I think there are exceptions—there are exceptions; a few cases—very few. But the policy I believe is right because it puts an Indian on his own resources—teaches him independence instead of dependence.
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The CHAIRMAN. Well there are some reservations around the country—I do not know so much about this one; but there are some reservations where they have given patents in fee and they have sold their lands and gone back to live with their relatives; either their relatives have to take care of them or the county has to take care of them.

Answer. That was not the case here.
The CHAIRMAN. Not the case here at all?
Answer. No.

Question. The number of Indians who dissipated the property they received, when they got their patents, would not amount to any more than in white communities—if they had it turned over?
Answer. No, I don't think it would.

Question. Did you oppose the building of the hospital on the reservation?
Answer. Yes.

Question. Why were the Indians opposed to the hospital?
Answer. Yes. Well, it is for the reason that the Indians here, for years and years, have had their own doctors—and we have our own dentists; and it looked like they were trying to drive us all to one hospital—and we all have our own opinions, the same as anybody else. They have their own doctors and we felt we should have the privilege of having our own doctors.

The CHAIRMAN. Suppose the department would allow the local doctors the privilege of the use of the hospital there; then it would be an advantage to your people?
Answer. Yes, it would. I don't know how the hospital is equipped there at the Agency, as to handling the patients.

The CHAIRMAN. That, of course, would have to be equipped. I supposed it was.

Answer. I think the thing of having a hospital on the reservation is wrong. The Indians should be able to have the right, as citizens of the United States, to go to any hospitals they want to; and the thing of it up here is they have the agency hospital there and there is not—I would say at least 50 per cent of the Indians are going to outside doctors, and our tribal funds are going to maintain that hospital—when it is there and we will never use it.

Senator PINe. If you utilize the facilities that are maintained out of your money you must accept the treatment of the reservation physician; is that it?
Answer. I do not quite understand.

Senator PINe. I say, if you avail yourselves of the facilities at the hospital, which are provided—which is provided for out of your funds, then you must use the physician there at the hospital. You can not select a physician and avail yourself of the facilities at the hospital. can you?
Answer. Not without paying extra for it.

Question. Are you acquainted with Doctor Rogers, the Indian Bureau doctor at the hospital?
Answer. Not very well; I have only seen him to know him. I am not personally; I have never been there for medical aid.
Question. Well did you, as a member of the council, complain, when you were in Washington, to Assistant Commissioner Meritt as to his treatment of the Indians?
Answer. Yes.
Question. What did you tell Assistant Commissioner Meritt?
Answer. We told him that he was not in sympathy with the Indians and we thought he should be removed and another doctor be put in who was in sympathy with the people.
Question. When did you tell Assistant Commissioner Meritt that?
Answer. Last winter when we were in Washington.
Question. About a year ago?
Answer. Yes.
Question. Did you tell Mr. Meritt anything about what the doctor had stated about the Indians; whether he was sympathetic?
Answer. Yes.
Question. Tell the committee what you told.
Answer. We told Mr. Meritt and Mr. Arnold, both, that the doctor was race-prejudiced; he was not in sympathy with the Indians; he said thev were 'worse than Negroes and Mexicans; were filthy and were ignorant—and everything like that; everything that he could say to condemn the race.
Question. You told both Mr. Meritt and your superintendent that?
Answer. Yes.
Question. About a year ago?
Answer. Yes.
Question. Was anything done immediately or what was promised?
Answer. He promised—Meritt promised the Senate committee, appropriations committee—that if the doctor was not satisfactory he would give us one that was—that would be satisfactory; but nothing has been done about it.
Question. Is the doctor still there? I understood that he left.
Answer. He is still there. I do not know; I have not been to the agency for the last two or three weeks; but the doctor told me this, since I came home from Washington—he said: ‘You Indians are trying to get me out of here and you had just as well forget it. It won’t do you any good to go and complain; I am fixed in the service so it won’t do you people any good.”
Senator PINE. How long has he been here?
Answer. I think he has been here five years. I guess.
Senator PINE. Do you know where he came from?
Answer. No, I don’t.
Question. What about the roads built on the reservation?
Answer. Well, I think they are taking enormous sums of the Klamath Indians’ money and putting it into roads that are not directly benefiting the Klamath Indians. I am sorry that I did not bring a map down here today and show the committee the map of the roads we have there.
Question. I will call your attention to this map; will this help you any [showing map to witness]?
Answer. Yes; that is the map.
Mr. GLAVIS. I think we had better have this as an exhibit. We will offer it then as an exhibit.

(A map showing the roads on the Klamath marked “Exhibit No. 55.”)

Question. On the blue lines, used through all the map, are there several roads that have built themselves, with Indian money, along the side of these roads [indicating]. They go from $80,000 to $50,000 of our tribal funds and possibly more; that is the way the roads are built.

Now this is the highway, this red line here. The State has put through.

The CHAIRMAN. Along the edge of the reservation.
Answer. Along the edge of the reservation this road helps the reservation a lot, but it also helps the community the most. It is a through highway across the territory a chance to go to Crater Lake, to Chiloquin and on up Sprague River here to Beatty, Oreg. Now, here is where the return route is; this green line here, right along in here—up this valley and along it, and you can see the other roads running out, branches off the highway [indicating].

Question. Are there many Indians—practically none in your locality [indicating]?
Answer. No; there are very few; just fording the streams up along the marsh. Now, these roads [indicating] mostly the timber interests on the reservation, and also the white people who have the colored units—that shows the units under contract, mostly for the lumber camps; there are hundreds of these, and they pay taxes on these roads [indicating].

Question. That is, the white people in the lumber camps are required to pay nothing for the use of the roads.
Answer. No; only the county has helped the Klamath Agency to Chiloquin.

Question. How far is that?
Answer. About 5 miles; and they have built roads [indicating], about 7 miles from Chiloquin to Sprague River, and the county has done some work to Bray and the Indians never use: they are left.

Question. That is the extent in which the county has done anything for the Indian reservation, other than on the highway?
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hen we were in Washington.
Answer. That is all; I figured about 21 miles that the county has helped, excepting they helped—they are putting a highway from here [indicating], from Klamath Falls on over to Lakeview and going through Beatty and this part of the reservation here [indicating], this little short distance. Now, here is what the superintendent is advocating we go on a 50-50 basis, on that road from Chiloquin to Beatty [indicating].

Question. Fifty-fifty with the county?
Answer. Fifty-fifty with the county; and the tribal council has passed a resolution that they are willing to go 25-75. We first suggested that we should take a road census of this road and see how many Indians used that road and how many whites used that road, and we would pay accordingly. Now, we have an estimate of the population on the reservation. There are are over 7,000 white people, and there is about 1,274 Indians. So this reservation that we are talking about now is no more an Indian reservation; it is a white man's reservation, and the Indians are contributing their tribal funds for upkeep which is benefitting the members of the Indian Bureau and the white people who have these logging operations and are raising sheep on the reservation and are in the stock business.

Question. Did the Indian Bureau officials object to this road being taken by you?
Answer. They did not do anything about it. Arnold said: " The county is willing to go 50-50 on this road, and if you Indians don't want to do that they are not going to do anything." And I understand from him this summer—we had in our last year's budget. I think, $16,000, that Meritt promised the Senate committee most of it would be spent on this road; and when I mentioned to Mr. Arnold this summer how much had been used he said: " I don't think I will spend any there; I will go around by the highway, the other way."

It seemed as though he had favored the 50-50 plan, but nothing was done about the road.

Question. And that is the road that would benefit you Indians more?
Answer. That is the road that would benefit all the Indians; yes. The bureau has bought equipment enough, in tractors and graders and fresnos, and everything to build roads with, and they are using it around on different parts of the reservation; and we figure by taking $16,000 and all of our equipment we could build a mighty nice road that would do a lot to benefit all the Indians.

Question. Was there a highway built from the agency out toward—directly from the agency to a point—do you know where that point is?
Answer. Yes; it is here [indicating]. This is what the Indians call the "Arnold Highway." It follows an old road that went up toward Sprague; it was a good country road. I have been over that road lots of times, and in fact, all the Indians have. Now, they had graded the road probably over half way up to Sprague.

Question. When you say "they," who did that?
Answer. Mr. Arnold.

Question. Did the Indians object to that?
Answer. The Indians objected.

Question. Did they tell Mr. Arnold they were not in favor with it?
figured about 21 miles that the county has helped—they are putting a highway from Klamath Falls on over to Lakeview and this part of the reservation here [indicating]. Now, here is what the superintendent 50-50 basis, on that road from Chiloquin with the county? And the tribal council has they are willing to go 25-75. We first sug- lingly. Now, we have an estimate of the te there are are over 7,000 white people-274 Indians. So this reservation that we o more an Indian reservation; it is a white Indians are contributing their tribal funds t members of the Indian Bureau and have these logging operations and are nation and are in the stock business. id that would benefit you Indians ad that would benefit all the Indians; light equipment enough, in tractors and everthing to build roads with, and they differents parts of the reservation; and we nd all of our equipment we could build.uld do a lot to benefit all of the Indians. highway built from the agency out to-agency to a point—do you know where [indicating]. This is what the Indians y. It follows an old road that went up a good country road. I have been over nd in fact, all the Indians have. Now, probably over half way up to Sprague. they, who did that? ns object to that? jected. Dr. Arnold they were not in favor with it?

Answer. Yes.

Question. What reason did they give they were not in favor of it?
Answer. That the road did not benefit the Indians.

Question. No Indians in that locality?
Answer. There were a few up in here [indicating].

Question. Could they use the road already built—the old road? Would that not have been good enough?
Answer. Yes; as good as other roads that you see in here [indicating].

Question. What reason did Mr. Arnold give for the building of this road?
Answer. The reason he gave me was so that people could get up to Sprague and Beatty; it was for forest protection, he says. But last summer I was over that road and saw Bufort Lumber Co., or logging company—or whatever its title was—were logging over that road and I met three trucks loaded with logs, going over that road.

Question. Carrying logs to Klamath Lake?
Answer. Carrying logs down to the lake.

Question. Have they paid for the right to use that highway for hauling logs over the highway, do you know?
Answer. I don’t know.

Senator PINE. The road was built out of the Indians’ funds and is used by the lumber company?
Answer. Yes. I was on this road to the Chiloquin Lumber Co.’s camps too, this summer; and it runs right up in through this corner [indicating], across there; and the employees of the lumber company are using these roads going back and forth to work. They have camps all around on those units that you see.

The CHAIRMAN. Don’t you think the lumber interests, when they bid on the purchase price of the timber, that they expected the roads were to be built in order that they could get the lumber out—they would have had to bought the timber cheaper, if they were going to build roads across there, than if the roads were furnished?
Answer. I don’t know what view the lumber companies had—what they had in view when they bought the timber; whether the road was to be built afterwards or not, but there has been units sold after they had sold these units and roads had been built in there.

Question. But there was nothing said in the advertisement—of an agreement mentioned in the contract of sale—that the Indian Bureau would build roads for them for the purpose of getting out the logs, was there?
Answer. I know that the Klamath Tribe of Indians never agreed to that. I don’t know whether it said anything about it in the contract or not.

The CHAIRMAN. What about the enforcement of the prohibition law among the Indians—that is, prohibiting liquor to be sold to the Indians?
Answer. The prohibition laws on our reservation are terrible; there is no law on our reservation. There every man is for himself. It seems as though they hire men who don’t enforce the laws.
Question. Has that situation been called to the attention of Superintendent Arnold?
Answer. Yes.

Question. Did you call it to the attention of any of the officials in Washington when you were there?
Answer. We took it up with the Commissioner of Indian Affairs; we took it up in person and in letters, and there was nothing ever done about it—the law. Now, here is the first thing that is wrong about the law enforcement. Our letters were—and I would like to enter this in the record here—that we were in favor of law and order; but they are taking about $4,500 of our tribal funds in the law enforcement, and the fines of these men they catch handling liquor, or in any crimes, the fines go to our town of Chiloquin and to the county and to the State, and the tribal fund is not reimbursed back by any fines or does not get a proportion of the fines.

The Chairman. You have not an Indian police court?
Answer. We have no Indian police court. And they are draining our tribal funds of this appropriation every year and not a cent of it ever comes back. We are in favor of hiring our Indian policemen under that fund, but there should be some method of the fines coming back to our reservation—to our credit—of the Klamaths. Now, it seems as though we are living under two laws, and with it being this way we don’t know what we are—whether we are citizens of the United States or whether we are aliens, or what we are. There are some laws governing us that make us subject to the State courts, and there are laws that make us subject to the Federal court. Now, it seems as though there should be some distinction there—where these people should be fined. Some of our courts—the circuit court here refused to handle some of the cases. So they should not have that appropriation—draining our tribal funds each year.

Senator Pine. Law enforcement is costing the tribe $4,500 a year?
Answer. Yes.

Senator Pine. And you have practically no law enforcement?
Answer. No law enforcement; no. I have know of officers around on the reservation that were riding around and burning the gasoline furnished to them, you see, and they were not enforcing the law; and I understand, from the prohibition officer who was in charge this summer, that he did not have the cooperation of our superintendent, and he had no encouragement for enforcing the law; and we have suggested to Mr. Arnold that we have some Indian police enforce the law, as they are men who will go out and get their man, and they know how to track him and how to capture their man.

Question. You mean, Indians become members of the police force?
Answer. Yes. And it seems as though that was discouraged by our superintendent. He seems to think that there are no Indians on our reservation who are capable of enforcing the law.

Question. Does the superintendent discriminate against you in connection with other employees there?
Answer. Well, not that I know of. The only objection is about encouraging you to manage your own business. I think that the Indian Bureau teaches dependence instead of independence. Now, our tribal council has a business committee in which I am chairman of. Mr. Arnold told that thing there that did not meet with his approval. Now, that is in handling our range, or any thing to come up. So, we are handicapped because we have no voice in the management of our estate; and in this room, of this committee, that when we is to be a meeting they will not come back away; they say: “What is the use of going? It is not amount to anything; we are not recognized on this business committee, has not been as active, we have been discouraged about it. Mr. With other day—our acting superintendent—that the committee was a “joke.” “It is just something to pass, is all it amounts to.”

Senator Pine. Did you hear him make that statement?
Answer. He made it to Mr. Strowbridge, for whom he appeared. Mr. Strowbridge was on a committee in behalf of his family—he and his wife—children that were on the rolls and they were on the rolls; Reservation; they were on the rolls—his wife; they were stricken off the rolls. They are on the reservation who are on the rolls. He was told him what the council had done—its business, if you will. He said, “Yes, I see they passed a law. I see it amounts to.”

The Chairman. In your estimation is the law enforcement under the department, or the agency, to encourage raising among the Indians, in order to make them better farmers?
Answer. Well, now, as to stockmen: They are naturally stockmen. stock people; they have a lot of lives, especially cattle. They are adapted as naturally stockmen, stock people; they have a lot of cattle. They are irrigating very little land; and as to farming, they do not amount to anything. They have practically no law enforcement; no. I have know of officers around on the reservation who were riding around and burning the gasoline furnished to them, you see, and they were not enforcing the law; and I understand, from the prohibition officer who was in charge this summer, that he did not have the cooperation of our superintendent, and he had no encouragement for enforcing the law; and we have suggested to Mr. Arnold that we have some Indian police enforce the law, as they are men who will go out and get their man, and they know how to track him and how to capture their man.

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The only objection is about Indians becoming members of the police force? cement for enforcing the law; and we have very riding around and burning the gasoline. There is practically no law enforcement? Some of our courts—the circuit court here of the cases. So they should not have that proportion of the fines, have not an Indian police court? Indian police court. And they are draining appropriation every year and not a cent of are in favor of hiring our Indian policemen; there should be some method of the fines common—to our credit—of the Klamaths. Now, we are subject to the State courts, and with it being what we are—whether we are citizens of the or we are aliens, or what we are. There are that make us subject to the State courts, and us subject to the Federal court. Now, it would be some distinction there—where these Some of our courts—the circuit court here of the cases. So they should not have that proportion of the fines common. They have practically no law enforcement? Is it not the attention of any of the officials in your department of stockmen: The Klamath Indians are naturally stockmen, stock people; they have raised stock all their lives, especially cattle. They are adapted as cattlemen; and I don't think they could be assisted much in that: They know a good cow when they see it and a good horse, and they know how to raise them and take care of them; but as to farming, they are dry-land farming a lot. They are irrigating very little land; and we have never had any employee as a farmer on our reservation who could encourage and show the Indians how to farm. I think it is under the system, under the conditions that the land is in, that it is almost impossible to farm it, some of the land. We have some good farm land at Modoc Point, in the district of Modoc Point, but it is in such a condition that the Indians are dry-land farming it mostly, and the Indian Bureau itself has 4 acres down there that is not irrigating. It guess it is impossible to irrigate it—called the experimental farm; and what I want to bring to the attention of this committee is, for their budget this year, they have $500 appropriated for grain for feed for the stock. Now, at the reservation, at Klamath Agency, at the agency farm that comprises of about 3,000 acres; and we have the Yainax farm comprising about three sections;
and we have this 40 acres down at the experimental station; and then, taking in all of those acres of land they have in their control, they are not able to raise $500 worth of grain. So, how do you expect the Indians to raise these vast crops when they come along and take $500 out of our annual budget for this vast body of land. So the Indians have never had any scientific farming; they are satisfied; they raise good dry-land crops, and this year they have utilized all of that land in grain. Most all of it is dry-land farming. Now, the reason that the Indians don't farm that land—I have found out from the Indians themselves—is because of this water charge. They think if they don't pay that water charge that they will get out of it some day; and the water charge is enormous on the Modoc Point project. It is about $30 an acre.

The CHAIRMAN. How much?
Answer. About $30 an acre.

The CHAIRMAN. Spread over a term of years, of course?
Answer. Yes; 20 years. And there is not the proper drainage ditches so that they can get the water off their land; and the Indians feel they don't want to pay for that project and use it; and they feel that the charge is more than the land is worth. In fact, there is a lot of the land of alkali content and high land, and under this project the water charge is more than the value of the land and the Indians are not to be blamed for not using this project. This land is put up for sale at the agency office every month in the year; it is put up for sale down there and white people don't even bid on it, and there is only about 300 or 400 acres leased from the Indians. The white people don't want anything to do with the land on account of the project. So the Indians are not any more to blame than the other people in Klamath County.

Senator PINE. It is a complete failure?
Answer. Yes. It is absolutely a complete failure.

Question. Was that project built over the protest of the Indians?
Answer. Yes. And then in the beginning of the project they had enough of it; but they had a portion of the tribal funds put into the project, and they were always under the impression that the project was theirs; the tribal funds were put into it and they did not believe that individual lands would be assessed for it. Then we have several other projects on the reservation: The Sand Creek, the Fort Creek, and miscellaneous projects. Now, the Sand Creek project is solely irrigated by white people, and the cost of the water project there is only $8.54 an acre—that is a mistake; it is the construction charge.

The CHAIRMAN. Did the Government put in that project?
Answer. I understand it was taken out of the tribal funds; that $25,000 was taken out of the tribal funds for the construction of that project.

Senator PINE. Was any reason given for taking the money out of the tribal fund?
Answer. There is no reason given for spending any tribal funds. The Indian Bureau is given the tribal fund and they don't consult with us at all, whether it is irrigation, timber, roads, machinery, or anything; we have no voice in anything in the management of our estate: they say: "It is none of your business, reservation."

Question. You recently had tried to ascertain how money was being expended by the Indian Bureau?
Answer. Yes. I went to the office, the Indian Bureau, and wanted to get some data so that I could get some impression to this committee as to how our money was spent on the reservation; and we had passed a resolution in our investigation of our own. Now, we have got what testimony, you have heard here this morning, and that alone is only under terrible handicap, because we have ourselves without the assistance of attorneys; and to go into details about this thing. It was about $30 an acre.

Mr. Ball is in the logging operations, and all of these members on this committee are running their own businesses. We have got our own businesses, and we have this 40 acres down at the experimental station; and they are not able to raise $500 worth of grain. So, how do you expect the Indians to raise these vast crops when they come along and take some of the land in grain. The Indians have never had any scientific farming; they are satisfied; they raise good dry-land crops, and this year they have utilized all of that land in grain. Most all of it is dry-land farming. Now, the reason that the Indians don't farm that land—I have found out from the Indians themselves—is because of this water charge. They think if they don't pay that water charge that they will get out of it some day; and the water charge is enormous on the Modoc Point project. It is about $30 an acre.

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Answer. About $30 an acre.

The CHAIRMAN. Spread over a term of years, of course?
Answer. Yes; 20 years. And there is not the proper drainage ditches so that they can get the water off their land; and the Indians feel they don't want to pay for that project and use it; and they feel that the charge is more than the land is worth. In fact, there is a lot of the land of alkali content and high land, and under this project the water charge is more than the value of the land and the Indians are not to be blamed for not using this project. This land is put up for sale at the agency office every month in the year; it is put up for sale down there and white people don't even bid on it, and there is only about 300 or 400 acres leased from the Indians. The white people don't want anything to do with the land on account of the project. So the Indians are not any more to blame than the other people in Klamath County.

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Answer. There is no reason given for spending any tribal funds. The Indian Bureau is given the tribal fund and they don't consult with us at all, whether it is irrigation, timber, roads, machinery, or anything; we have no voice in anything in the management of our estate: they say: "It is none of your business, reservation."

Question. You recently had tried to ascertain how money was being expended by the Indian Bureau?
Answer. Yes. I went to the office, the Indian Bureau, and wanted to get some data so that I could get some impression to this committee as to how our money was spent on the reservation; and we had passed a resolution in our investigation of our own. Now, we have got what testimony, you have heard here this morning, and that alone is only under terrible handicap, because we have ourselves without the assistance of attorneys; and to go into details about this thing. It was about $30 an acre.
IONS OF INDIANS IN UNITED STATES

es down at the experimental station; and 15 acres of land they have in their control, 500 worth of grain. So, how do you expect vast crops when they come along and take budget for this vast body of land. So the any scientific farming; they are satisfied; crops, and this year they have utilized all of it is dry-land farming. Now, as don't farm that land—I have found out—because of this water charge. They hat water charge that they will get out of each acre. And there is not the proper drainage of the water off their land; and the Indians for that project and use it; and they feel the land is worth. In fact, there is no content and high land, and under this s more than the value of the land and the need for not using this project. This land agency office every month in the year; it is re and white people don't even bid on it, 300 or 400 acres leased from the Indians. want anything to do with the land on so the Indians are not any more to blame. Klamath County. complete failure? a complete failure.

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Government put in that project? was taken out of the tribal funds; that re tribal funds for the construction of that reason given for taking the money out of on given for spending any tribal funds. in the tribal fund and they don't consult is irrigation, timber, roads, machinery, or se in anything in the management of our estate: they say: “It is none of your business; we are running this reservation.”

Question. You recently had tried to ascertain how some of the money was being expended by the Indian Bureau, did you not?

Answer. Yes. I went to the office, the Indian office on the reservation, and wanted to get some data so that I could make an intelligent impression to this committee as to how our property was handled up there; and we had passed a resolution in our committee to make an investigation of our own. Now, we have made—what little data, what testimony, you have heard here this afternoon has been made by ourselves, only under terrible handicaps. We have had to take care of all of our own work. Mr. Barkley takes care of his cows, Mr. Ball is in the logging operations, and I am busy running my resort, and all of these members on this committee were very busy running their own businesses. We have made this investigation ourselves without the assistance of attorneys or of other advice; it is our own effort. I went to the agency for data and figures to show how our money was handled and how it has been expended; I went to them for figures on the hospital and for general appropriations; I wanted information as to how our money was being spent on health and different other items, and Mr. Arnold said. “It is not necessary to go into details about this thing.” I wanted to know how much gasoline they burned, they burned thousands and thousands of gallons of gasoline. He said it was not necessary to do that. So I asked him then for an estimate, figures showing how our budget was spent; and then I never got that. Then I asked him for some figures about that 8 per cent deduction that was being made on the reservation.

Senator PINE. On logging operations?

Answer. Yes. They are taking 8 per cent of all the timber that is being cut there and placing it in a fund they call “Miscellaneous receipts.”

Question. Let's go into that later, when you have finished this.

Answer. Mr. Arnold gave employees instructions up there not to give me any more information; that if I wanted any information to get it directly from him. So I went to him, then, to get the data on the 8 per cent deduction, the expenditure of this fund, and he referred me to Mr. Howarth. I asked him to get it out, and he started to get it out, and one of the employees who was taking care of our finances there said, “Mr. Arnold issued instructions not to give Crawford any more data here.” So I can not give you this.” I went, then, in two or three weeks and asked again and he referred me to Mr. Howarth. Here is what he handed me [indicating slip of paper]. On that little, tiny piece of paper shows the expenditures for the first quarter of this year.

Question. Explain what it is.

Senator PINE. What is the size of the sheet? About 3 by 4 inches?

Answer. Yes.

Senator PINE. And that is the statement supplied to you as chairman of the business committee by the superintendent of the agency?
Answer. It was given to me by Mr. Howarth.
Senator PINE. There are initials there, "J. A. H." That is Mr. Howarth?
Answer. Yes.
Senator PINE. That was not satisfactory to you, was it? You wanted additional information?
Answer. Indeed, it was not satisfactory; it told me nothing about how our money was being spent.
Question. Did you ask Mr. Howarth to give you some more information, to try and enlarge on that previous statement of expenditures?
Answer. I did.
Question. Did you receive a letter from him, then, to the effect that you could not get it?
Answer. Yes.
Question. I wish you would read the letter that you received from Mr. Howarth.
Answer. It is written very poorly and is hard to read; it is on a small sheet [reading letter]:

On small sheet inclosed are our budget authorities and balances for the forestry items being out of the 8 per cent, as you know. Expenses to September 30 were $27,995.65.

See if you can make it out [handing to Mr. Glavis].

Question (reading):
Mr. Moffat is bringing his cost sheets up now to September 30 and was not prepared to give me costs to-day of each road, etc. I showed Mr. Arnold the sheet inclosed—

Is that the "sheet inclosed"—the small sheet that you referred to?
Answer. Yes.
Question (reading):

And asked him this noon if I should wait and give you further data when Mr. Moffat's figures were complete, but he said the inclosed figures were enough.

Very truly,

J. A. HOWARTH, JR.

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EXHIBIT No. 56A

October 13, 1928.

DEAR MR. CRAWFORD: On small sheet inclosed are our budget authorities and balances for the forestry items being out of the 8 per cent, as you know. Expenses to September 30 were $27,995.65. Mr. Moffat is bringing his cost sheets up now to September 30 and was not prepared to give me costs to-day of each road, etc. I showed Mr. Arnold the sheet inclosed—

Is that the "sheet inclosed"—the small sheet that you referred to?

Answer. Yes.

Question (reading):

And asked him this noon if I should wait and give you further data when Mr. Moffat's figures were complete, but he said the inclosed figures were enough.

Very truly,

J. A. HOWARTH, JR.
IONS OF INDIANS IN UNITED STATES

me by Mr. Howarth. The initials there, "J. A. H." That is Mr. Howarth.

Is not satisfactory to you, was it? You, Mr. Howarth to give you some more information on that previous statement of expenditure.

Would read the letter that you received very poorly and is hard to read; it is on a [handing to Mr. Glavis].

Sheet sheets up now to September 30 and was not satisfactory. It told me nothing about spent.

Mr. Howarth to give you some more information on that previous statement of expenditure.

In the Indian Service? If you have notory, the letter and statement will be received as in question were marked: "Exhibit 56a"—the small sheet that you referred to?

should wait and give you further data when Mr. Howarth to refer me to the [handing to Mr. Glavis].

Question. While you are on finances, do you care to go into that 8 per cent deduction at this time, in connection with timber?

Answer. I would like very much to.

Question. All right.

Answer. On our reservation they are taking 8 per cent of our timber that is being cut there for maintenance and operations of forests.

Question. How much did that amount to last year?

Answer. Last year it amounted to ninety-four thousand and some dollars.

Question. How much of that was expended on the reservation?

Answer. About eighty-five thousand dollars.

Question. What became of the remaining $30,000 that was not used, although deducted from your timber sales?

Answer. It is placed into a fund they call "miscellaneous receipts"; placed in the Treasury.

Question. The whole amount?

EXHIBIT No. 56

Oct. 1, 1928

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<th>Minus (−)</th>
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<td>37. Auto repairs, gas</td>
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<td>2,681.39</td>
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<td>38. Trucks, tractors</td>
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<td>41. Advertising</td>
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<td>42. Telephone lines</td>
<td>3,500.00</td>
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<td>43. Forest equipment</td>
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<td>1,867.00</td>
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<tr>
<td>44. Unforeseen</td>
<td>85,920.00</td>
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</table>

Answer. I think it is forestry supervisor. They have so many different titles up there I can not remember them all.

The CHAIRMAN. He is in the forestry?

Answer. He is head of the forestry; I know that.

Question. As you are on finances, do you care to go into that 8 per cent deduction at this time, in connection with timber?

Answer. I would like very much to.

Question. All right.

Answer. On our reservation they are taking 8 per cent of our timber that is being cut there for maintenance and operations of forests.

Question. How much did that amount to last year?

Answer. Last year it amounted to ninety-four thousand and some dollars.

Question. How much of that was expended on the reservation?

Answer. About eighty-five thousand dollars.

Question. What became of the remaining $30,000 that was not used, although deducted from your timber sales?

Answer. It is placed into a fund they call "miscellaneous receipts"; placed in the Treasury.

Question. The whole amount?
The CHAIRMAN. Yes; place it in the record with a similar bill was introduced by Senator McNary.

(The bill referred to was marked as "E" in the record)

EXHIBIT No. 57

This bill was drafted by Mr. Henderson to correct the survey

[The bill referred to was marked as "E" in the record]

The bill referred to was marked as "E" in the record

[The bill referred to was marked as "E" in the record]
SURVEY OF CONDITIONS OF INDIANS IN UNITED STATES

Senator Pine. Better put it in the record.

The CHAIRMAN. Yes; place it in the record as an exhibit.

Senator Pine. Place it in the record with the understanding that a similar bill was introduced by Senator McNary and by Sinnott.

(The bill referred to was marked as "Exhibit No. 57," and is as follows:)

EXHIBIT No. 57

This bill was drafted by Mr. Henderson to correct the 8 per cent evil.

[H. R. 10432, Seventieth Congress, First Session]

A BILL For the relief of the Indians of the Klamath Reservation in Oregon

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That portion of the act of February 14, 1920, found in Forty-first Statutes at Large, on page 415, reading as follows, "That hereafter in the sale of all Indian allotments, or in leases or assignment of leases covering tribal or allotted lands for mineral, grazing, business, or other purposes, or in the sale of timber thereon, the Secretary of the Interior be, and he is hereby, authorized and directed, under such regulations as he may prescribe, to charge a reasonable fee for the work incident to the sale, leasing, or assigning of such lands, or in the sale of the timber, or in the administration of Indian forests, to be paid by vendees, lessees, or assignees, or from the proceeds of sales, the amounts collected to be covered into the Treasury as miscellaneous receipts," be, and the same is hereby, amended by adding thereto the following: "Provided, That the foregoing shall not apply to the Klamath Indian Reservation, in Oregon:"

Question. Have you a copy of the report of Secretary Work objecting to that bill?

Answer. Yes.

Mr. GLAVIS. I think that ought to be placed in.

Answer. Here it is [handing to Mr. Glavis].

(A copy of the report of Secretary Work was marked as "Exhibit No. 58," and is here printed, as follows:)

EXHIBIT No. 58

DEPARTMENT OF THE INTERIOR.
Washington, March 2, 1928.

HON. SCOTT LEAVITT.
Chairman Committee on Indian Affairs,
House of Representatives.

M' DEAR MR. LEAVITT: The department has your letter of February 6, 1928, requesting report on H. R. 10432 entitled "A bill for the relief of the Indians of the Klamath Reservation in Oregon."

This bill provides for an amendment of an item in the Indian appropriation act of February 14, 1920 (41 Stat. 408, 415), so as to exempt the Klamath Indian Reservation from the said act. The legislation of February 14, 1920, which was of general application to Indian lands throughout the United States, authorized the making of deductions from the proceeds of sales of Indian land and timber to cover the cost of administration. The act required that the deductions so made be deposited in the Treasury of the United States as miscellaneous receipts. The discussions in the House Committee on Indian Affairs where this legislation was framed indicated that the purpose of the legislation was to reimburse the United States for such expenditures as should be made from gratuity funds for the administration of land and timber sales. However, no appropriation was made to take the place of the expenditures that had previously been made each year directly from the income of timber sales. Substantial amounts had been expended each year from a gratuity appropriation known as "Industrial work and care of timber," but this appropriation was quite inadequate to care for all necessary expenses and during the fiscal year 1920 a total of $88,478.59, derived from the income of timber sales, had been expended in the administration of Indian forests.
The act of February 14, 1920 (supra), was interpreted as requiring the deposit of deductions in the Treasury of the United States only to the extent that the amount thus accumulated was required to reimburse the United States for the gratuity funds expended.

On September 22, 1925, the Comptroller General of the United States decided that the language of the act of February 14, 1920 (supra), required that all deductions from gross proceeds of sales be deposited in the Treasury. As such ruling left the department without funds for administering timber sales during the fiscal year 1926, the comptroller held in a supplemental decision of October 9, 1925, that the existing practice might continue until June 30, 1926. Through a misunderstanding as to the needs of the service only $100,000 was appropriated for the administration of timber sales during the fiscal year 1927, and when this amount approached exhaustion the comptroller permitted a return to the former practice in the latter part of the fiscal year 1927. Due to the uncertainty as to whether funds would be available, activities were greatly curtailed during the fiscal year 1927, and various expenses were paid from support funds, the total expenditure for timber-sale administration during the year being $182,761.71.

There was a great expansion of timber activities on the Klamath Reservation in 1925-1927 and large collections were made on timber sales. This condition, combined with the limited appropriation for the fiscal year 1926, resulted in a surplus of timber expense deduction over the amount actually expended on the Klamath Reservation. Furthermore, those in charge of fund accounting at Klamath appear to have misunderstood the instructions that required the depositing in the Treasury of an amount equal to the amount of the expense deduction deposited in the hands of the superintendent in early June, 1926. However, of the amount thus accumulated more than $50,000 was required to reimburse the United States for the gratuity funds expended for timber administration on the Klamath Reservation subsequent to June 30, 1920, when the act of February 14, 1920 (supra), became effective. The $50,000 deposited by Klamath agency on June 7, 1926, substantially met the obligation of the Klamath Indians to the United States under the requirements of the act of February 14, 1920.

During the fiscal year 1927 the Klamath Agency deposited in the Treasury from timber-expense deduction a total of $95,300.40. The expenditures for timber administration on the Klamath Reservation during the fiscal year 1927 were $38,501.41 from "Timber, sale of timber (reimbursable)," $9,493.35 from "Industrial work and care of timber," $18,015.08 from "Expense account, timber," and $11,212.53 from "Indian moneys, proceeds of labor (support)," a total of $87,407.35. Of this total only $47,570.74 was expended from the Klamath timber administration for the fiscal year 1927 was $182,761.71 greater than the expenditure from timber expense deduction.

Of the excess of deposits over expenditures during 1927 has resulted in a gain to the Treasury of the United States and a corresponding temporary loss to the Klamath Indians in the amount of $47,570.69, and these Indians have therefore urged a return to the former practice of paying all expenses directly from the funds in the Treasury.

House bill 10432 is apparently directed to the accomplishment of this purpose. However, the enactment of this bill would apparently fail to accomplish the purpose sought and, on the contrary, might result in the cutting off of all funds for the administration of timber work on the Klamath Reservation. The deductions that were previously made under authority of executive regulation have been made under express congressional authorization since February 14, 1920, and an enactment such as is provided in H. R. 10432, might be held by the Comptroller General to cancel all authority for any deductions at Klamath.

The department reports adversely on H. R. 10432, on the ground that the enactment of this character be not enacted. The Director of the Bureau of the Budget advises the House Finance Committee that the enactment of this bill would apparently fail to accomplish the purpose sought amld, on the contrary, might result in the cutting off of all funds for the administration of timber work on the Klamath Reservation.

Klamath Indians, the department feels that this is not a purpose sought. The records show that from July 1, 1927, to June 30, 1928, $170,103.23 from gratuity funds, $11,212.53 from "Indian moneys, proceeds of labor (support)," $38,591.41 from "Expenses, sale of timber (reimbursable)," $9,038.35 from "Industrial work and care of timber," $19,618.08 from "Expense account, timber," and $11,212.53 from "Indian moneys, proceeds of labor (support)," a total of $87,407.35, have been made under express congressional authorization since February 14, 1920, and the relative cost per thousand feet will become higher, the fund being a balance that may accumulate to the credit of the department.

Very truly yours,

Director of the Bureau of the Budget
Klamath Indians, the department feels that this inequity is apparent rather than real. The records show that from July 1, 1909, to June 30, 1927, there had been expended for forest protection and administration on the Klamath Indian Reservation $170,103.23 from gratuity appropriations. When this amount is added to the actual expenditures from expense deductions it is found that the expenditures during the 18 fiscal years is only $3,450.76 below the total amount deducted to cover expenses. It is well known that as the timber-cutting operations become less extensive on the Klamath in future years the relative cost per thousand feet will become higher, and it is probable that any balance that may accumulate to the credit of the Indians will be absorbed in the meeting of expenses.

The Department reports adversely on H. R. 10432 and recommends that legislation of this character be not enacted.

The Director of the Bureau of the Budget advises that the proposed legislation is in conflict with the financial program of the President.

Very truly yours,

HUBERT WORK.
The Chairman. How far is it from the bulk of your Indians?
Answer. It is in the far eastern part of the reservation.

Question. How far from Chiloquin?
Answer. Yes; sir, they are up and down—to Sprague River and Beatty, and as far down as Modoc Point. It is impossible to get lumber from that mill, and we can buy it so much cheaper from the retail dealers in Chiloquin or Klamath Falls, and the mill is not of any benefit; it has been running off and on, and at a loss for years and years; and we have called it to the attention of the superintendent, and I understand they have changed management—put in a new millwright or something—and they said they would try and let it run at a profit this year; it has always been running at a loss. I asked Mr. Wheat about it this summer and he said, “It is about the same old thing.”

Senator Pine. Who gets the lumber from the mill?
Answer. The Indians get it, but there is very little gotten.

Senator Pine. It is not in continuous operation?
Answer. No; it does not continue all summer—just now and then; and our tribal money each year is appropriated for the purpose of keeping this mill.

Question. I want to call your attention to an attorneyship contract made with the Institute of Government Research and submitted to Secretary Work last winter—to this portion:

“The agency sewerage is turned into a small stream from which it empties into the lake. This is contrary to the State law, and a septic tank should be supplied.

Has anything been done in connection with remedying that situation?
Answer. Not up to about a month and a half—about two months ago. I was up at the agency and looked at that sewerage, and the sewer emptied right into the stream in four or five different places.

Question. Just as the report states?
Answer. That is correct.

Question. One of the witnesses this morning referred to the Oregon-California Power Co. lease. Do you know anything about that?
Answer. Not very much. I know that it was leased to the Oregon-California Power Co. for a period of 10 years, and then the lease was renewed again, or something. I could not say very much about that.

Question. I want to call your attention to an attorneyship contract made between the Klamath and Modoc Tribes with Daniel B. Henderson, and approved February 4, 1928. Tell the committee about the reasons for which this contract was entered into. Did you have matters you wanted to protest about and call to the attention of Congress? Was that the reason Mr. Henderson was employed?
Answer. Yes. The reason for employing an attorney was when the delegation went to Washington last winter we realized we should have some legal advice, and we have large problems, and so on. of administration, you might say; and the responsibility—I think the entire delegation was responsible for 1,274 Indians, about $40,000. We wanted to have some legal advice, and we wanted to have it for a period of six months to help us with their case and for the half session of Congress. We were up, but he was acting as our attorney.

The thing I think that was wrong about that contract was made with—the thing I think is wrong is that Interior won't approve of any contract for the Indians without his approval. Therefore Government in two different suits: One suit, and the other is the exchange suit; a suit approved by him. The Indian has no right to employ an attorney to protect himself—make the contract to be approved by the Secretary of the Interior.

Question. In other words, the Indian Bureau has the right to employ the attorney you want to retain to prosecute?
Answer. Absolutely. And that is a fact. I know when Mr. Henderson was employed—Mr. Henderson, I believe, is capable both as his business ability is concerned; I believe he could contract with the Government, so that he could defend his clients—come right out and do his business; but I think it would if he had a free contract to go on to be a fact because I experienced it in Washington Office, and with Henderson; and I knew that Interior had a hand over him so that he couldn't get away from it.

Question. Was this contract prepared by Mr. Henderson?
Answer. Yes, sir. I told Mr. Henderson he could make a contract like that, if that was my personal attorney to protect my own valuable interests. The other is a suit, and the other is the exchange suit; a suit approved by him. The Indian has no right to employ an attorney to protect himself—make the contract to be approved by the Secretary of the Interior.

Question. The last paragraph of the contract?
Answer. Yes. I maintain that that is our money which is being used to employ an attorney; we don't have the right to employ whom we want to employ?

Question. Did you understand that this attorneyship contracts made with other attorneys were retained for the benefit of the Indians on our behalf?
Answer. Well, we were instructed that it was all right, and we could get a contract.

Mr. Glaivas. I think that it ought to go in all the conditions in all the United States.

The Chairman. Place it in the record.
is it from the bulk of your Indians? 
eastern part of the reservation. 
Chiloquin? 
about 40 miles. 
where most of the Indians reside—in that 
are up and down—to Sprague River and as Modoc Point. It is impossible to get 
we can buy it so much cheaper from the 
or Klamath Falls, and the mill is not of 
ning off and on, and at a loss for years 
demanded it to the attention of the superin-
they have changed management—put in 
it this summer and he said, “It is about 
the lumber from the mill? 
it, but there is very little gotten. 
in continuous operation? 
continue all summer—just now and then; 
a year is appropriated for the purpose of 
1 your attention to pages 23 and 24 of the 
the State law, and a septic tank should be 
ried into a small stream from which it empties 
ited to him’? 
me in connection withremedying that situ-
out a month and a half—about two months 
ency and looked at that sewerage, and the 
the stream in four or five different places. 
report states? 
t, witnesses this morning referred to the Ore-
that you know anything about 
h. I know that it was leased to the Oregon- 
or a period of 10 years, and then the lease 
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administration, you might say; and the delegation felt this re-
sponsibility—I think the entire delegation felt that way. We were 
ponsible for 1,274 Indians, about $40,000,000, and naturally we 
wanted to have some legal advice, and we employed Mr. Henderson 
for a period of six months to help us while we were in Washington 
and for the half session of Congress. We left before the six months 
were up, but he was acting as our attorney after we went home. 
The thing I think that was wrong about the contract the Indians 
made with—the thing I think is wrong is that the Secretary of the 
Interior won’t approve of any contract for an attorney to act for the 
Indians without his approval. Therefore the Indians are suing the 
Government in two different suits: One suit is called the boundary 
suit, and the other is the exchange suit; and this contract has to be 
approved by him. The Indian has no right to make a contract with 
an attorney to protect himself—make their own contracts. It has 
to be approved by the Secretary of the Interior. 
Question. In other words, the Indian Bureau insists on controlling 
the attorney you want to retain to prosecute the Indian Bureau? 
Answer. Absolutely. And that is a terrible handicap to an at-
torney. I know when Mr. Henderson was working under that con-
tract—Mr. Henderson, I believe, is a capable man and I like him as 
far as his business ability is concerned; but he is tied under that 
contract with the Government, so that he can not go too strong in de-
defending his clients—come right out and defend them, like any at-
torney would if he had a free contract to protect him. I know that 
to be a fact because I experienced it in Washington in the Indian 
Office, and with Henderson; and I knew that the Secretary of the 
Interior had a hand over him so that he could not move. 
Question. Was this contract prepared by the Indian Bureau? 
Answer. Yes. I told Mr. Henderson that I would never sign a 
contract like that, if that was my personal contract, to hire an 
attorney to protect my own valuable interests but under the circum-
stances we were forced to sign the contract in order to get legal 
advise. 
Question. The last paragraph of the contract states: 
It is further agreed that said attorney, in the performance of his duties here-
under, shall be subject to the authority and direction of the Commissioner of 
Indian Affairs and the Secretary of the Interior, and shall not make any com-
promise, settlement, or other adjustment of the tribal matters that may arise 
hereunder unless with the approval of the said officers. 
Is that one of the portions of the contract that you did not like? 
Answer. Yes. I maintain that that is our tribal fund and our own 
money which is being used to employ an attorney, and why should 
we not have the right to employ whom we want, without any strings 
tied to him? 
Question. Did you understand that this contract was similar to 
atorneyship contracts made with other attorneys, where they were 
retained for the benefit of the Indians on other reservations? 
Answer. Well, we were instructed that it was the only kind of a 
contract we could get. 
Mr. Glavis. I think that it ought to go in the record, showing the 
conditions all through the United States. 
The CHAIRMAN. Place it in the record.
ATTORNEYSHIP CONTRACT—THE KLAMATH AND MODOC TRIBES AND THE YAKOOSKIN BAND OF SNAKE INDIANS WITH DANIEL B. HENDERSON

Between the Klamath and Modoc Tribes of Indians and the Yakoooskin Band of Snake Indians of the Klamath Reservation, Oreg., with Daniel B. Henderson, attorney at law, Washington, D. C.

This agreement, made and entered into this 25th day of January, 1928, by and between Levi Walker, Clayton Kirk, Ida M. Crawford, and D. W. Crawford, a representative committee acting on behalf of the said Indians of the Klamath Reservation, and Daniel B. Henderson, attorney at law, Washington, D. C., parties of the first part; and the said party of the second part, or his heirs, legal representatives, or assigns, parties of the second part:

Now, therefore, the said parties of the first part hereby retain, and employ said attorney to represent and act for the said parties of the first part in all tribal matters pending at Washington, D. C., except those matters involved in the suits now pending in the United States Court of Claims on behalf of said Indians under the jurisdictional act of May 29, 1929 (41 Stat. L. 629); that said attorney shall also act particularly before the Bureau of Indian Affairs, Department of the Interior, before committees of Congress of the United States, and before all offices having jurisdiction of the matters involved, namely:

1. Obtaining legislation affecting their current tribal matters.
2. The closure of tribal rolls and final allotment or segregation of tribal property.
3. Settlement of the rights of the tribe and of members thereof relating to irrigation, timber, and forestry matters within their said reservation.

That said parties of the first part hereby contract, retain, and employ said attorney to represent and act for the said parties of the first part in all tribal matters pending at Washington, D. C., except those matters involved in the suits now pending in the United States Court of Claims on behalf of said Indians under the jurisdictional act of May 29, 1929 (41 Stat. L. 629); that said attorney shall also act particularly before the Bureau of Indian Affairs, Department of the Interior, before committees of Congress of the United States, and before all offices having jurisdiction of the matters involved, namely:

1. Obtaining legislation affecting their current tribal matters.
2. The closure of tribal rolls and final allotment or segregation of tribal property.
3. Settlement of the rights of the tribe and of members thereof relating to irrigation, timber, and forestry matters within their said reservation.

That this contract shall be for a period of not to exceed six months from the date of the approval thereof by the Commissioner of Indian Affairs and the Secretary of the Interior as required by section 2103 of the Revised Statutes of the United States.

That this contract is hereby for a period of not to exceed six months from the date of the approval thereof by the Commissioner of Indian Affairs and the Secretary of the Interior, provided that it may be extended in the discretion of the authority of the resolution of the general council thereof, may be deemed necessary or expedient, by formal notice of such extension to said contracting parties; provided further, that said contract may be terminated by the Secretary of the Interior upon 30 days' notice to said party of the second part, or may be terminated by the parties of the first part with the approval of the Secretary of the Interior upon 30 days' notice.

In consideration of the services to be rendered in the premises by said party of the second part, there shall be paid to him from available Klamath tribal funds such compensation as shall be determined by the Secretary of the Interior upon a quantum meruit.

It is further provided that, in the event of the death of the said party of the second part, his heirs, legal representatives, or assigns shall receive such sum or sums as may be determined to be due for services so rendered under the terms of this contract.

The party of the second part shall also be paid from available Klamath tribal funds such actual expenses as are strictly necessary or proper in connection with the employment hereunder, to include stenographic expenses and any other expense which may be found to be absolutely necessary in performing the work herein devolved on the said attorney; and with the further provision that all such expenses shall be itemized and verified by the party of the second part and shall be accompanied by proper vouchers and shall be paid only upon the approval of the Secretary of the Interior or officer designated by him.

It is further agreed that said attorney, in the performance of his duties hereunder, shall be subject to the authority and direction of the Commissioner of Indian Affairs and the Secretary of the Interior, and shall not make any compromise, settlement, or other adjustment hereunder unless with the approval of the Commissioner of Indian Affairs and the Secretary of the Interior.

In witness whereof, we have hereunder set our hands, respectively, this 25th day of January, 1928, at Washington, D. C.

Daniel B. Henderson, Attorney at Law.
KLAMATH AND MOLOC TRIBES AND THE YAKOOSKIN INDIANS WITH DANIEL B. HENDERSON

Modoc Tribes of Indians and the Yakoooskin Band at Reservation, Oreg., with Daniel B. Henderson, D. C., entered into this 25th day of January, 1928, by John Kirk, Ida M. Crawford, and D. W. Crawford, acting on behalf of the said Indians of the Klamath of the resolution of a general council thereof, 1927, at Chiloquin, Oreg., and on November 15, of which resolution is attached hereto, parties of attorney at law, party of the second part, parties of the first part hereby retain and employ said attorneys in the matters hereinafter mentioned of the Commissioner of Indian Affairs and the required by section 2103 of the Revised Statutes for a period of not to exceed six months from the by the Commissioner of Indian Affairs and the provided that it may be extended in the discretion further periods of six months or otherwise as expedient, by formal notice of such extension to be given to the said party in writing, parties of the first part with the said attorneys to be retained, and to render to the party of the first part, as aforesaid, such services in the premises as may be demanded by the said party of the first part, and the said attorneys to be paid, for services rendered to the said party of the first part, such fees or salary as may be agreed upon by the parties of the first part with the said attorneys; and the said attorneys are empowered, in the event that legal services are needed, to employ such attorney or attorneys as they deem necessary to assist them.

Resolved, further, that for the purpose of carrying into effect the foregoing resolution, authority is hereby vested in the representatives duly elected and qualified under the laws of Oregon and the laws of the United States, to enter into compromise, settlement, or other adjustment of the tribal matters that may arise hereunder until such time as the said attorneys have been duly authorized and empowered to execute said contract on behalf of the tribe and members thereof relating to their current tribal matters within their said reservation.

The foregoing contract is hereby approved in accordance with section 2103 of the United States Revised Statutes.

JOHN H. EDWARDS, Assistant Secretary.

DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY.

Resolution adopted by the general council of the Klamath and Modoc Tribes and the Yakoooskin Band of Snake Indians at meetings held on November 15, 1927, at Chiloquin and on October 29, 1927, at Beatty, Oreg., as amended by the tribal council at meetings held by the tribal council at a meeting called by Superintendent J. D. Arnold, and held at Klamath Agency, December 1, 1927, and further, was ratified by a petition signed by 265 duly enrolled adult members of the tribe.

C. J. G. BURKE, Assistant Secretary.

DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY.

The foregoing resolution is hereby approved in accordance with section 2103 of the United States Revised Statutes.

CERTIFICATE OF ACKNOWLEDGMENT

I, Charles H. Robb, Associate Justice of the Court of Appeals of the District of Columbia, a court of record, do hereby certify that on the 25th day of January, 1928, Levi Walker, Clayton Kirk, Ida M. Crawford, D. W. Crawford, and Daniel B. Henderson, in their proper persons, and in my presence at Washington, D. C., entered into, signed, and executed in quadruplicate the contract heretofore written; that, as then stated to me, the Klamath and Modoc Tribes and the Yakoooskin Band of Snake Indians of the Klamath Reservation in the State of Oregon, are the parties in interest on the one hand, and the said Daniel B. Henderson, attorney at law, is interested on the other; that the said parties of the first part stated to me at the time that they had been duly authorized and empowered to execute said contract on behalf of the tribe and members thereof relating to their current tribal matters within their said reservation.
of the said Indians at a general council of their tribes duly convened and held on the Klamath Reservation in the months of October and November, 1927.

CHARLES H. ROBB,  
Associate Justice, Court of Appeals   
of the District of Columbia.

I, Henry W. Hodges, clerk of the Court of Appeals of the District of Columbia, hereby certify that Charles H. Robb, whose genuine signature is subscribed to the foregoing certificate, was, at the time of signing the same, associate justice of said court, duly commissioned and qualified.

Witness my hand and the seal of said court this 26th day of January, 1928.  
HENRY W. HODGES, Clerk.

Senator PINE. Do you and the other members of your committee think that your attorney can properly represent you when he is employed under such a contract?

Answer. No, sir.

Senator PINE. Considerable has been said about the income from these grazing leases, and we were told that you knew the exact amount. What is it?

Answer. The total income for grazing—well, the total income is $33,524.99.

Senator PINE. How many acres are covered by these grazing leases?

Answer. Approximately 647,000 acres.

Senator PINE. How many sheep do they run on that range?

Answer. Over 40,000.

The CHAIRMAN. Forty-two thousand nine hundred and fifteen?

Mr. GLAVIS. The witness will be excused temporarily.

The CHAIRMAN. We will call you back later.

(Witness excused temporarily.)

The CHAIRMAN. Judge Leavitt.

TESTIMONY OF A. L. LEAVITT

Judge A. L. Leavitt appeared before the committee, and, being first duly sworn, testified as follows:

Examined by Mr. GLAVIS:

Question. Judge, will you state your name?

Answer. A. L. Leavitt.

Question. What is your position?

Answer. I am occupying the position of circuit judge of Klamath County, the thirteenth judicial district.

Question. Have you resided in the county a long time?

Answer. Something like 44 years.

Question. You are well acquainted with the Klamath Indian Reservation. I suppose?

Answer. Well, in a general way, like any one of them.

The CHAIRMAN. We will call you back later.

(Witness excused temporarily.)

The CHAIRMAN. Judge Leavitt.

D. W. CRAWFORD resumed the stand for the Department and the Indian agent in connection with the Klamath Indians?

Answer. Well, in a general way, like any one of them.

The CHAIRMAN. Do you care to make any statement about that grazing lease?

Answer. No; I think not. I could not do that. I do not know the knowledge.

The CHAIRMAN. Thank you very much.

(Witness excused.)

Mr. GLAVIS. Mr. Crawford.

The CHAIRMAN. Wade Crawford.

TESTIMONY OF D. W. CRAWFORD

D. W. Crawford resumed the stand for the Department and the Indian agent in connection with the Klamath Indians?

Answer. Yes.

The CHAIRMAN. And approximately 2,000 head of cattle on the reservation?

Answer. Yes.

Question. Does that mean there are 94 per cent of the Klamath Indian sheep does that mean there are 94 per cent of the Klamath Indian Reservation.

Answer. Yes.

Question. Approximately 647,000 acres.

The CHAIRMAN. And approximately 2,000 head of cattle on the reservation.

Answer. Yes.

Question. Does that mean there are 94 per cent of the Klamath Reservation.

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CHARLES H. ROBB,
Associate Justice, Court of Appeals
of the District of Columbia.

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urtiess H. Robb, whose genuine signature is sub-

at the time of signing, the same,

eally commissioned and qualified.

al of said court this 26th day of January, 1928.

HENRY W. HODGES, Clerk.

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Charles W. Leavitt.

Mr. GLAVIS.

The CHAIRMAN.

the position of circuit judge of Klamath
ical district.

ded in the county a long time?
44 years.

aquainted with the Klamath Indian Reser-
ral way; yes.
a good many of the Indians, and observe
d many of the Indians personally; the
by sight.
ubbedly know their records, from your
oir records pretty well.
ve you been judge?
ge about six years and a half.

Question. What is your opinion of the Klamath Indian as to his
competency?

Answer. Well, I regard the Klamath Indians as quite a competent
race.

Question. As a race are they as competent as the general run of
white people; that is, the Indian—Klamath Indian?

Answer. Yes; I think so. They have developed a good deal of
business ability, and I regard them as very capable.

Senator Pine. In the management of their property do you con-
ider them qualified—as well qualified to handle their property as
the average white man of this part of the State?

Answer. I would say yes, considering the advantages that their
race have enjoyed.

The CHAIRMAN. Are you familiar with the method of the Indian
Department and the Indian agent in controlling and handling these
Indians?

Answer. Yes, I have had no direct contact with them.

The CHAIRMAN. Do you care to make any statement in regard to
this?

Answer. No; I think not. I could not base it on any actual
knowledge.

The CHAIRMAN. Thank you very much.

(Witness excused.)

Mr. GLAVIS. Mr. Crawford.

The CHAIRMAN. Wade Crawford.

TESTIMONY OF D. W. CRAWFORD—Resumed

D. W. Crawford resumed the stand for further examination, and
testified as follows:

The CHAIRMAN. I notice on this statement, “Total number of
Indian sheep”—does that mean there are 941 sheep owned by Indians
on the reservation?

Answer. Yes.

The CHAIRMAN. And 1,785 head of cattle owned by Indians?

Answer. Yes.

The CHAIRMAN. And approximately 2,000 horses owned by Indians?

Answer. Yes. I think that is fairly accurate. Then I want to
explain to the Senators about that grazing—about the leasing of this
tribal range. Now, the law says that the tribal council has a right
over the tribal range; and the Indian Bureau, in order to defeat that
law—they call it a “grazing permit,” and they lease the same land
without the consent of the tribal council; call it a grazing permit
instead of leasing the tribal lands.

Senator Pine. In effect it is a violation of the law?

Answer. Yes. It is a violation of the law for them to lease the tribal
land without the expression of the tribal council.

Question. They call it a permit instead of a lease?

Answer. They call it a grazing permit, and that is the way they
lease it. They have taken it up in 3-year periods. For example, I
want to illustrate how those old fellows who have testified here
to-day are not able to go into the cattle business. The superintendent
will tell you there is not any available range; that is what he told
me this summer. I was up there trying to adjust this on behalf of some Indians who wanted to put some stock on the range. For example, if there were five Indians who wanted to go into the stock business there would not be enough available range on account of it already being leased under a long period of three years. Now, some of those permits will expire next year; I suppose then they will renew them arbitrarily. That is a thing I think is certainly wrong in the Indian Bureau arbitrarily handling our estate against the wishes of the people.

Senator Pine. Under the permission issued by the superintendent the sheep herders drive the Indian stock from the range?

Answer. Yes.

Question. The act of 1891 gives to the tribal council authority to lease the lands?

Answer. Yes. I have some letters here of an Indian taking up with the department the matter of trying to get some sheep on the range. Now, in the past few years the Indians saw it was quite profitable to raise sheep, and some of them are going into the industry. This party wanted to put some sheep on the range, and they told her—now this girl’s name is Lida Morrison Coburn—used to be a member of our tribe. They wanted her to show a bill of sale for these sheep, before she would be allowed to put them on the range. So then she finally showed a bill of sale and clear title for these sheep and then they would not give her the right to put that stock on the range. I have the letters from the Indian Bureau here in this file; and it gives the regulations and the rules and their policy of what you have to live up to before an Indian can put sheep on the reservation; and they wanted her—they wanted to give her the privilege of running 500 sheep there.

Question. Only 500?

Answer. Only 500 head of sheep.

Question. It is not profitable to run only 500?

Answer. It would be run at a loss. Here is the proposition.

Question. They have to be run in large bands to make it profitable?

Answer. There are white people who are permitted to run 2,500 to 4,500 under their permit. Why should not the Indian have the same privilege as these white people do? But that privilege has been denied to these people, and, I suppose anybody else who wanted to enter into this industry. When I took this matter up with Mr. Arnold and asked him to adjust it he said there was no available range; and he would not cancel any of these grazing permits, and they could not do anything about it—they possibly could give a little range over here somewhere. I talked to Mr. Wiley about it; he suggested to Maurice Keane, her husband—he said: “You can run these sheep beyond my little gas station”—it was between the highway and Chiloquin; he said he would allot that range to them. He said: “Mr. Wiley, you know it would not be satisfactory to bring sheep into this; it would be practically on the highway and would conflict with the neighbors and everything.” He said: “That is the best range available; if you want to go into the sheep business, take that.”

Senator Pine. It was range that no white man would want?

Answer. Certainly not; down there would be the worst place in the world to run sheep.
Senator Pine. What did the woman do with the sheep?
Answer. They threatened to take them on the reservation. So they said she would be violating the law and would be subject to the law, if she took any sheep on the reservation. I will show you a letter written from the department to that fact. I will read the last part of this letter.

Senator Pine. Give us the date.
Answer. The letter was written to Mrs. Lida Coburn Keane, on April 2, 1928.

Question. By whom?
Answer. L. D. Arnold. I will just read—I will read the letter:

DEAR MRS. KEANE: Reference is made to your letter received March 27, 1928, in regard to your intentions to graze sheep on the Klamath Indian Reservation. In the first instance, your application for range on the reservation was referred to the Washington office for consideration, inasmuch as it involved cancelling one or more of the existing grazing permits. As soon as the agency received a reply to this letter you were advised that you could not be given a permit for more than 500 head of sheep at this time. Later you presented evidence of ownership of the sheep which you said you had purchased. Copies were made of these instruments and forwarded to the Washington office. I requested I be advised as to whether or not your evidence of ownership would change the decision of the office and I was later advised that it would not.

Your decision to graze 2,500 head of sheep on the Klamath Indian Reservation this summer can only further complicate the situation. Such action will be considered as trespass and will result in prompt action on the part of the Government to take charge of the situation. Under such conditions the owner of stock lays himself liable to civil and criminal prosecution. The fact that the owner of the stock might be an Indian does not in any way alter the case. I sincerely hope that you will reconsider your plan of bringing sheep on the reservation.

Very truly yours,

L. D. Arnold, Superintendent.

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Very truly yours,

L. D. Arnold, Superintendent.

DEAR MRS. KEANE: Reference is made to your letter received March 27, 1928, in regard to your intentions to graze sheep on the Klamath Indian Reservation. In the first instance, your application for range on the reservation was referred to the Washington office for consideration, inasmuch as it involved cancelling one or more of the existing grazing permits. As soon as the agency received a reply to this letter you were advised that you could not be given a permit for more than 500 head of sheep at this time. Later you presented evidence of ownership of the sheep which you said you had purchased. Copies were made of these instruments and forwarded to the Washington office. I requested I be advised as to whether or not your evidence of ownership would change the decision of the office and I was later advised that it would not.

Your decision to graze 2,500 head of sheep on the Klamath Indian Reservation this summer can only further complicate the situation. Such action will be considered as trespass and will result in prompt action on the part of the Government to take charge of the situation. Under such conditions the owner of stock lays himself liable to civil and criminal prosecution. The fact that the owner of the stock might be an Indian does not in any way alter the case. I sincerely hope that you will reconsider your plan of bringing sheep on the reservation.

Very truly yours,

L. D. Arnold, Superintendent.

Mr. Glavis. I think it had better go into the record.

Senator Pine. Yes; I think it should go in the record in full.

Answer. There are other letters there where she proved ownership.

Mr. Glavis. That one is enough.

Senator Pine. Yes; I think so.

(The letter in question was marked as ‘Exhibit No. 60,’ and is as follows.)

EXHIBIT No. 60.

DEPARTMENT OF THE INTERIOR.
INDIAN FIELD SERVICE.

MRS. LIDA COBURN KEANE,
Klamath Falls, Oreg.

DEAR MRS. KEANE: Reference is made to your letter received March 27, 1928, in regard to your intentions to graze sheep on the Klamath Indian Reservation.

In the first instance, your application for range on the reservation was referred to the Washington office for consideration, inasmuch as it involved cancelling one or more of the existing grazing permits. As soon as the agency received a reply to this letter you were advised that you could not be given a permit for more than 500 head of sheep at this time. Later you presented evidence of ownership of the sheep which you said you had purchased. Copies were made of these instruments and forwarded to the Washington office. I requested I be advised as to whether or not your evidence of ownership would change the decision of the office and I was later advised that it would not.

Your decision to graze 2,500 head of sheep on the Klamath Indian Reservation this summer can only further complicate the situation. Such action will be considered as trespass and will result in prompt action on the part of the Government to take charge of the situation. Under such conditions the owner of stock lays himself liable to civil and criminal prosecution. The fact that the owner of the stock might be an Indian does not in any way alter the case. I sincerely hope that you will reconsider your plan of bringing sheep on the reservation.

Very truly yours,

L. D. Arnold, Superintendent.

MRS. LIDA COBURN KEANE,
Klamath Falls, Oreg., April 2, 1928.

DEAR MRS. KEANE: Reference is made to your letter received March 27, 1928, in regard to your intentions to graze sheep on the Klamath Indian Reservation.

In the first instance, your application for range on the reservation was referred to the Washington office for consideration, inasmuch as it involved cancelling one or more of the existing grazing permits. As soon as the agency received a reply to this letter you were advised that you could not be given a permit for more than 500 head of sheep at this time. Later you presented evidence of ownership of the sheep which you said you had purchased. Copies were made of these instruments and forwarded to the Washington office. I requested I be advised as to whether or not your evidence of ownership would change the decision of the office and I was later advised that it would not.

Your decision to graze 2,500 head of sheep on the Klamath Indian Reservation this summer can only further complicate the situation. Such action will be considered as trespass and will result in prompt action on the part of the Government to take charge of the situation. Under such conditions the owner of stock lays himself liable to civil and criminal prosecution. The fact that the owner of the stock might be an Indian does not in any way alter the case. I sincerely hope that you will reconsider your plan of bringing sheep on the reservation.

Very truly yours,

L. D. Arnold, Superintendent.
of stock lays himself liable to civil and criminal prosecution. The fact that
the owner of the stock might be an Indian does not in any way alter the case.
I sincerely hope that you will reconsider your plan of bringing sheep on the
reservation.

Very truly yours,

L. D. Arnold, Superintendent.

Answer. Now, we had taken this grazing up with the Commissioner of Indian Affairs when the delegation was in Washington last winter, and asked him to adjust the thing, and we never have
gotten an adjustment. This [indicating] is the letter I would like to
put on file in behalf of the tribe—of the delegation—showing
that we tried to adjust this thing and tried to cooperate with the bureau.

Question. Is that the letter addressed to the Commissioner of
Indian Affairs?

Answer. Yes.

Question. What is the date of it?

The CHAIRMAN. Place it in as an exhibit.

(The letter referred to was marked as "Exhibit No. 61," and is
here printed as follows:)

EXHIBIT No. 61

WASHINGTON, D. C., February 7, 1928.

DEAR SIR: One of the resolutions adopted by the general council, under which this
delegation is acting, relates to the subject of tribal leases, and the dele-
gation is instructed to seek to have such leases canceled.

We construe this to mean that the Indians of the Klamath Reservation desire
existing leases to be canceled as soon as possible, in order that there may be a
proper readjustment of the entire leasing situation on the reservation.

In order that the subject may be clearly brought to your attention, reference
is made to the fact that until in very recent years any application for a tribal
lease was submitted, first of all, to the business committee (then called the
"tribal council"). That practice has ceased, and we believe that it should be
reestablished.

Among the features of control of tribal leases were the following:

1. A reserved area was established by the business committee setting apart,
exclusively for the use of the members of the tribe who desired to graze individual
stock thereon, a distinct and separate district. This plan was approved
by the tribe at large. We think it was a wise one, and that it should be rees-
ablished.

2. The area leased for grazing cattle should be segregated from that leased
for sheep, so as to prevent the conflicts that inevitably arise in cases where
sheep are allowed to encroach upon the cattle in grazing districts.

If in addition to the areas reserved for cattle, on which no leases to outsiders
are to be made, the business committee may see fit to set apart a similar area,
exclusively for the use of members of the tribe, on which sheep may be grazed,
the committee should have the privilege of doing so, and of adopting such rules
and regulations as would be just and proper in governing the same.

Having thus, first of all, set aside the reserved areas for cattle or sheep or
both, the bureau could better make separate tribal grazing leases, under such
rules and regulations as would protect the tribal range against permanent
injury, and would secure for the tribe an income commensurate with the
value of the range leased.

Lastly, we respectfully submit that the system of control of tribal leases
should be so modified as to relieve our tribal funds of the heavy expense now
imposed on it for controlling the operation of these leases.

It seems to us that instead of paying in salaries and other expenses many
thousands of dollars annually for enforcing the agreements made by the lessees,
the same results might be accomplished by imposing forfeitures against the

Mrs. Ida M. Crawford.

1501 Fifteenth Street, NW.

WASHINGTON, D. C.

DEAR MRS. CRAWFORD: Receipt is acknowledged of your letter of February 7 relative to the cancellation of tribal leases covering the Klamath Reservation and making recommendations as to how matters shall be handled in the future.

The matter referred to will be given careful consideration, and you will be further advised when a decision is reached in regard thereto.

Sincerely yours,

The CHAIRMAN.

Question. Did you receive any other word from Commissioner Burke—other than the letter?

Answer. Yes.

Question. When you were in Washington, did the general council of the Klamath Reservation take up the question of the financial relative to the amount of timber cut, its money received?

Answer. Yes.

Question. Tell us about that.

Answer. We related—the delegation represented to us as a matter of fact that we had taken this grazing up with the Commissioner of Indian Affairs, and in December asked him to adjust the thing, and we never have gotten an adjustment. This is the letter I would like to put on file in behalf of the delegation—showing that we tried to adjust this thing and tried to cooperate with the bureau.

Question. Is that the letter addressed to the Commissioner of Indian Affairs?

Answer. Yes.

Question. What is the date of it?

The CHAIRMAN. Place it in for an exhibit.

(The letter referred to was marked as "Exhibit No. 61," and is here printed as follows:)

EXHIBIT No. 62

WASHINGTON, D. C., February 7, 1928.

DEAR SIR: One of the resolutions adopted by the general council, under which this
delegation is acting, relates to the subject of tribal leases, and the dele-
gation is instructed to seek to have such leases canceled.

We construe this to mean that the Indians of the Klamath Reservation desire
existing leases to be canceled as soon as possible, in order that there may be a
proper readjustment of the entire leasing situation on the reservation.

In order that the subject may be clearly brought to your attention, reference
is made to the fact that until in very recent years any application for a tribal
lease was submitted, first of all, to the business committee (then called the
"tribal council"). That practice has ceased, and we believe that it should be
reestablished.

Among the features of control of tribal leases were the following:

1. A reserved area was established by the business committee setting apart,
exclusively for the use of the members of the tribe who desired to graze individual
stock thereon, a distinct and separate district. This plan was approved
by the tribe at large. We think it was a wise one, and that it should be rees-
ablished.

2. The area leased for grazing cattle should be segregated from that leased
for sheep, so as to prevent the conflicts that inevitably arise in cases where
sheep are allowed to encroach upon the cattle in grazing districts.

If in addition to the areas reserved for cattle, on which no leases to outsiders
are to be made, the business committee may see fit to set apart a similar area,
exclusively for the use of members of the tribe, on which sheep may be grazed,
the committee should have the privilege of doing so, and of adopting such rules
and regulations as would be just and proper in governing the same.

Having thus, first of all, set aside the reserved areas for cattle or sheep or
both, the bureau could better make separate tribal grazing leases, under such
rules and regulations as would protect the tribal range against permanent
injury, and would secure for the tribe an income commensurate with the
value of the range leased.

Lastly, we respectfully submit that the system of control of tribal leases
should be so modified as to relieve our tribal funds of the heavy expense now
imposed on it for controlling the operation of these leases.

It seems to us that instead of paying in salaries and other expenses many
thousands of dollars annually for enforcing the agreements made by the lessees,
the same results might be accomplished by imposing forfeitures against the

The Indians will appreciate early consideration of this matter, and prompt enough to give them the advantage of having the Indian council readjust these contracts.

Very respectfully,

By yours,

Answer. February 7, 1928.

Question. And nothing has been done about it?

Answer. No, sir.

Senator Pine. Have you the reply of the commissioner?

Answer. I have it somewhere; here it is:

Mr. Glavis: I think his reply should go to the Indian council.

The CHAIRMAN. Mr. Burke's reply can go to the Indian council.

Answer. Yes.

Senator Pine. And nothing has been done about the Indian council.
to civil and criminal prosecution. The fact that
be an Indian does not in any way alter the case.
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L. D. ARNOLD, Superintendent,
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when the delegation was in Washington
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this [indicating] is the letter I would like
of the tribe—of the delegation—showing
his thing and tried to cooperate with the
letter addressed to the Commissioner of
date of it?

it in as an exhibit.

was marked as “Exhibit No. 61,” and is

Exhibit No. 61

WASHINGTON, D. C., February 7, 1928.

AFFAIRS,
WASHINGTON, D. C.

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have such leases canceled.
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all, to the business committee (then called the
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t and separate district. This plan was approved
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strictly adhered to.
nour cattle should be segregated from that leased
bers of the tribe, on which sheep may be grazed,
privilege of doing so, and of adopting such rules
at and proper in governing the same.
side the reserved areas for cattle or sheep or
make separate tribal grazing leases, under such
ld protect the tribal range against permanent
be tribe an income commensurate with the value
mit that the system of control of tribal leases
live our tribal funds of the heavy expense now
operation of these leases.
of paying in salaries and other expenses many
or enforcing the agreements made by the lessees,
complied by imposing forfeitures against the

SURVEY OF CONDITIONS OF INDIANS IN UNITED STATES

lessees themselves in all cases of violation by them of the terms of their own
contracts.
The Indians will appreciate early consideration of this subject and action
prompt enough to give them the advantage of any reforms in the premises
before other lease applications are acted upon.

Very respectfully,

KLAMATH DELEGATION,
By Ida M. Crawford, Secretary.

Answer. February 7, 1928.

Question. And nothing has been done in the way of an adjust-
ment?

Answer. No, sir.

Senator PITE. Have you the reply of that letter from the com-
missioner?

Answer. I have it some where; here it is [indicating].

Mr. GLAVIS. I think his reply should go in also.

The CHAIRMAN. Mr. Burke's reply can go in too: “The matter
referred to will be given careful consideration and you will be further
advised when a decision is reached in regard thereto.”

(The letter referred to was marked as “Exhibit No. 62,” and is
here printed, as follows:)

Exhibit No. 62

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, D. C.

MRS. IDA M. CRAWFORD,
1901 Fifteenth Street NW.,
Washington, D. C.

DEAR MRS. CRAWFORD: Receipt is acknowledged of your letter dated February
7 relative to the cancellation of tribal leases covering the use of lands on the
Klamath Reservation and making recommendations as to the manner in which
such matters shall be handled in the future.

The matter referred to will be given careful consideration and you will be
further advised when a decision is reached in regard thereto.

Sincerely yours,

CHAS. H. BURKE, Commissioner.

Question. Did you receive any other word from the commissioner—
from Commissioner Burke—other than this letter of February 14?

Answer. No sir.

Question. When you were in Washington with the other members
of the council did you take up the question of a financial statement
relative to the amount of timber cut, its value, and the amount of
money received?

Answer. Yes.

Question. Tell us about that.

Answer. We related—the delegation related our condition—
of this 8 per cent and how it was handled, to Assistant Commissioner
Meritt and asked him for a financial statement of this 8 per cent
for the time they had begun cutting timber on our reservation; and
Mr. Meritt called Mr. Kenney in—the head forester. So Mr.
Kenney, he told Mr. Meritt—he said; “I am unable to furnish you
that statement. I have been four or five years trying to get track of
that money and I’m simply unable to furnish it.” And Mr.
Meritt said, “You have to furnish it.” Mr. Kenney said, “I can
not”; he said, “You will.” In four or five days he furnished us
This statement, which we don’t think is correct; and I would like for the committee to compare it with our financial statement received. I would like to enter it as a record.

Senator Pine. By Mr. Kenney?

The Chairman. Who was it furnished by?

Answer. By Mr. Meritt; made up by Mr. Kenney. Mr. Kenney is the head forester in the department in Washington, D.C.

Question. Of the Indian Bureau?

Answer. Of the Indian Bureau; yes. We did not think a man could possibly get our records correct in four or five days, when he could not get it in four or five years.

(The statement referred to was marked “Exhibit No. 63,” and is as follows:)

**EXHIBIT No. 63**

*Timber-administration costs, Klamath Indian Reservation*

<table>
<thead>
<tr>
<th>Fiscal year</th>
<th>Timber cut</th>
<th>Value</th>
<th>8% deductions</th>
<th>Expenditures except account timber</th>
<th>Expenditures I.W. &amp; C.T.</th>
<th>Except sale timber reimbursable</th>
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<td>3,660.42</td>
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<td>19,616.80</td>
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</table>

Total: 1,310,701,000 $5,910,417.75 292,664.25 122,141.36 37,630.16

5,827,563.47 B 8% of above $452,435.77

Answer. Yes; there is a lot of important data. No, sir; they stopped that.

Mr. Glavis. I think that ought to be in the final report, and I think the Department of the Interior should have a lot of information in detail.

Answer. Yes; there is a lot of important data. No, sir; they stopped that.

Senator Pine. I think so.

The Chairman. Place it in the record as follows:

(A transcript of testimony taken before the subcommittee in December 20, 1927, was marked “Exhibit No. 64,” and is as follows:)

**EXHIBIT No. 64**

Hearing in the Indian Bureau on December 20, 1927, in the appropriations act for the fiscal year ending June 30, 1928.

Present: L. D. Arnold, superintendent of the Klamath Reservation; Daniel B. Henderson, Washington, D.C., attorney; and Mr. Meritt, superintendent, this delegation.

Mr. Henderson. Mr. Superintendent, this delegation desires to proceed in the hearing in the following manner:

The other items incident to their investigation are:

For expenses incident to the sale of timber, except sale of non-reimbursable items, the proceeds of such sales are subject to the 8 per cent deduction item out of their timber sales.

The item relating to the sale of non-reimbursable items is:

For expenses incident to the sale of timber, the administration of Indian forest lands from which proceeds of such sales are subject to the 8 per cent deduction item out of their timber sales.

The other items incident to their investigation are:

For expenses incident to the sale of timber, except sale of non-reimbursable items, the proceeds of such sales are subject to the 8 per cent deduction item out of their timber sales.

They desire to know what the fund is to which proceeds of such sales are subject to the 8 per cent deduction item out of their timber sales.

They desire to know what the fund is to which proceeds of such sales are subject to the 8 per cent deduction item out of their timber sales.
Answer. No, sir; they stopped that.
Question. Why did they stop this?
Answer. It did not seem like they wanted to give us anything in writing that at some time might appear against them, is the way I took it. Anyway, they said they did not want to make any more written reports; they were short of help and did not have the stenographers.

Question. Is this the record that was taken and reported [indicating]?
Answer. Yes, sir.

Mr. GLAVIS. I think that ought to be in as an exhibit as it refers to a lot of information in detail.

Answer. Yes; there is a lot of important things that you might get a lot of good out of.

The CHAIRMAN. As the whole thing?

Mr. GLAVIS. Yes; as an exhibit.

Senator PINE. I think so.

The CHAIRMAN. Place it in the record as an exhibit.

(A transcript of testimony taken before the Indian Bureau on December 20, 1927, was marked "Exhibit No. 64," and is here printed as follows:)

---

**Survey of Conditions of Indians in United States**

---

For expenses incident to the sale of timber, and for the expenses of the administration of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $ reimbursable to the United States, as provided in the act of February 14, 1920. (41 Stat. L. 415.)

<table>
<thead>
<tr>
<th>Appropriations</th>
<th>Estimates</th>
</tr>
</thead>
<tbody>
<tr>
<td>1927........</td>
<td>$100,000</td>
</tr>
<tr>
<td>1928........</td>
<td>200,000</td>
</tr>
<tr>
<td>..............</td>
<td>175,000</td>
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</table>

Mr. Superintendent, as far as possible, I shall leave the delegation to make their own inquiries, only interrupting or prefacing from time to time during the hearing when I think I can do it for economy of time.

The object of the delegation this morning, generally speaking, is to ascertain how much money has been and is being appropriated and how much has been and is being used under the 8 per cent deduction item out of their timber sales receipts; secondly, schools.

The other items incident to their investigation they will request you to take up with them in order, as suggested.

The item relating to the 8 per cent deduction on timber sales is found on page 21 of the subcommittee print of the Budget for 1929, submitted by the Interior Department on the appropriation bill.

Exhibit No. 64

Hearing in the Indian Bureau on December 20, 1927, on the Klamath items in the appropriation acts for the fiscal year ending July 1, 1929.


Mr. HENDERSON. Mr. Superintendent, this delegation desires with your approval to proceed in the hearing in the following order: First, a description of the 8 per cent deduction item out of their timber sales receipts; secondly, schools.

The Senator from Oregon. I think that ought to be in as an exhibit as it refers to a lot of information in detail.

Answer. Yes; there is a lot of important things that you might get a lot of good out of.

The CHAIRMAN. As the whole thing?

Mr. GLAVIS. Yes; as an exhibit.

Senator PINE. I think so.

The CHAIRMAN. Place it in the record as an exhibit.

(A transcript of testimony taken before the Indian Bureau on December 20, 1927, was marked "Exhibit No. 64," and is here printed as follows:)

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**Survey of Conditions of Indians in United States**

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For expenses incident to the sale of timber, and for the expenses of the administration of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $ reimbursable to the United States, as provided in the act of February 14, 1920. (41 Stat. L. 415.)

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Mr. Superintendent, as far as possible, I shall leave the delegation to make their own inquiries, only interrupting or prefacing from time to time during the hearing when I think I can do it for economy of time.

The object of the delegation this morning, generally speaking, is to ascertain how much money has been and is being appropriated and how much has been and is being used under the 8 per cent deduction from the receipts from timber sales on their reservation.

They desire to know what the fund is to which this money goes, where and how that fund is kept, what identity, if any, it has in the Treasury of the United States as a Klamath asset, what the method of deposit and what the method of
checking out from that fund is, and whether they can now as well as at any
time in the past or the future determine what the amount is belonging to the
Klamath people.

They especially desire at this hearing to develop the facts that will make it
clear to them and to their people at home just what part of the money used
in the administration of their affairs comes from this 8 per cent fund and
what part is used from the general annual appropriations made out of their
tribal funds.

Are there any questions you would like to ask, Mr. Walker?

Mr. WALKER. I think in order to deal with the question intelligently we
should let Mr. Arnold explain the questions as put by Mr. Henderson, our
attorney.

Mr. ARNOLD. The cutting of tribal timber on the Klamath Indian Reservation
began in 1911. Since that time, including the timber cut during the year 1927,
3,360,750,829 board feet of timber have been cut. The value of this timber cut
is $3,827,840.47. The total cost of the timber operations on this reservation
rune 30, 1927, has been approximately $464,955.39; 8 per cent of the value
of the timber cut is $466,229.21. The expenditures are approximately 7.87
per cent of the value of the timber cut. Up to the year 1926, I believe, the
8 per cent deduction was made at Klamath Agency, as more or less of a revolving
fund from which all expenditures for timber operations and timber administra-
tion were paid. At that time the Comptroller General ruled that according to
the law which provided that deduction be made for the administration of
timber sales and forest administration, they should be deposited in the United
States Treasury and be appropriated annually. These funds are now being
deposited as sundry receipts and so far as I know they lose their identity
when deposited in the United States Treasury.

I do not believe it is possible to determine from the records of the
Treasury how much is now on deposit which has been taken from the Klamath
Reservation, in comparing the expenditures and the 8 per cent of
the value of the timber cut, there is but very little difference.

Mr. WALKER. What is the total amount from the time the law was enacted
by Congress authorizing the 8 per cent deduction?

Mr. ARNOLD. It appears to be $225,769.41 as 8 per cent deduction. Gratuity
appropriations were used prior to that time.

Mr. WALKER. When you did this gratuity appropriation terminate?

Mr. ARNOLD. 1916.

Mr. WALKER. When was the authority effective which authorized the Secre-
tary of the Interior to make this 8 per cent deduction?

Mr. ARNOLD. I do not know.

Mr. WALKER. I think this delegation desires to get a full explanation as to
how their moneys are handled, whether under gratuity or general legislation
or under special act so that they may be well informed as to discuss this
matter when the proper time came. If there is another way of handling this
fund, I think the delegation would be willing to learn further of that. Prior
to this act which authorized the Secretary of the Interior to make this 8 per
cent deduction, out of which fund was the timber operation carried, and under
what fund and under what authority was the Klamath Indian Reservation?

Mr. ARNOLD. Prior to 1917 the cost of timber-sale operation was paid from
"Industrial work and care of timber operations," which is a gratuity appro-
priation. Since that time the expenses have been paid from gross receipts of
the timber sales, which never have at any time exceeded 8 per cent.

Mr. KIRK. Mr. ARNOLD. In your statement that your office received instructions
in 1926 to deposit the 8 per cent deduction in the United States Treasury and
that it lost its identity, and also you stated that prior to this time that the
fund was kept as a revolving fund, how many years was this revolving fund
in existence?

Mr. ARNOLD. So far as I know the year 1917 and including 1925.

Mr. KIRK. After 1925 you say that funds—in other words, the 8 per cent
deduction—lost its identity; but would it lose its identity on your books after
that time?

Mr. ARNOLD. We deposit all 8 per cent deductions as sundry receipts in the
United States Treasury.

Mr. KIRK. You keep no record of them?

Mr. ARNOLD. We keep all records of any deposits, but as far as I know the
Treasury keeps no separate account of Klamath funds.
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is hearing to develop the facts that will make it
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$293,769.41 as 8 per cent deduction. Gratuity
deductions were made, but exclusive of 1925, running over a period of seven
years; this fund was referred to as a revolving fund?
Mr. ARNOLD. Yes.
Mr. KIRK. Now, in expending this 8 per cent from the time it began in 1917,
what does the expenditure embrace?
Mr. ARNOLD. The cost of timber sale and general forestry administration.
Mr. KIRK. Can you give us the personnel of the Forest Service which is
paid from this fund?
Mr. ARNOLD. Yes.
Mr. HENDERSON. Before going into that, in order to keep the record as
straight as possible, I am going to ask leave to ask a few questions pertaining to the
subject that has been covered up to this time to save having to go back over it.
Please explain to the delegation what is meant in your statement by gratuity
appropriations.
Mr. ARNOLD. Appropriation from funds derived from the taxpayers,
Mr. HENDERSON. Did the Treasury of the United States over any given
period pay the expenses of the timber sales and forestry operations on the
Klamath Reservation; and if so, can you tell us the period over which that
was true and how much money that has been paid out of the Treasury for
that purpose?
Mr. ARNOLD. I do not have the exact date when gratuity appropriations
were made from the Treasury for the forest work on the Klamath Reservation.
These expenditures, however, were paid from this fund for all activities on the
reservation up to June 30, 1926.
Mr. HENDERSON. And no Klamath tribal monies were used up to that time?
Mr. ARNOLD. No, sir.
Mr. HENDERSON. Has there ever been any reimbursement of or to the
Klamath fund for such expenses paid by the United States?
Mr. ARNOLD. No, not prior to that date. I want to explain and make it
clear that all appropriations are now made from gratuity funds which are
reimbursed to the Treasury from the tribal funds. Prior to the year 1917
there was no reimbursement of funds from the Klamath Reservation for any
forest expenditures.
Mr. HENDERSON. You use the term forest expenditures; does it include the
expenses of timber sales?
Mr. ARNOLD. Yes, sir.
Mr. HENDERSON. Under what authority of Congress or otherwise was the
change made to reimburse the Treasury of the United States for what you
have described to us as gratuity appropriations?
Mr. ARNOLD. I do not know. I believe, however, the general authority of law
given the Secretary of the Interior to make such deductions.
Mr. HENDERSON. Is there a single, separate account kept at your agency
which shows at any time the amount of the Klamath Indian Reservation?
Mr. HENDERSON. The cost of timber-sale operation was paid from
a fund which was the Klamath Indian Reservation?
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Mr. HENDERSON. Is there a single, separate account kept at your agency
which shows at any time the amount of the Klamath Indian Reservation?
Mr. Henderson: Only two accounts kept with the Treasury?
Mr. Arnold: Yes; duplicate records of all transactions at the Klamath Agency are kept here in the Indian Office, Washington, D.C.

Mr. Henderson: Have you a statement available that would show the expenditures exclusively from the 8 per cent deduction fund?
Mr. Arnold: No. It shows all gratuity funds used for timber operations on the Klamath Reservation as well as the 8 per cent deduction.

Mr. Henderson: Have you a statement available that would show the expenditures exclusively from the 8 per cent deduction fund?
Mr. Arnold: Yes. It shows all gratuity funds used for timber operations on the Klamath Reservation as well as the 8 per cent deduction.

Mr. Arnold: The statement which will be submitted to the delegation shows the timber administration cost on the Klamath Indian Reservation; it includes the amount of timber cut, value, deductions, and expense of operation year by year, 1910 to 1927, inclusive. The column headed expense account timber shows the amount expended from the 8 per cent deduction. The column headed expenditures includes the expenditures from the gratuity appropriation. The column headed deductions includes the deductions for more than it had deposited there?
Mr. Arnold: The appropriation made from this fund was $44,437.38. I do not know the amount spent from gratuity appropriations prior to 1910, if there was any.

Mr. Henderson: What was the value of timber operations during the period you have given, from 1910 to 1926?
Mr. Arnold: The value of the timber cut prior to 1917 was $82,577.28.

Mr. Henderson: How was the 8 per cent deduction arrived at originally?
Mr. Arnold: It was determined from experience on other reservations where it had been found that 6 per cent was not adequate and the amount was made uniformly 8 per cent and applied throughout the United States.

Mr. Henderson: How long prior to the time the 8 per cent deduction plan was adopted on the Klamath Reservation had it been in existence on other reservations?
Mr. Kinney: This amount was determined from experience on other reservations. It first started in the Lake States where it was found that 6 per cent was not adequate and the amount was made uniformly 8 per cent and applied throughout the United States.

Mr. Kinney: The general plan of paying expenses incident to the timber sales from the gross proceeds had been in use in the Indian Service more than 20 years prior to the time it was put into practice on the Klamath Reservation.
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accounts kept with the Treasury? is all. alance in these two accounts in the agency records ed that the Klamath Indians are entitled to in states? ep a balance of these two funds. Appropriations al fund created by the 8 per cent deduction capita payments are being made from the tribal keep a running balance on deposit in the Treasury old, can you tell us from your records how the timber operations prior to July, 1917, compared 1, 1917 and 1926? nclusive, the amount spent from gratuity appro- o know the amount spent from gratuity appro- was any. the value of timber operations during the period 1916? he timber cut prior to 1917 was $82,777.28, s the amount expended in timber and forestry since the 8 per cent deduction plan was adopted er of years prior thereto? dated statement of the volume of timber cut, the made from gross receipts and expenditures from live, which will be available as soon as it can be duplicate kept at the Indian Bureau in Washing- containing sales and forestry activities of your records of all transactions at the Klamath Agency lie, Washington, D. C. re the Indian Bureau records made to correspond the agency? or being made monthly; prior to that time they statement referred to contain anything else than all gratuity funds used for timber operations on well as the 8 per cent deduction. statement available that would show the expense per cent deduction fund? statement that is being furnished shows the ex- timber separate year by year. This statement expense account timber from 1910 through the end timber-sales regulations issued in 1911 pro- with timber sales should be paid from the same misinterpretation at the Klamath Agency be prior to the year 1916. The column headed expense account timber on the 8 per cent deduction. The column headed inows the expenditures from the gratuity appro- and care of timber,' year by year.

Mr. Henderson. Was the act of 1920 the embodiment of the plan which had up to that time been in operation pursuant to the rules and regulations of the department?

Mr. Kinney. It was.

Mr. Kirk. Mr. Arnold, referring to a statement furnished the delegation by Assistant Commissioner Moritt, entitled "Klamath Indian Schools, Oregon," and showing the name, position, and salary of each employee at the agency and a source from which the salaries are paid, I would like to ask if the expenditures from the 8 per cent deduction fund includes all of the employees under the classification of forestry?

Mr. Arnold. All except forest guards who are paid from "Indian moneys, proceeds of labor.

Mr. Kirk. With reference to the Forest Service, there are two columns of figures here under the heading salary; does the second column mean that that much was raised in salary this year?

Mr. Arnold. The first column shows the actual amount the employee receives. The second shows the gross salary from which the deduction is made for quarters.

Mr. Henderson. Is there any reason apart from the arbitrary office ruling and regulation why the Klamath fund deducted from the timber sales should not be kept separate?

Mr. Arnold. The law provides that the deductions shall be deposited in the Treasury of the United States and the Comptroller General rules that this must be followed. In view of this ruling since 1926 deposit has been made.

Mr. Henderson. If that ruling could still be followed and the deposit made in such way as to preserve its identity, would you as the superintendent of the Klamath Agency be in favor of that course?

Mr. Arnold. Surely, I have no objections to it. I would favor the plan previous to the time required to make the deposit in the Treasury.

Mr. Henderson. If the delegation should decide that they would like to have on behalf of their people a modification of the requirement, whether it be one of law or office regulations leading to the segregation of all their funds so as to enable them to tell at any and all times how much they had separately in any fund, would you think that this wise and a desirable change?

Mr. Arnold. I have no objection to the principle, as suggested.

Mr. Kirk. Referring again to the 8 per cent deduction, could this amount be minimized without proving detrimental to the service?

Mr. Arnold. No.

Mrs. Crawford. Will the needs for the 8 per cent be as great for the coming year 1928?

Mr. Arnold. It is quite impossible to always protect the forest. Bad fire season may make it necessary to use much more money one year than another. Also the opening of new timber sales requires additional expenses so that it is quite impossible to tell the needs two years in advance for timber operation on any reservation.

Mr. Kirk. Referring again to the 8 per cent deduction fund, I desire to ask, when it is deducted and deposited in the Treasury, together with funds from other reservations, in the event that emergencies arise on other reservations, whether they have deposited any funds in the Treasury, the 8 per cent deduction fund could be used for that purpose?

Mr. Arnold. I do not have definite information in regard to this matter. I suppose that appropriations would be made from this fund for all reservations. I am advised that there is no special account for the Klamath Reservation or any other reservation where 8 per cent deductions have been made for timber operations.

Mr. Henderson. Has the Klamath Agency ever drawn on the 8 per cent deduction for more than it had deposited there?

Mr. Arnold. No.

Mr. Henderson. By looking at the definite appropriation, can you tell us how much more year to year the 8 per cent deposit exceeded the amount of the appropriations against which the Klamath Agency could draw for expenses?

Mr. Arnold. The appropriation made from this fund is for the entire Indian Service and I understand the amounts given each reservation are determined in the Indian Office. This amount given is determined by the needs of that particular reservation. On the Klamath Reservation this amount has not equalled the 8 per cent deduction.

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Mr. WALKER. I wonder if it would be possible for us to have on record the rules and regulations governing this 8 per cent deduction made by the Secretary of the Interior.

Mr. ARNOLD. I will submit the regulations governing the 8 per cent deductions if possible.

Mr. CRAWFORD. What expenses are paid from the 8 per cent deductions?

Mr. ARNOLD. It is a matter of law provided by Congress which requests that the expense for the operation of timber sale be made from the income from sale of timber on each reservation.

Mrs. CRAWFORD. I want to know what expenses were paid out of this 8 per cent?

Mr. ARNOLD. The expenses paid from the 8 per cent are those covering timber sale and forest administration.

Mrs. CRAWFORD. Could you tell me what items are included under each heading: that is, under the cost of sales and maintenance and operation?

Mr. ARNOLD. Those items vary from year to year but they are for the sale of timber, equipment, and supplies necessary for carrying on these activities.

Mrs. CRAWFORD. I suppose that the labor would come under the cost of sales and the equipment would come under maintenance and operation.

Mr. ARNOLD. Not necessarily. Several automobiles and other equipment come out of timber sales.

Mr. HENDERSON. May I ask for some enlargement of that because I do not understand myself. What constitutes the sales work, Mr. Arnold? If you can tell us briefly what is included within the expense of selling timber.

Mr. ARNOLD. Cruising and laying out of timber sale areas.

Mr. HENDERSON. Is that done by survey?

Mr. ARNOLD. Yes; survey. Advertising, supervision of the cutting of timber, the accounting in connection with timber sales and road construction to get into these areas and some fire protection in areas on the timber sales, also transportation for forest employees.

Mr. HENDERSON. Is the selling all done by competitive bids?

Mr. ARNOLD. Yes, sir.

Mr. HENDERSON. Does the work of selling involve any personal negotiations with purchasers and exhibition of timber areas to them on the part of the agency?

Mr. ARNOLD. Very little.

Mr. HENDERSON. Then all the 8 per cent deduction fund is applied to the expense of sales of timber and none to forest protection?

Mr. ARNOLD. Some to forest protection.

Mr. HENDERSON. We would like to get that, if we can, categorically straight. Can you tell us which items of forest protection are provided for out of the 8 per cent fund so that we can make a clean-cut division of the two classes?

Mr. ARNOLD. There are items provided in both funds for forest protection. The funds taken from the 8 per cent fund are used for forest protection in connection with the sales. The support fund is used for general forest protection.

Mr. HENDERSON. To illustrate the proposition a little further, could you tell us, Mr. Arnold, how much was taken out of the 8 per cent fund for forest protection in the fiscal year ending June 30, 1927?

Mr. ARNOLD. I will endeavor to get the information for you.

Mr. HENDERSON. Have you something further? At your convenience, Mr. Arnold, can the delegation be provided with a statement for the two years: first, the fiscal year ending June 30, 1926, and, secondly, the fiscal year ending June 30, 1927, showing in each statement, first, the amount deposited as 8 per cent of timber sales, and, secondly, the amount appropriated out of the general fund, thirdly, the amount expended each year out of the 8 per cent fund, and, lastly, the amount expended each year out of the general expense appropriation. (Indian moneys, proceeds of labor, Klamath Indians, support.) How do you technically in your records speak of that general appropriation?

Mr. ARNOLD. Support. I will endeavor to supply this information.

Mr. HENDERSON. Mr. Crawford, have you a reply to make?

Mr. CRAWFORD. The question I wanted answered was asked a while ago.

Mr. HENDERSON. Mr. Arnold, we have been supplied by the bureau with a statement which I now hand you purporting to be a complete list of all Klamath Indian Agency employees at the present time. Will you please examine and see whether, from your knowledge, it is a complete list.

Mr. ARNOLD. It is.
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Mr. Henderson. It sets forth the name, position, salary, and the source from which compensation is paid. There might be some doubt without explanation about the reading and therefore I will ask you to tell us for the record what explanation should be attached to the spaces in the last column where blanks occur. For instance, from what source is the compensation of Harry Zimmerman, a day school teacher, paid?

Mr. Arnold. Indian moneys, proceeds of labor, Klamath Indians, which is taken from tribal funds.

Mr. Henderson. And that should then be dittoed under the heading above?

Mr. Arnold. Yes.

Mr. Henderson. Is the same true of all the names and positions under the heading Klamath Agency, Oreg., which is found lower down on that page?

Mr. Arnold. No; they are paid from Indian moneys, proceeds of labor, Klamath Indians, support.

Mr. Henderson. What should be added to the sheet to make the statement clear or is it clear to you at the present time?

Mr. Arnold. Very clear to me.

Mr. Henderson. For instance, Ruby Tomins's salary is paid from what source?

Mr. Arnold. Klamath Indians, support.

Mr. Henderson. And that is different from the source from which Harry Zimmermann's is paid?

Mr. Arnold. No; from the same source.

Mr. Henderson. Then that should be dittoed right straight down?

Mr. Arnold. No. We have different funds given us under which we work.

Mr. Henderson. Is the same true of all the names and positions listed on page 2 and from the top of page 3 down to and including Collins, Morris C.?

Mr. Arnold. Klamath Indians, support.

Mr. Henderson. Are there any employees at the Klamath Agency or in the service generally whose employment includes work on the Klamath Reservation in forestry matters or sales of timber that are not mentioned in this paper that we are now discussing?

Mr. Arnold. There are.

Mr. Henderson. Please state who they are.

Mr. Arnold. Mr. James A. Howarth, Jr., forest supervisor, paid from gratuity appropriation. Also traveling forest officials are detailed there from Willowby H. Walling at the bottom of page 2 and from the top of page 3 down to and including Collins, Morris C.?

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Mr. ARNOLD. No. I can not locate all the roads we have built from this
fund nor the cost of them at this time. These roads are not expensive
and merely open up timber areas so that the forest employees might administer
the timber sales and also for protection.

Mr. KIRK. With reference to the road leading from Klamath Agency to
Kirk, out of what funds was that road constructed?

Mr. ARNOLD. Support.

Mr. KIRK. The road leading from Chiloquin to Bray's Mill, out of what fund
was that constructed?

Mr. ARNOLD. That was built by Chiloquin with the understanding
that not to exceed $10,000 will be paid from the support fund. None at this
time has been paid. The grading of the road cost the county more than
$25,000.

Mr. KIRK. The road leading to Antelope Valley is on the main traveled
public highway. Is it not?

Mr. ARNOLD. No.

Mr. KIRK. By Antelope Valley I had reference to the road leading from
Bloody Point to Antelope Valley north of the reservation which starts within
the limits of the reservation and ends on the reservation line, northern part
of the reservation.

Mr. ARNOLD. All of this road, except a small portion which was constructed
between the agency and Kirk, has been built with forest funds.

Mr. CRAWFORD. Mr. Arnold, in one of your recent answers you used the
approximate expression "the work of the forest employees in administrating
sale of timber." I haven't a very clear idea of what administrating sale of
timber used in this connection would be, although you have spoken of the
subject before. Would you give us a little illustration of what you mean by
that? It was in connection with building of roads. Roads were built to aid
the forest employees in the administration of timber sales.

Mr. ARNOLD. Administering of timber sales consists of establishing timber-
sale boundaries, checking estimates of stands of timber, scaling of the timber,
the piling of the slash, burning of the slash, marking timber for cutting, fire
protection, and examining stands of timber for any damage that might have
been done by nature or insects.

Mr. HENDERSON. Have your records been kept in such a way so that you
can tell us without any trouble what the cost per acre of what the cost expense
as a percentage of the total sales has been for the building of roads out of
this 8 per cent fund?

Mr. ARNOLD. I haven't that information.

Mr. HENDERSON. It can be filled out, of course, from the statements, but I
thought you might have it at hand.

Mr. ARNOLD. I haven't that information available at this time.

Mr. CRAWFORD. In speaking of that road running from agency to Kirk, what
benefit is that road to us?

Mr. ARNOLD. It is a benefit for the administration of forestry on the north
and east boundary and also provides a way to get into that part of the reser-
vation, and my opinion is that it is an essential road.

Mr. CRAWFORD. What fund was that paid from?

Mr. ARNOLD. Support.

Mr. CRAWFORD. You mean to tell me that the road was built out of the support
fund for administration of the forestry work?

Mr. ARNOLD. No; it is, as I said before, that the general forest protection
outside of the timber sale area is taken care of from support fund for the
employment of guards, lookouts, etc., and for fire protection and areas away
from timber sale areas.

Mr. CRAWFORD. Does that road run up to those areas where timber is not
under contract?

Mr. ARNOLD. It leads in that direction.

Mr. CRAWFORD. But it does not run through it?

Mr. ARNOLD. No; not yet.

Mr. CRAWFORD. Do you intend to complete it?

Mr. ARNOLD. We will probably complete it to Kirk but do not intend to make
a highway but provide a way to get into that country. Grazing also enters
into it in that part of the reservation. It is necessary to take care of that
work; also it provides a road for Indians who want to go up into that part of
the country.

Mr. HENDERSON. Pardon me for making this suggestion, but we started
out in our hearing to discuss first the 8 per cent question and next the schools
and later to take up the question of roads and I do roads first at all one time.

Mr. CRAWFORD. Mr. Arnold mentioned the expense in taking care of the slashing and burning of tim-

Mr. ARNOLD. We supervise all the slash burning.

Mr. CRAWFORD. Don't they do that themselves?

Mr. ARNOLD. We see that it is done.

Mr. CRAWFORD. But they do the work?

Mr. ARNOLD. Yes. For your information I would state that timber sales on the Klamath Indian
Reservation the cost of administrating timber sales in national

Mr. HENDERSON. Mr. Arnold, the delegation was closing of this one subject of the 8 per cent dedi-

Mr. ARNOLD. That was built by Klamath County and with the understanding
that not to exceed $10,000 will be paid from the support fund. None at this

Mr. ARNOLD. I believe the question of expense has quite accurately been
arranged. I do not recall of any

Mr. WALKER. I think that Mr. Henderson may remember that

Mr. HENDERSON. Mr. Chairman, if it meets with your committee to take up the subject of schools

Mr. WALKER. If there is anything we have left

Mr. HENDERSON. I would offer this suggestion. Any

Mr. ARNOLD. Administering of lumber sales consists of establishing timber-sale boundaries, checking estimates of stands of timber, scaling of the timber, the piling of the slash, burning of the slash, marking timber for cutting, fire protection, and examining stands of timber for any damage that might have been done by nature or insects.

Mr. CRAWFORD. Does that road run up to those areas where timber is not
under contract?

Mr. ARNOLD. It leads in that direction.

Mr. CRAWFORD. But it does not run through it?

Mr. ARNOLD. No; not yet.

Mr. CRAWFORD. Do you intend to complete it?

Mr. ARNOLD. We will probably complete it to Kirk but do not intend to make
a highway but provide a way to get into that country. Grazing also enters
into it in that part of the reservation. It is necessary to take care of that
work; also it provides a road for Indians who want to go up into that part of
the country.
t locate all the roads we have built from this this time. These roads are not expensive and so that the forest employees might administer protection, to the road leading from Klamath Agency to that road constructed?

from Chiloquin to Brays Mill, out of what fund by Klamath County and with the understanding ll be paid from the support fund. None at this ading of the road cost the county more than g to Antelope Valley is on the main traveled way I had reference to the road leading from ey north of the reservation which starts within and ends on the reservation line, northern part l, except a small portion which was constructed has been built with forest funds.

In one of your recent answers you used the work of the forest employees in administering very clear idea of what administering sale of w would be, although you have spoken of the ve us a little illustration of what you mean by ith building of roads. Roads were built to aid administration of timber sales, of timber sales consists of establishing timber sales of stands of timber, scaling of the timber, g of the slash, marking timber for cutting, fire funds of timber for any damage that might have been kept in such a way so that you what the cost per acre of what the cost expense sales has been for the building of roads out of information.

lled out, of course, from the statements, but I hand, information available at this time, of that road running from agency to Kirk, what for the administration of forestry on the north ovides a way to get into that part of the re-er, it is an essential road.

as that paid from?

tell me that the road was built out of the support forestry work?

I said before, that the general forest protection as is taken care of from support fund for the s, etc., and for fire protection and areas away run up to those areas where timber is not . direction.

not run through it?

d to complete it?

y complete it to Kirk but do not intend to make to get into that country. Grazing also enters e
eration. It is necessary to take care of that for Indians who want to go up into that part of for making this suggestion, but we started rst the 8 per cent question and next the schools and later to take up the question of roads and I believe we would make time to do roads first all at one time.

Mr. Crawford. Mr. Arnold mentioned the expense of the forest department in taking care of the slashing and burning of timber.

Mr. Arnold. We supervise all the slash burning by the timber contractors.

Mr. Crawford. Don't they do that themselves?

Mr. Arnold. We see that it is done.

Mr. Crawford. But they do the work?

Mr. Arnold. Yes. For your information I would like to say that the administration of timber sales on the Klamath Indian Reservation is about half of the cost of administering timber sales in national forest.

Mr. Henderson. Mr. Arnold, the delegation would appreciate it now in the closing of this one subject of the 8 per cent deduction if you would give them any further information that would help us in our council and consideration of the subject and give us light and information beyond what we have inquired into.

Mr. Arnold. I believe the question of expense of timber operations has been quite carefully covered. I do not recall of any more information that would assist you.

Mr. Walker. I think that Mr. Henderson meant that at any time in the future you may think of something additional and that you might have.

Mr. Arnold. Any time that I have any information I will be glad to give it to you.

Mr. Henderson. Mr. Chairman, if it meets with your approval I would advise that your committee take up the subject of schools.

Mr. Walker. If there is anything we have left out and think about later, of course we can take care of that.

Mr. Henderson. I would offer this suggestion, with the approval and understanding of Mr. Arnold, that this delegation will obtain, if possible, from the Indian Bureau a recent Klamath map that will show the timber units and the roads and such other legend as would assist us at our future hearings and have it present for the convenience of everyone testifying or assisting in getting the hearings.

Mr. Arnold. I will be glad to furnish such map.

Mr. Henderson. Mr. Chairman, we await your views on the school question.

Mr. Walker. Any other business?

Mr. Henderson. If the chairman approves of it, I make a very preliminary statement with reference to schools along the lines that I did in opening the subject of the 8 per cent deductions. It is known to all of us that since the last appropriation was made by Congress for the use of money out of Klamath funds the boarding school at Klamath Agency has burned down, and if I am correctly informed the boarding school has ceased to exist there as an institution as one of the activities of the agency. This delegation, amongst other things, wants to know from Mr. Arnold, in round numbers at least, what the annual cost of maintaining that institution has been and what part, if any, of that cost will recur during the fiscal year ending June 30, 1929, and what con-consideration ought to be given to that subject in making up the estimate for the appropriations committee to consider in arriving at the amount that should be appropriated. With that introduction I will retire for a few minutes and you can proceed with the meeting on the subject of schools.

Mr. Kirk. Following the opening statement with regard to schools, it might be reasonably assumed that since the school has not been running this year and at present there is no indication that it will continue later the delega-tion, under authority of the Indians, inquire as to how much of the appropriation, if the school is not continued, would necessarily be deducted from the appropriation of tribal funds for the fiscal year ending June 30, 1929.

Mr. Arnold. There was an item included in my estimate for 1929 for the maintenance and operation of day school No. 3 and for the salary of a day school inspector on the Klamath Indian Reservation. There was no estimate made for the boarding school, which has been closed temporarily.

Mr. Kirk. Then if the school had been running how much additional funds would it require?

Mr. Arnold. The total amounts expended for the fiscal year 1928 was $33,492.93. This included all costs for schools, which included the boarding school and day school No. 3.

Mr. Kirk. Then there is no provision made for the year beginning July 1, 1928, and ending June 30, 1929?
Mr. ARNOLD. Not for the boarding school.

Mrs. CRAWFORD. May I ask one question, Mr. Chairman? Mr. Arnold, did the $164,000 appropriation for the fiscal year 1928 include the support of the boarding school?

Mr. ARNOLD. No.

Mrs. CRAWFORD. Where was this fund taken from for the school?

Mr. ARNOLD. It was taken from the tribal fund known as Indian moneys, proceeds of labor, Klamath Indians.

Mr. CRAWFORD. Is there any further question?

Mr. KIRK. Mr. Chairman, if possible I would like the superintendent to give us in round numbers the total amount of money expended in the year ending June 30, 1926, including the amount expended for the boarding school.

Mr. WALKER. Is there any further question?

Mr. KIRK. In one of our resolutions the Indians stressed the fact that when tribal funds are used to maintain a school that they would like to have the education equal to the best institution of learning in existence. It has been established that the sixth grade is the best that our children receive from the benefits of the tribal funds expended for the benefit of Indian children. Can that be increased so as to compare with the public schools in the vicinity of the reservation?

Mr. ARNOLD. What bearing does this question have on the school situation at Klamath, as the boarding school has been abandoned temporarily?

Mr. HIGGINS. Of course, as a general rule we do not have the pupils in a day school beyond the sixth grade if the day school is prosperous, and you do have there pupils that have finished the sixth grade and want to go on to the seventh and eighth grades. It is my understanding that the office would be entirely willing, but, of course, it would be necessary to see that you had sufficient teaching force, and if you have only one teacher, as you have now, it would be quite difficult for one teacher to handle eight grades without assistance, and if you hired an assistant teacher it would take more money. In other words, it is difficult for one teacher, and if might be impossible for her to give all the work that is ordinarily given in eight different grades if she has the usual attendance in an ordinary day school, we will say 20 to 30 pupils. Of course, to a person who is not familiar with running a school that might not be understood, but it means so many different classes that when you divide your classes up you do not have time enough during the working day to assign more than a few minutes to each one of these classes and grades. Do I make that clear?

Mr. KIRK. That is clear enough.

Mr. WALKER. We might secure some information with regard to the school and if our school is going to be abandoned and what will become of the school property.

Mr. CRAWFORD. There is one thing I want to know. If there is some provision made for a tuition to be paid from the tribal funds for the Government wards' children in the public school?

Mr. ARNOLD. There is a provision for paying of tuitions for children of trust patent Indians.

Mr. CRAWFORD. Would you mind telling us on what grounds that tuition is paid? What is the idea of the bureau?

Mr. HIGGINS. If I understand the question, of course it is highly advisable to encourage the State public schools, especially where they are largely or entirely filled by Indian children within the reservation, and it is always the policy of the bureau to pay tuition wherever it can to those public schools, and that is paid at so much a day for each actual day of attendance of the class of pupils of the same degree blood and also are not taxpayers, because if they are taxpayers they are contributing to the school district just as any other citizen, but the office should not pay the district any more for them.

Mr. CRAWFORD. Do you understand that we have Indians on our reservation who are paying taxes?

Mr. HIGGINS. I am not informed as to that. Mr. Arnold can tell you.

Mr. CRAWFORD. Is there something like 300 Indians that have their fee patents?

Mr. ARNOLD. It is entirely possible that 300 Indians received fee patents for their allotments, but it does not follow that all these Indians are paying taxes. I doubt more than 25 per cent of them are paying taxes.
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Mr. Kirk. Did the State or county authorities request that the tuition be paid for the Indians at any time?

Mr. Arnold. It has been the practice for a number of years.

Mrs. Crawford. Did the county make application for this tuition?

Mr. Arnold. They made application for tuition for these Indian children whose parents were trust-patented Indians.

Mrs. Crawford. Does this request for tuition include all nontaxpayers, irrespective of their nationality?

Mr. Arnold. No.

Mr. Kirk. Have you any approximate amount as to what has been paid in since this practice began?

Mr. Arnold. I do not know.

Mr. Kirk. Can the record be available for this delegation?

Mr. Arnold. I am sure I do not know, but if it is available I will get it.

Mr. Kirk. In answer to the reply as to the policy to encourage public schools within the reservation it might be well to consider that it is imposing on those who are paying taxes and have an interest in tribal estate to pay double taxes. In other words, part of my share, part of Mr. Walker's share, and part of Mr. Crawford's and his wife's share, all goes to administer or to fulfill the tuitions paid aside from paying taxes and helping to maintain the public schools in the county, and it has always been clearly understood that in our dealings with the Government that so far as taxes are concerned the Indians have paid to the State indirectly more taxes than perhaps would be required to pay if they had done so in the beginning to last them during the balance of the existence of our children. It has been intimated to me in the Indian Office that such was the case, and I believe it would be bad policy to start now and invite a county and State to overtax the Indians; in other words, tax them more than they would other people. I believe the people who surround the reservation are anxious not to get all that they can away from the Indians, and the practice of voluntarily making the Indians pay taxes would not meet or promote the best interests of the Indians. I say now as a protection for future encroachments upon the welfare and of the business affairs of the Klamath Indians.

Mr. Henderson. The object of this hearing is to ascertain whether the specifications submitted by the department for the next year's appropriation ending June 30, 1927, should be diminished by reason of the fact that the boarding school has been abolished and the expense incident to that boarding school would recur during the next year. Any inquiry that would develop the facts relating to that matter would be pertinent. Any other discussion of the subject would recur during the next year. Any inquiry that would develop the facts relating to that matter would be pertinent. Any other discussion of the subject would follow under the subsequent hearings. I would like to ask one question, Mr. Arnold, not knowing whether it has been covered by questions propounded by the members of the delegation before my arrival. What amount was used for the expenses of the boarding school for the fiscal year ending June 30, 1921?

Mr. Arnold. I do not know. The boarding school and the day school are maintained out of the same fund.

Mr. Henderson. What amount was used for the maintenance of the two schools during that year?

Mr. Arnold. $33,482.93.

Mr. Henderson. How many children were taken care of in the boarding school?

Mr. Arnold. I do not have the exact figure, but approximately 20.

Mr. Henderson. What expenses were incurred in the education of the Indian children in the boarding school?

Mr. Arnold. This expense included the clothing, feeding, instruction, health of all the children enrolled.

Mr. Henderson. What expenses were included in the care of the children in the day school?

Mr. Arnold. Instruction and the cost of maintenance of the plant. I want to say also that the cost of operating the boarding school included the maintenance and operation of the school plant.

Mr. Henderson. How many day schools were maintained?

Mr. Arnold. One.

Mr. Henderson. At what point is day school No. 3 located?

Mr. Arnold. About 3 miles from Beatty on the reservation.
Mr. Henderson. What amount was paid for the maintenance of that school?
Mr. Arnold. I do not have the amount available. It may be possible to get this information.

Mr. Henderson. We would be glad if you could furnish it to us. Meanwhile, how many teachers were employed there?
Mr. Arnold. One.

Mr. Henderson. How many other employees besides one teacher?
Mr. Arnold. One.

Mr. Henderson. What were the salaries of those two persons, respectively?
Mr. Arnold. $1,200 for the teacher, $450 for the housekeeper per year.

Mr. Henderson. Besides the two salaries mentioned, what other expenses were there incident to maintaining that school?
Mr. Arnold. School supplies, equipment, repair of the buildings and grounds, fuel, and lights.

Mr. Henderson. As nearly as you can approximate, what would those incidental items, roughly speaking, amount to?
Mr. Arnold. Probably $5,500 or something like that. It may be more or less. I have not the figures.

Mr. Henderson. Would they be obtainable from the accounts at the agency?
Mr. Arnold. I believe so.

Mr. Henderson. Are the accounts to be found here in the Indian Bureau?
Mr. Arnold. I do not know.

Mr. Higgins. I do not think that our financial division here has the cost of the day school separated from the boarding school and it would, I think, be practically impossible to get it.

Mr. Henderson. In order that we may approximate that then, let us make the same inquiry with reference to the boarding school. How many persons were employed in connection with the boarding school?
Mr. Arnold. Ten or twelve regular and irregular.

Mr. Henderson. Could you give us their positions or occupations?
Mr. Arnold. Principal, three teachers, cook, boys' matron, and girls' matron were the regular employees. Three laborers—

Mr. Henderson. What were their duties?
Mr. Arnold. Harriets, janitors—that is, fireman, about 10, and in the spring it was necessary to employ more irregular labor as was necessary to operate the plant.

Mr. Henderson. When you speak of the plant, what does the school plant consist of?
Mr. Arnold. Consists of about 3,500 acres of farm land and grazing land besides the school buildings, the dairy barn, and the school garden.

Mr. Henderson. Are there any cattle?
Mr. Arnold. A dairy herd of about 20 head of dairy cows and beef herd from which meat is furnished the school.

Mr. Henderson. How large was the beef herd?
Mr. Arnold. The herd has been used to furnish beef for a number of years and no stock had been replaced until the time when the school was abandoned. There were not over possibly a half dozen beef steers, that is large and small.

Mr. Henderson. How many beef were killed annually in connection with school operation?
Mr. Arnold. Just as an estimate, 35. These varied in weight considerably.

On an average they killed about one every week.

Mr. Henderson. What school facilities are contemplated by the department during the fiscal year ending June 30, 1929?
Mr. Arnold. So far as I know there is nothing definite. The boarding school has been closed temporarily and may or may not be opened in the future, depending entirely upon the situation during the next year or two.

Mr. Henderson. What is true of the day school near Beatty?
Mr. Arnold. Day school No. 3, near Beatty, will probably be maintained and operated for several years unless Klamath County takes it over and operates it.

Mr. Henderson. Not having heard the testimony in regard to the contribution out of Klamath funds to the public schools, I ask the question whether any of the appropriation for the year ending June 30, 1928, or June 30, 1927, was paid for tuition of Indian children in the public schools?
Mr. Arnold. I do not find in the record here that any money was paid from the funds for tuition. I believe, however, that some funds were paid, from just what appropriation I can not determine.
Mr. HENDERSON. Mr. Chairman, is there anything further that the delegation would like to inquire into about schools?

Mr. WALKER. Excepting that the school lands was connected with the school matters.

Mr. HENDERSON. Do I understand you to mean the disposition of school lands?

Mr. WALKER. Yes.

Mr. HENDERSON. That we will postpone until another hearing. This delegation is now concerning itself with the question of appropriations and the disposition of school lands, except in so far as it applies to continued maintenance of some particular school. If there is nothing further, Mr. Chairman, I would like to designate now what the next topics that we will ask them to assist us into inquiring into will be so that they may have as much of the information requisite at hand as possible. I might say myself that I had supposed we would take up the question of roads and the experimental farm in order.

Mr. WALKER. The three matters are in close relation—school, farm, and roads.

Mr. HENDERSON. If agreeable then, Mr. Arnold, we will confer with you of the office and yourself ask for a further hearing at which the subject of roads and the disposition of the experimental farms and the school farms will be inquired into. If there should be anything further we will announce it at the earliest date, when the conclusion is reached.

Mr. HENDERSON. In the estimate of $155,000 for the fiscal year ending June 30, 1929, can you tell us how much of that is contemplated as expenses of schools?

Mr. ARNOLD. My figure was $5,640, but I have no way of knowing whether this is allotted to me until after the appropriation has been made and the office allotted funds for this purpose.

Mr. HENDERSON. You say your item will include all schools on the reservation?

Mr. ARNOLD. Only the maintenance and operation of day school No. 3, and also other educational work such as the employment of the day-school inspector and such which I could not foresee.

Mr. HENDERSON. What is day school No. 3?

Mr. ARNOLD. It is a day school for the education of Indian children in the eastern part of the Klamath Reservation.

Mr. HENDERSON. Or the school commonly known as the Palute School?

Mr. ARNOLD. It is sometimes referred to as the school at the Palute camp.

Mr. HENDERSON. This $5,640 furnished by you as the item to cover school expenses for the year mentioned included all the school activities on the reservation which you expected to have paid out of tribal funds?

Mr. ARNOLD. Yes.

Mr. HENDERSON. You know whether this item was represented to the appropriation committee by the department in their specifications?

Mr. ARNOLD. I do not believe any special mention was made of this particular item. It was included in the request for general appropriation from tribal funds.

Mr. HENDERSON. Was there any more than $5,640 requested for school purposes?

Mr. ARNOLD. Not by me.

Mr. HENDERSON. What I meant to ask was, was any more requested by the Indian Bureau in its presentation of the matter before the appropriations committee.

Mr. ARNOLD. I have no way of knowing those things. I present an estimate and those estimates are considered here by the Indian Office, also by the Bureau of the Budget before it is presented to the Congress, and I have no way of knowing what is presented only after the appropriation has been passed and the funds allotted to me.

Mr. WALKER. Were these school funds that you refer to as being five, what?

Mr. ARNOLD. $5,640. I might add in a way of explanation that this includes the salary of a day-school teacher, housekeeper, and day-school inspector. Also the cost of supplies for the operation of the school which consists of equipment, fuel, light, and upkeep and maintenance of all school buildings at that point.

Mr. HENDERSON. I think you told us yesterday that the number of children attending that school was from 20 to 25.

Mr. ARNOLD. Yes. This expenditure, however, is not all on day school No. 3; the salary and expense of the day-school inspector is for checking the attendance of all children on the reservation who are attending public schools and also assisting in securing Indian children to attend nonreservation schools and in-
Mr. HENDERSON. Are your figures as presented to the bureau in such shape that these items are distributed and can we see how much is apportioned to each part of the work?

Mr. ARNOLD. As I understand it this is done after the appropriation is made. We ask for an appropriation and the division is made here in the office.

Mr. HENDERSON. My question was directed at your presentation of the estimate to the bureau. Does your presentation of this estimate distribute the different sums that go to make up the whole?

Mr. ARNOLD. Yes.

Mr. HENDERSON. If day school No. 3 should be converted into a public school arrangement how much of the $5,640 would be unnecessary?

Mr. ARNOLD. If the buildings were given to the county, our only expense would be the employment of a school inspector and the other necessary expenses in looking after the education of the Indian children in general on the reservation. I have no way of knowing just how much the reduction would be. It at least would eliminate the upkeep and repair of the buildings, fuel, light, and salaries of the teacher and housekeeper.

Mr. HENDERSON. Would it reduce the $5,640 by as much as $4,000?

Mr. ARNOLD. Oh, yes; more than that.

Mr. HENDERSON. Can you tell us, Mr. Arnold, what your estimate for public school purposes was for the preceding year or year ending June 30, 1926?

Mr. ARNOLD. I do not know what the estimates are, but I gave you expenditures which was about the same as was allotted.

Mr. HENDERSON. Did the expenditures exceed or fall under the estimate?

Mr. ARNOLD. As near as I remember it was about equal to it. I know we had considerable trouble keeping down on the expenditures.

Mr. HENDERSON. That was for the year ending June 30, 1927. Now, my question was directed to the succeeding year. What was your estimate for school purposes for the year ending June 30, 1928?

Mr. ARNOLD. I have not the estimates here. It would be a matter of record in the office. I have not the record with me.

Mr. HENDERSON. The girls' dormitory burned down the 1st of April, 1927.

Mr. ARNOLD. Yes.

Mr. HENDERSON. Did the school cease to function after the fire occurred?

Mr. ARNOLD. About the middle after the fire occurred the school was dismissed.

Mr. HENDERSON. The school work continued until the end of the school term.

Mr. ARNOLD. The school employees were kept on the payroll until June 30?

Mr. HENDERSON. Which was the end of the fiscal year. At that time they were transferred to another jurisdiction.

Mr. ARNOLD. Not all of them; they were transferred as vacancies occurred in the service to which they could be sent, and many of them were given educational leave which permits them to attend summer school.

Mr. HENDERSON. The salaries were all paid out of the Klamath funds up to the end of the fiscal year?

Mr. ARNOLD. All those who were not transferred. When the transfer became effective they were no longer paid for from the funds of the agency.

Mr. HENDERSON. Could you approximate, Mr. Arnold, the amount that was requested for the fiscal year ending June 30, 1928, for school purposes?

Mr. ARNOLD. I will not attempt to make any estimates without any record to go by; I might go way off, and there is no use of giving figures which are not reliable.

Mr. HENDERSON. You say that the funds appropriated are appropriated in a lump sum and even after the appropriation is made that you had no knowledge as to how much would be allotted to you for expenditure for school purposes. Now, inasmuch that the estimate for the year ending June 30, 1928, is there any probability that enough money would be allotted to you for school purposes equal to that that was allotted to you in 1926?

Mr. ARNOLD. I think not; there are no school activities there except day school No. 3.

Mr. HENDERSON. Mr. Arnold, we asked yesterday for a statement showing the amount appropriated and the amount expended for the two years, the year ending June 30, 1927, and the year ending June 30, 1928; that will be furnished to us doubtless, but in the meantime could you tell us for the fiscal year ending June 30, was any money covered back into the Treasury?
the reservation, to see that the interests of the ed after.

figures as presented to the bureau in such shape ed and can we see how much is apportioned to d it this is done after the appropriation is made, and the division is made here in the office.

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estimates by any estimate without any record to I there is no use of giving figures which are not funds appropriated are appropriated in a lump rution is made that you had no knowledge as to t you for expenditure for school purposes. Now, the year ending June 30, 1929, is there any prob uld be allotted to you for school purposes equal u in 1928?

no school activities there except day.

here we asked yesterday for a statement showing the amount expended for the two years, the year your ending June 30, 1928; that will be furnished time you can tell us for the fiscal year ending of back into the Treasury?

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Mr. Arnold. What fund do you refer to?

Mr. Arnold. The $164,000 appropriation.

Mr. Arnold. Yes: I think there was some turned back to the Treasury.

Mr. Henderson. Is that refund to the Treasury made directly from your office?

Mr. Arnold. Yes.

Mr. Henderson. And at what time is it made?

Mr. Arnold. After September 30, of each year.

Mr. Henderson. Was that true of both the fiscal year ending June 30, 1927, and the year ending June 30, 1928?

Mr. Arnold. It is true for either year.

Mr. Henderson. I mean is it true that there was a refund actually made for both those years?

Mr. Arnold. I can't say without the records whether there was a refund for the year before.

Mr. Henderson. Just as an approximation did it amount to $10,000 either year?

Mr. Arnold. Yes; I think so.

Mr. Henderson. Now as to the 8 per cent deduction fund. Has there been any refund made to the Treasury of money drawn on the 8 per cent fund during your incumbency?

Mr. Arnold. Yes: we deposited in 1926 and 1928.

Mr. Henderson. Can you tell how much was covered back into the Treasury from all sources?

Mr. Arnold. You understand, Mr. Henderson, that we deposit all that 8 per cent deduction and we are permitted to spend what is appropriated. Last year we were given approximately $37,000 that was all spent by the middle of the year. On about March 11 the comptroller ruled that we might be permitted to use the 8 per cent deduction as we had in the past, known as expense account, timber. But due to the fact that no income was received until later in the season we did not have the funds to work with. Therefore, our expenditures from timber activities during the last year were much less than normal.

Mr. Henderson. Taking the year ending June 30, 1928, what appropriation was made to you out of the 8 per cent fund for use during that year?

Mr. Arnold. $74,940.

Mr. Henderson. How much was deposited to the sum of fund?

Mr. Arnold. This is a matter of record that I do not have.

Mr. Henderson. Take the preceding year and give us the same figures if you have them.

Mr. Arnold. I have not them.

Mr. Henderson. Have the deposits at any time been equal or have they exceeded the amounts appropriated for your use out of the 8 per cent fund?

Mr. Arnold. They have exceeded the last two years.

Mr. Henderson. Can you tell us approximately how much?

Mr. Arnold. I would not attempt. I would prefer to wait until this statement is given me.

Mr. Henderson. Do you know whether prior to the last two years the same was true?

Mr. Arnold. The expenses, I do not believe, quite equal the 8 per cent deduction but it was very close to it.

Mr. Henderson. Returning to the subject of public schools, Mr. Higgins, we asked for some information yesterday which you were to get into tabulated form for us.

Mr. Higgins. Are you referring to the public school payment for public school tuition? I don't have it tabulated, but perhaps I can give you approximate figures. For the fiscal year 1926 we allotted about $3,034 and for 1927, $1,771. However, the allotment for 1926 was to cover tuition for 60 pupils, whereas only for 41 pupils in 1927, that accounting for the reduction. Now I am not positive that all of the allotment was actually expended and perhaps Mr. Arnold can tell you if any of that money came back to us or whether it was all expended in payments to the public school district.

Mr. Arnold. I haven't any records. The school contracts I believe they would show that.

Mr. Higgins. Well, suppose I go up there now and see what the explanation is and return here.
Mr. HENDERSON. I will be very glad if you will do that so that we can close this discussion of the schools. Mr. Arnold, can you explain to the delegation what becomes of the surplus which is represented by the difference between your education deposits in the Treasury of the United States from the timber fund and the amount of the appropriation made which limits you to the sum that you can use of any one year?

Mr. ARNOLD. I have no way of knowing what becomes of it. It is deposited in the Treasury so far as the agency is concerned, but we have no record of it. We keep a record of the amount deposited but it is not always a controlling factor when the funds are appropriated or apportioned to us for timber activities. There is no special amount appropriated for Klamath Agency. It was explained that it is an appropriation for the entire Indian Service from this fund. Those funds are apportioned among the reservations by the Indian Office as I understand it.

Mr. HENDERSON. Do you know whether any report is made to Congress officially of the manner in which the total appropriation from the Indian Office as I understand it.

Mr. ARNOLD. I have nothing to do with legislation. It was explained that it is an appropriation of the manner in which the total appropriation from the Indian Office is distributed among the respective agencies.

Mr. HENDERSON. Can you tell us what the expense at the Klamath Agency was for all school activities during the fiscal year ending June 30, 1927?

Mr. ARNOLD. The amount spent for all school activities during the fiscal year ending June 30, 1927, is $422,892. The expenses for all school activities on the reservation to December 1, 1927, is $1,617.62. This does not include the salary or traveling expenses for the day-school inspector who was recently appointed.

Mr. HENDERSON. Is the sum of $155,000 asked for now by the bureau for Klamath Agency expenses for the fiscal year ending June 30, 1928, based upon estimates furnished by you?

Mr. ARNOLD. I suppose it is to some extent.

Mr. HENDERSON. What items in the present request cover or take the place of the $30,000 that had been necessary for taking the school the preceding year?

Mr. ARNOLD. Last year the budget shows that I was given $173,750 of "Indian moneys, proceeds of labor," so there was not an increase of $21,000.

Mr. HENDERSON. Receding one year, can you tell us what items in last year included the $90,000 that had been necessary for taking the school the preceding year?

Mr. ARNOLD. There was an additional amount asked for in the support fund which accounts for the increase—

Mr. HENDERSON. What is it need for?

Mr. ARNOLD. For roads.

Mr. HENDERSON. The delegation has read the questions asked covering the schools for the coming year now if you want to ask any additional questions before we pass on to the next subject.

Mr. WALKER. Referring to that school inspector, how do you get this inspector appointed?

Mr. ARNOLD. Appointed by the Indian Bureau. The need for an inspector was to assist in enrolling the Indian children in public and nonreservation schools and to assist in getting regular and prompt attendance which has been very difficult to get in past years. It seems that a number of people do not appreciate the interest of their children attending regularly and punctually which has caused some dissatisfaction with the county authorities in maintaining schools for Indian children. At the present time there are about eight public schools, half of which have a 100 per cent Indian child attendance. We have had splendid cooperation from the county officials, but in order to maintain this spirit of cooperation it is necessary that we make a special effort to have the children attend as regularly and as promptly as possible. The irregular attendance last year was the reason for attempting to discontinue the public school at Modoc Point which has a 100 per cent Indian attendance.

Mr. HENDERSON. What is the name of the present inspector of schools?

Mr. ARNOLD. Mr. Schilling.

Mr. HENDERSON. How long has he been employed?
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Mr. Arnold, can you explain to the delegation which is represented by the difference between your assary of the United States from the timber fund station made which limits you to the sum that you of knowing what becomes of it. It is deposited agency is concerned, but we have no record of it. unt deposited but it is not always a controlling appropriated or apportioned to us for timber sid amount appropriated for Klamath Agency, an appropriation for the entire Indian Service are apportioned among the reservations by the it, now whether any report is made to Congress the total appropriation from the 8 per cent ren. At the present satisfaction with the county authorities heir children attendhig regularly anti promptly

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Mr. Arnold. The position was created on September 1, but was not filled promptly.

Mr. Henderson. Who performed his duties prior to that time?

Mr. Arnold. It was delegated to various employees who had little time to spare for that work.

Mr. Henderson. What is the salary attached to that office?

Mr. Arnold. $1,500 a year, not.

Mr. Henderson. What expense was entailed for the convenience of that office during the time the boarding school was in existence?

Mr. Arnold. The principal of the boarding school did some of the work and once in a while a policeman was sent out and stockman, field nurse, and field matron all helped, but it was not well organized.

Mr. Henderson. If you have the information we can revert back to your question.

Mr. Higgins. Yes, I will have to modify my statement a little. During the fiscal year 1927, however, the amount that I gave appears to be correct, namely, $1,771.20, paid for tuition for the 41 children on the 41 children, there were any other savings from that amount I do not find any record of it.

Mr. Henderson. Can you give us the figures for the following years as far as it has gone?

Mr. Higgins. Well, I covered 1926 and 1927. For 1928 we have no authorities...
Mr. Arnold. There was some little difference, it seems, among the members of the delegation in regard to your explanation about the use of 8 per cent deduction funds and the tribal appropriation funds where the same were used for forest production. Will you be kind enough again to state to us what part of the expenses of forest protection is used from the tribal appropriation and what part from the 8 per cent deduction fund?

Mr. Arnold. That went into effect this year. As just stated the forest guards and lookouts were paid from the support fund. Provision is also made for the employment of irregular labor to suppress forest fires, which, I understand, is to be used on areas remote from timber operations. For the most part protection is paid from "Expense account timber fund." Mr. Henderson. When you say "Expense timber fund," do you mean the 8 per cent deduction?

Mr. Arnold. Yes.

Mr. Henderson. Some confusion arises, I find, in the minds of the delegation over an attempt to subdivide and subclassify these funds. They are interesting only in the two classifications—8 per cent deduction fund and the general appropriation of their tribal moneys.

The next step that the delegation thought they would like to inquire about and discuss with you is the experimental farm—the operation and maintenance of the experimental farm—and the suitability in desiring that careful consideration be given to the request of the Indians at that institution; and, Mr. Chairman, if you will have your delegation express their views on that subject now or get such information that they desire from the superintendent, we can close it out in short order.

Mr. Walker. It might be well to have the superintendent explain the installation of the experimental farm.

Mr. Arnold. That is an institution that I inherited when I arrive at Klamath Agency. I appreciate that under the present conditions it is not, strictly speaking, an experimental farm. I hope to get an expert irrigation farmer to assist in making it a success. Considerable funds have been spent to get the water to the land, but very little has been spent to instruct the people as to the proper utilization of the water. It is generally conceded that county agents are very desirable and as a result a great many communities throughout the United States have employed such agents. I had hoped to bring about a better understanding among the Indians as to the proper utilization of water and, if possible, make the irrigation project at Modoc Point a success. I felt that this was an opportunity to improve conditions on that project. I had hoped to use the Modoc Point farm as a sort of demonstration of what could be done and for that reason have maintained from year to year. Practically every traveling official and investigating commission have agreed that a man of the county agent caliber should be tried out on this project. If, however, there is no chance to do anything with the irrigation project, then, of course, we may well abandon the farm. If we do abandon it, it will, of course, go back to a more or less of a wood path as I doubt very much if it could be rented. I have no intention of recommending the abandonment of buildings at that point as we have too small a number of buildings at the present time to house the employees.

Mr. Walker. How much land have you under that?

Mr. Arnold. Forty acres.

Mr. Walker. What is the usual cost of maintaining that 40-acre place as a demonstration farm?

Mr. Arnold. It varies.

Mr. Walker. Including the salary of the county agent.

Mr. Arnold. I have no way of telling what salary they would pay. No position is authorized. I had hoped that an expert farmer who would compare favorably to the county agent could be employed there in cooperation with the county or by the Indian Service. I might mention right along this line that there are two commissions now in this building, if I have been correctly informed, who are trying to solve the Modoc irrigation problem. It is quite an important affair and I urge that special attention be paid to it so that we can come to some reasonable solution of the situation.

Mr. Walker. Had there been any expenses incurred in maintaining this demonstration farm, as you call it, in the last two years?

Mr. Arnold. Yes; we have employed men to take care of the crops we had, do irrigation work and harvest the crop.

Mr. Walker. You refer to the crop on the 40 acres?

Mr. Arnold. Yes. This crop consists of alfalfa. Mr. Henderson. Has the experimental farm been turned over to the Indians at that institution?

Mr. Arnold. I thing it has cost more to operate than has been earned from it. I think that it could be much more effective, but I kept it as long as I could. Mr. Henderson. Who occupies the premises now?

Mr. Arnold. Mr. Ernest Wiley, stockman. Mr. Henderson. He is an employee of the government?

Mr. Arnold. Yes.

Mr. Henderson. And what are his duties?

Mr. Arnold. He has charge of the grazing of the land, does some work as an agent farmer. The busier the time of the year, therefore he is not able to be a farmer during the season.

Mr. Henderson. Is the property credited with use?

Mr. Arnold. Yes.

Mr. Henderson. Would buildings have to be reconstructed there?

Mr. Arnold. We would probably have to build a school. We have people living in tents now.

Mr. Henderson. Is that an important project, or would there be anything further in connection with the experimental farm that you would like to ask what be done with the experimental farm?

Mr. Arnold. So far as the experimental farm is concerned, I believe it was about 1924. Mr. Redmond. While the superintendent is a sort of an agent farmer, I do not remember the date when this experimental farm was abolished. Mr. Henderson. How long has it been. Mr. Arnold. An experimental farmer there paid out of tribal funds. Mr. Henderson. Is the property now available for other use? Mr. Arnold. Yes. We would probably have to build a school and a place for school purposes. Mr. Henderson. While the superintendent is a sort of an agent farmer, could you say what you would like to ask what be done with the experimental farm?

Mr. Walker. We might start up the country and take the farm at the Xiinan salubrity.

Mr. Arnold. That is another institution that was in sections. On two sections of this farm is compact. It is my plan this year to lease this farm from now on, to use Bids and lease to the highest and best use of the land. I do not see any reason to change the use from anything further to dispose of the land at this time. I foresee the needs of the future and many expenses in disposing of land before they should have been allotted or disposed of land. The time is now a proper time to dispose of land. The affairs of the reservation are about to be cleaned up. Mr. Walker. Mr. Arnold, are you acquainted with the Secretary of the Interior to dispose of any land for school purposes?

Mr. Arnold. I have read it recently.

Mr. Walker. It might be well to have you present that you might have in your mind that mistakes from trying to dispose of the land for school purposes.

Mr. Arnold. Does the committee have in mind the disposition of these lands?

Mr. Walker. Getting something. Mr. Arnold. Unless I know what you are going to do I do not like to make any statement. Mr. Walker. The Secretary of the Interior is not disposed to the land that is no more needed for school purposes. The Interior will do that.

Mr. Arnold. I would recommend against it at this time.

Mr. Walker. The request that I advanced was that if there is no reason to make any mistakes is that if there is any thing like to know in advance.
is some little difference, it seems, among the ways to your explanation about the use of $8 per cent tribal appropriation funds where the same were employed. Men to take care of the crops we had.

Will you be kind enough again to state to us what is the crop.

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MR. WALKER. The request that I advanced in order to relieve this com-

MR. ARNOLD. Yes. This crop consists of alfalfa and whe. MR. HENDERSON. Has the experimental farm been an actual expense to the tribe?

MR. ARNOLD. I thing it has cost more to operate it than the income has been but I kept it in the hopes that it could be made a real demonstration farm, if a man of the county-agent caliber could be employed. MR. HENDERSON. Who occupies the premises now? MR. ARNOLD. Mr. Ernest Wiley, stockman.

MR. HENDERSON. He is an employee of the agency? MR. ARNOLD. Yes. MR. HENDERSON. And what are his duties?

MR. ARNOLD. He has charge of the raising of stock on the tribal range and does some work as an agency farmer. The busy season for the jobs come at the same time of the year, therefore he is not able to do much work as a farmer during the season. MR. HENDERSON. Is the property credited with the value of its residential use?

MR. ARNOLD. Yes. MR. HENDERSON. Would buildings have to be rented for his use if he did not live there? MR. ARNOLD. We would probably have to build some buildings for him because we have people living in tents now.

MR. HENDERSON. It seems that is an important item to be considered. Is there anything further in connection with the experimental farm proposition?

MR. CRAWFORD. I would like to ask what becomes of the produce on the experimental farm?

MR. ARNOLD. Sold and deposited to the credit of the tribe.

MR. HENDERSON. How long has it been, Mr. Arnold, since there was an experimental farmer there paid out of tribal funds?

MR. ARNOLD. I do not remember the date when the farmer’s position was abolished. I believe it was about 1924. Mr. Roark was the last employed in that position. He was not an expert farmer and I do not believe that there was an expert farmer employed.

MR. WALKER. If we have no other question we will pass on another question. MR. HENDERSON. While the superintendent is available get such information as you want?

MR. WALKER. We might start up the country and come down. We might take the farmer at the Yamin subagency.

MR. ARNOLD. That is another institution that I inherited; in fact, in four sections. On two sections of this farm is comparatively good grazing and hay. It is my plan to lease this farm from now on. On bids. We expect to advertise it for bids and lease the highest bidder. I would be opposed to any movement to dispose of the land at this time because you can not always foresee the needs of the future and many expensive mistakes have been made in disposing of land before they should have been. There is always time to allot or dispose of land at the time rolls are closed or at such times as the affairs of the reservation are about to be cleaned up.

MR. WALKER. Mr. Arnold, are you acquainted with the law which authorizes the Secretary of the Interior to dispose of any land that was no more needed for school purposes?

MR. ARNOLD. I have read it recently. MR. WALKER. It might be well to have you present to this committee anything that you might have in your mind that might relieve us from making any mistakes from trying to dispose of the land for future benefit of the tribe or otherwise.

MR. ARNOLD. Does the committee have in mind making a request for disposing of these lands?

MR. WALKER. The Secretary of the Interior is authorized to dispose of all the land that is no more needed for school purposes. When the Secretary of the Interior will do that—

MR. ARNOLD. I would recommend against it at this time.

MR. WALKER. The request that I advanced in order to relieve this committee of making any mistakes is that if there is anything in view we would like to know in advance.
Mr. ARNOLD. I can not tell. I can not foresee in the future. I can not foresee what the needs might be, but I know of no urgent need why the land should be disposed of. Do you?

Mr. CRAWFORD. Is any money used for carrying on this farm?

Mr. ARNOLD. Not any more than there would be to take care of the Indians and plants. I think I can rent it to a better advantage than it has been in the past and do everything possible which will make it a tribal asset and not a liability.

Mr. WALKER. The purpose of this delegation in trying to secure information in regard to these items is to whittle down as much as we can our tribal expenses.

Mr. ARNOLD. The only way that you can eliminate the expenses at the Yaimax is to abolish the whole business.

Mr. WALKER. Well, this is what we are trying to find out.

Mr. ARNOLD. It is not practicable for you to do it if you want a farmer and if you a field matron up there. If these employees are located up there it is necessary to have quarters for them and maintain quarters. The only way you can eliminate the expense is by abolishing the whole business.

Mr. HENDERSON. May I ask, Mr. Arnold, is the farmer at Yaimax and is the field matron at Yaimax necessary?

Mr. ARNOLD. Yes.

Mr. HENDERSON. What are the duties of the farmer?

Mr. ARNOLD. He is a stockman, not a farmer. He looks after the stock on the tribal range, the leasing of Indian allotments, the appraisal of lands and other Indian property and the general duties of a farmer. The field matron does health work exclusively because there has been no physician in that part of the reservation for a number of years. This makes it necessary for her to visit the sick and keep the doctor advised as to health conditions and without these employees it would just cut down the service to the Indians that much. It is not advisable to attempt to do that work from the Klamath Agency.

Mr. WALKER. I am well acquainted with that part of the reservation, knowing the officials there and knowing their duties and I am well acquainted and I think I am in position to talk about that matter. First of all the farmer or stockman, I do not think he is needed for any purpose because after all the trouble that you have to have him do something for you you have to go down to the agency to have it done because I had an experience with the stockman. He does not care whether he does anything or not. Now just for illustration, last summer I went to work and bought a piece of land from a person. I had him appraise the land. He appraised the land for $1,300. I said to him that I would give $1,500. He went to work and left the 40 out of it and put up the other for $1,100. The person that I was buying the land from died and after he had died I looked up the records. He left the 40 acres out. After all I had to go to the agency to make this settlement and I did not buy it. He is not able to do this work. After all you will have to go down to the agency and have it done. I can not see where the tribe would be benefited by it. Now we will go on to the matron. I am well acquainted with the place. We have a matron up there. She is a member of the church there. She is a woman that does not care to do her duties. In short I can not speak well for her. She has selected whom she likes to work for. I could show you many of the places where she refused to go. I could cite to you in many instances where she makes a whole lot of excuses just because she did not want to go. Well after all you have to call the doctor from the agency. This is an unwise expenditure of Indian moneys in having those two positions up there. So I think the best way to do it is to follow the sentiment of the people in our district to discontinue that all together. We feel that we fall under the terms of the law and that it is necessary to have quarters for them and maintain quarters. The only way that you can eliminate the expense is by abolishing the whole business.

Mr. WALKER. The purpose of this delegation in trying to secure information in regard to these items is to whittle down as much as we can our tribal expenses.

Mr. ARNOLD. These travel expense vouchers have been paid for Indians who have been advised to go in and sign them. All it was required was the signature on the voucher. The expenses were to be paid. This was a service that attorneys involved in this case and it would seem that an attorney should have at least enough interest to go to the vouchers instead of having an employee go out and sign them for them. If there were no farmer at the Yaimax I would detail a man from the agency to render any such services that are required of you. The only way that you can do such things was when it appears that the employees are not doing their work and as I have endeavored to explain he is trying to do the work of the farmer and it is more than one man can do. Do you agree that two men at Yaimax have a lot to do?

Mr. WALKER. Yes.

Mr. ARNOLD. I have not had brought to my attention at which Mr. Walker has reference.

Mr. WALKER. We are getting down here.

Mr. ARNOLD. These travel expense vouchers have been paid for Indians who have been advised to go in and sign them. All it was required was the signature on the voucher. The expenses were to be paid. This was a service that attorneys involved in this case and it would seem that an attorney should have at least enough interest to go to the vouchers instead of having an employee go out and sign them for them. If there were no farmer at the Yaimax I would detail a man from the agency to render any such services that are required of you. The only way that you can do such things was when it appears that the employees are not doing their work and as I have endeavored to explain he is trying to do the work of the farmer and it is more than one man can do. Do you agree that two men at Yaimax have a lot to do?

Mr. WALKER. Yes.

Mr. ARNOLD. I have not had brought to my attention at which Mr. Walker has reference.

Mr. WALKER. We are getting down here.

Mr. HENDERSON. How many men are stationed at the Yaimax?

Mr. ARNOLD. One man and one field matron are stationed at the Yaimax to keep up the place and he has some horses there required for the agency work.

Mr. WALKER. One man and one field matron are stationed at the Yaimax to keep up the place and he has some horses there required for the agency work.

Mr. KIRK. Mr. Chairman, I have two questions. Yaimax require four sections of land to live on and sign them?

Mr. ARNOLD. No.

Mr. KIRK. The other question is in answer to Mr. Arnold, thequestion that you are disinterested and do not administer required of you.

Mr. ARNOLD. Oh, I made no such statement as that at all.

Mr. WALKER. I think he meant that in the event that the position was filled with a quack, to say the words that you are now saying, but when we went to work the duties up there, then it is just nobody there.

Mr. HENDERSON. Mr. Arnold, is there any record activities of that farmer?
I cannot foresee in the future. I can not foresee I know of no urgent need why the land should y used for carrying on this farm? m there would be to take care of the Indians at it to a better advantage than it has been in possible which will make it a tribal asset on this delegation in trying to secure Information in whittie down as much as we can our tribal cut you can eliminate the expenses at the Yainax s that we are trying to find out feasible for you to do it if you want a farmer there. If these employees are located up there ers for them and maintain quarters. The only sense is by abolishing the whole business. Mr. Arnold, is the farmer at Yainax and is the any? he duties of the farmer? um, not a farmer. He looks after the stock on Indian allotments, the appraisal of lands and general duties of a farmer. The field matron because there has been no physician in that part ber of years. This makes it necessary for her dor advised as to health conditions and without cut down the service to the Indians that much. o that work from the Klamath Agency. unaited with that part of the reservation, know- wing their duties and I am well acquainted and k about that matter. First of all the farmer or is needed for any purpose because after all the lam to do something for you you have to go down because I had an experience with the stockman does anything or not. Now just for illustration, nd bought a piece of land from a person. I had praised the land for $1,300. I said to him that t to work and left the 40 out of it and put up son that I was buying the land from died and p the records. He left the 40 acres out. After t to make this settlement and I did not buy it. eck. After all you will have to go down to the ca not see where the tribe would be benefited o the matron. I am well acquainted with the o there. She is a member of the church there. e to do her duties. 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This Indian because he was not interested in the affair he goes and gives it to some other Indian and, of course, this Indian left it with somebody else. So you see you have to go to the agency for your service. Mr. Arnold, I have not had brought to my attention this particular instance to which Mr. Walker has reference. Mr. Walker. We are getting direct here. Mr. Arnold. These travel expense vouchers have been prepared and the Indians have been advised to go in and sign them. Many of them failed to do so. All it was required was the signature on the voucher of the Indians to whom the expenses were to be paid. This was a service rendered the Indians and the attorneys involved in this case and I would seen to me that these people should have a just interest enough to go to the agency office and sign these vouchers instead of having an employee go out over the reservation to look for them. If there were no farmer at the Yainax I doubt very much if I would detail a man from the agency to render any such service. There are, no doubt, times when it appears this employee is not doing the work that is assigned him, but as I have endeavored to explain he is trying to do the work of a stockman and farmer and it is more than one man can do and do justice to both jobs. Mr. Henderson. How many men are stationed at the Yainax or Patience in connection with which agency work. Mr. Arnold. One man and one field matron and laborer part of the time to keep up the plant and he has some horses there and some land taken in on rental. Mr. Kirk. Mr. Chairman, I have two questions. One is do the employees at Yainax require four sections of land to live on and administer the duties assigned them? Mr. Arnold. No. Mr. Arnold. The other question is in answer to Mr. Walker. You take the position that you are not interested and do not administer as a guardian the duties required of you. Mr. Arnold. Oh, I made no such statement as that. No such intimation at all. Mr. Walker. I think he meant that in the event that the Yainax farm was discontinued and the position that the Indians could not receive service as they have from the agency office. Mr. Arnold. It would not be possible. Mr. Walker. If the position was filled with a qualified man it might be well to say the words that you are now saying, but when you have a person unqualified to carry out the duties up there, then it is just the same as if there is nobody there. Mr. Henderson. Mr. Arnold, is there any record kept by the office of the activities of that farmer?
Mr. Arnold. The reports are made weekly and show what he does, how many miles he travels, how many letters he writes, and submitted not only to my office but to the Washington office and are available here.

Mrs. Crawford. You made the statement that the farmer at the Yainax must look after the stock on the range; now why could not that be left to the lessees?

Mr. Arnold. Because they cannot do it for some reason. It is a well-known fact that grazing affairs on reservations must be supervised to the extent to see that the stock are kept on the range and the range is properly handled.

Mrs. Crawford. Why is it not handled like the National Forest?

Mr. Arnold. It is.

Mrs. Crawford. They have rangers.

Mr. Arnold. He takes the place of a ranger.

Mrs. Crawford. Is he also a ranger?

Mr. Arnold. He is a stockman. His duties are similar to those of the ranger in the National Forest as far as grazing is concerned. That is the reason it makes it difficult for him to perform the duties of the stockman and also look after the leasing and duties of the farmer, which in reality are two important jobs, but for some reason the farmer's position was abolished and this additional work was placed on the stockman.

Mr. Crawford. In other words he is really just a ranger.

Mr. Arnold. No, he is a stockman.

Mr. Henderson. How much salary does he demand?

Mr. Arnold. He gets all of $1,320 a year.

Mr. Crawford. When these people get off their range why don’t you cancel their leases?

Mr. Arnold. Most of the boundaries of these ranges are section lines. Sheepherders are not familiar with this sort of boundaries and, therefore, they are apt to stray over.

Mr. Henderson. Do the leases as a matter of fact contain any such provision?

Mr. Arnold. We have no grazing leases. We have grazing permits with flexible boundaries.

Mrs. Crawford. Are they in writing, and do they contain any such provision?

Mr. Arnold. I cannot say whether they do or not. It is a form provided by the office. It does provide, however, that under certain circumstances they can be canceled. They are more or less of a revocable permit.

Mr. Henderson. How much money is expended for the purpose of keeping sheep or cattle within the boundaries fixed by either forms or leases?

Mr. Arnold. I don’t have the exact amount; but it did not exceed $3,800, which includes the salary of the stockman.

Mr. Henderson. How many men are employed for that work?

Mr. Arnold. Probably five men during the year.

Mr. Henderson. What is the income from the leases?

Mr. Arnold. About $25,000.

Mr. Henderson. That will be approximately 20 per cent of the amount of the leases for keeping lessees within the range?

Mr. Arnold. Well, the salaries of the regular stockmen could not be all charged to the range, because they are only at that work about half the year. If you want the exact expenses from the time they are on the range, it would be much less; and I am not sure that my estimate that I gave you is anywhere near correct, and for that reason I refuse to make any such statement. There are approximately 4,300 head of sheep and 2,000 head of cattle on the range. The last year two Indians were hired in the Yainax district, and in the agency district Mr. Wiley had one man part of the time, so the wages of these three Indians would be all that would be charged up to the grazing, outside of what might be charged up to the salary of the regular men, namely, the two stockmen. The salary of these irregular employees I do not believe would be $1,000.

Mr. Henderson. The salary of the two stockmen would be how much?

Mr. Arnold. About $3,500.

Mr. Henderson. And there are only two stockmen on the reservation?

Mr. Arnold. That is all.

Mr. Crawford. What are the duties of the stockmen during the winter months when they are not taking care of the range?

Mr. Arnold. Farmer.

Mr. Crawford. What does he farm during the winter months?
Mr. Arnold. You know, I am sure, that the farmer in the Indian Service does not do any actual farming, but works among the Indians assisting them in anything he can do, if they will permit it.

Mr. Henderson. To close up the school proposition and the allied subjects, there is one more problem that is to be discussed which is a part of the school question. My purpose is to refer it to your office with reference to the agency farm.

Mr. Walker. I think it is the desire of the Klamath Tribe of Indians to try and discontinue all the lands that are set aside for school purposes that are no more needed for school purposes; then, in that sense, we would like to have it transferred to your office and handled as a business transaction.

Mr. Arnold. As with other land set aside for school purposes on the reservation, I do not believe it would be a wise policy to dispose of this land at this time. I hoped to be able to lease the land to the advantage of the tribe, making it an asset rather than a liability. The reason for retaining these lands, at least for the time being, is to be sure that if at some future time they should need land it would not be necessary to go out and purchase it. I know of no immediate need why these lands should be disposed of if the cost of maintaining them can be more than met from the rentals received. I am very much opposed to making it a liability. I hope to make such lands an asset, and when the reservation affairs are finally settled these lands at that time can be allotted or sold, and if sold the funds placed to the credit of the tribe. No doubt time will increase the value of these lands as the country is developed. There is no disposition on my part to hold the lands for the sake of holding on to them, but it is merely to safeguard the Indians in the future should they ever be needed. They may never be needed, but there will be no loss sustained by the tribe if they can be made an asset.

Mr. Walker. Any questions?

Mr. Kirk. Your position as superintendent of the Klamath Reservation is uncertain. You do not know, and we do not know, just how long you will be there; and, perhaps, it might be some time before another man will be in your place. Why not obtain policies and set aside policies for the purpose of keeping the boundaries fixed by either forms or leases?

Mr. Arnold. As with other land set aside for school purposes on the reservation, I do not believe it would be a wise policy to dispose of this land at this time. I hoped to be able to lease the land to the advantage of the tribe, making it an asset rather than a liability. The reason for retaining these lands, at least for the time being, is to be sure that if at some future time they should need land it would not be necessary to go out and purchase it. I know of no immediate need why these lands should be disposed of if the cost of maintaining them can be more than met from the rentals received. I am very much opposed to making it a liability. I hope to make such lands an asset, and when the reservation affairs are finally settled these lands at that time can be allotted or sold, and if sold the funds placed to the credit of the tribe. No doubt time will increase the value of these lands as the country is developed. There is no disposition on my part to hold the lands for the sake of holding on to them, but it is merely to safeguard the Indians in the future should they ever be needed. They may never be needed, but there will be no loss sustained by the tribe if they can be made an asset.

Mr. Walker. Any questions?

Mr. Henderson. How many acres are there in the agency farm?

Mr. Arnold. About 3,500.

Mr. Henderson. Is a separate account kept of that property, so that you can tell what the income from it is and what the expenses of conducting it are?

Mr. Arnold. Unfortunately we do not keep an account of such activity.
Mr. Henderson. Can you tell us from your general knowledge of the situation whether or not the agency farm is a liability or an expense to the tribal fund?

Mr. Arnold. I would say that the income was about $1,200.

Mr. Henderson. Could I not tell you because a part of it is swamp land, some of which can be used and some can not. A large part of it is swamp.

Mr. Henderson. Would $50 an acre be a fair valuation of it?

Mr. Arnold. I would not place a value on it now because it would only lead to confusion.

Mr. Henderson. Is the hay good from the swamp land?

Mr. Arnold. Sometimes when it is dry enough. Next year my plan is to advertise in this respect to get as much as possible out of it. We hope to get more than we have in the past. This is problematical, however, and we cannot determine.

Mr. Henderson. What do such lands now commonly rent for per acre?

Mr. Arnold. From $40 to $70 per quarter section.

Mr. Henderson. Mr. Chairman, will you proceed now?

Mr. Walker. We have on the Klamath Reservation an irrigation matter which is a very difficult one, as we all know, and this delegation is not in a position to give anything definite at this time. I understand that the irrigation district has some plans so that we can learn of it and propose something whereby our Indians may be benefited by this irrigation project.

Mr. Henderson. Mr. Chairman, may I make this addition for Mr. Reed's benefit? This delegation contemplates appearing before the Appropriation Committee and discussing there an appropriation of $8,000 for irrigation purposes, the $8,000 appropriation to be made out of tribal funds, and the delegation, as I am advised, desires to have such information especially as it would enable the committee before coming to a conclusion as to the desirability of continuing the project, or as to whether the project is not being as beneficial to the tribe as it would if the land was irrigated. I have reported to the office that without an increase of the lands on this unit that will be advisable to make some change. If there is going to be no more advancement in the $40,000 on that project I doubt the advisability of continuing the project. Of course, there is some objection and perhaps some legal difficulties in stopping the management and operation of that project. There are some Indians whose allotments have been sold that are using water and it may be difficult to legally get rid of those interests. Of course, that is not the way it should be. The project should be farmed, but if it is not going to be and if, in your judgment, you have reached the limit to be farmed, then I can not see where you are justified in having your money spent in continuing that project.

Mr. Walker. I think in fairness to the other delegations and to have a clear understanding under the authority of which these irrigation projects are handled, it might be well to incorporate in the hearing so that it could be brought to the attention of the members of the delegation or attorney in discussing that project and with the view to arrive at some point as to what we would have done. We are referring to the irrigation matter.

Mr. Reed. That calls for a history and I can not give you that offhand, but I can furnish this for your record. Those projects were started before I was connected with the service and I will have to dig up some of that information.

Mr. Henderson. That can be summarized from your office records with comparatively little trouble?

Mr. Reed. Except perhaps looking up the law, if it is law. I would have to ask for help for that.
us from your general knowledge of the situation a is a liability or an expense to the tribal fund? set because this year we obtained more than 100 for pasture with no lab or expense to us.

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the economic conditions that existed.

We do not speak of it in that way as a rule. As a matter of fact,

Mr. HENDERSON. I was merely going to suggest if such a statement comes to

the delegation from your office that it would incorporate in it any current information that would help them reach a conclusion as to whether it was expedient from the standpoint to continue the work. Unless some other question is imminent I will ask Mr. Reed whether the matters for the Budget on these irrigation projects on Klamath Reservation come through your office?

Mr. REED. Yes, but this year I was not here. I was in the field and they came through the office but were originated in the field. They come through the office and pass on up to the commissioner, assistant commissioner, the Secretary, and finally to the Budget Bureau.

Mr. Walker. The original request is made at Klamath Agency, then?

Mr. REED. Mr. Holt, the engineer of that district, and he usually reaches his conclusions by consultation with people on the reservation—the superintendent and irrigation agent.

Mr. HENDERSON. Do you know, Mr. Reed, how long ago the last construction work on Modoc project was done?

Mr. REED. No; not without looking in the records. There has been no important construction work done in several years. Anything that has been done in recent years would be in the nature of replacement, not new construction.

Mr. HENDERSON. Mr. Chairman, is there anything more until you get the statement from Mr. Reed's office? Anything more this delegation would like to inquire into that Mr. Reed could probably answer offhand?

Mr. WALKER. I wonder if the report of the fact-finding committee could be furnished to the delegation so that—

Mr. REED (interrupting). You mean Mr. Engle?

Mr. WALKER. No; research committee.

Mr. REED. That has not been turned in yet.

Mr. KIRK. I have been informed that aside from construction maintenance there is an assessment of some sort and for our information I would like to know just what that assessment is.

Mr. REED. An assessment for what?

Mr. KIRK. It is aside from maintenance and construction charges.

Mr. REED. I don't know a thing about it. I can get Mr. Walker, who was the accountant and disbursing agent for Mr. Holt for a great many years, to come in if you would like. He might remember something that I don't know anything about, but I can't conceive of an assessment having been made outside of operation and maintenance charges.

Mr. HENDERSON. Mr. Reed, I don't know whether I can use the proper terms, but I ask the question whether, since you have been at the head of this division of the Indian work, there have been any surveys made on the Klamath Reservation for information regarding irrigation work?

Mr. REED. Other than what has been made?

Mr. HENDERSON. Yes.

Mr. REED. Yes. There was for some years quite a movement to do something up in the neighborhood of the Klamath marsh. Surveys were made there and a soil survey was made but without satisfactory results. I mean by that, that the surveys and soil survey did not justify the taking further the work under the economic conditions that existed.

Mr. HENDERSON. With the aid of the information gained by those surveys would it be possible at this time to make a revised recommendation as to the advantages and disadvantages of an extension of the irrigation projects on the reservation or has such a recommendation been made?

Mr. REED. I think not since the original and while I have not looked at these records for some time I doubt that at the present moment the farming conditions in the United States would justify any great extension to the system of irrigation on the Klamath Reservation.

Mr. WALKER. It might be well to request the ruling governing by the Secretary of the Interior which applies to this irrigation matter on the Klamath Reservation so that we may have full information regarding this special matter in our discussion in the future.

Mr. REED. You mean a general rule?

Mr. WALKER. Any rule which may apply.

Mr. REED. We do not speak of it in that way as a rule. As a matter of fact, when a project has been authorized by Congress or the Secretary has been
authorized to do certain things, then the work is prepared and he approves it. That is the usual method of doing that. Now, if you are going into the laws of this matter, they stand far back of me and beyond my knowledge. They should be consulted with some of our attorneys, but as to the way it has been done and matters of that kind I shall be glad to talk freely with you. I understand that.

Mr. Henderson. As the principal object of this delegation at the moment is to acquire special information that would enable them to talk intelligently to the Appropriations Committee on that item in the proposed appropriations legislation for the fiscal year ending June 30, 1929, I think the delegation would be glad to postpone going into the subjects last referred to fully if we could have the benefit of your assistance at some future time when they have acquainted themselves better with the general conditions, including the law.

Mr. Reed. I will be glad to assist you at any time.

Mr. Henderson. Mr. Chairman, is there anything else?

Mr. Walker. I think we need to know something about the appropriation; that is, for the coming year.

Mr. Henderson. That is outside the irrigation matter.

Mr. Walker. I think we ought to be advised about our coming year's request for appropriation set aside for irrigation purposes.

Klamath Indian Committee:

In reply to your question as to the authority under which the construction of irrigation plants was begun on your reservation by the Government, I find in Article III of the act of June 21, 1906 (34 Stat. 367) (Klamath agreement), the following language: "and that the remainder of said sum of $337,007.29, after the payment of the legal fees of attorneys having duly approved contracts, shall be expended for the benefit of said Indians, under the director of the Secretary of the Interior, upon requisition of the Indians through the United States Indian agent, in the drainage and irrigation of their lands, and the purchase of stock cattle for issue to said Indians, and for such other purposes as may in his opinion best promote their welfare."

It is my understanding that the construction work was begun under this authority.

I find that beginning with the fiscal year 1911, and continuing each year since, Congress has authorized sums of money in varying amounts to be spent in either construction, maintenance, or operation.

Question. On February 15, 1927, some of the members of the Institute for Government Research were in Klamath and held a conference with the Indian council of the Klamath Indians.

The Chairman. That is on record, is it not? That is in their report, is it not?

Mr. Glavis. I guess it is.

Question. There was something said this morning about a solution for this tribal question, of a corporation, to handle the affairs of the tribal property. Have you any suggestions to make in that regard?

Answer. Yes, sir. The Indians realized, and realize to-day, that condition their estate is in. They have no voice in the management of their money, and it is being eaten up in overhead expenses that is coming right out of our principal; and they have thought out a plan themselves that they have given quite a lot of study to, and it is what we call a "Committee for the relief of Indians, of the Klamath Indian Reservation in Oregon, and other purposes." Now, the bureau has always deemed us so incompetent that we are not able to manage any of our business; they don't want to put any responsibility upon us. They deem we are all incompetent—the fee patent Indians and everybody. So, we say this: Let's do something about this estate; let's sell out, lock, stock, and barrel—as a fellow said—and let the Government run our estate and put what we do get out of this estate into safe security, like Government bonds, and...
we know that way it will not be dissipated. That investigation is not quite complete yet, and we have that for our plan. Now, we have also thought about the corporation plan. The corporation is not new to a lot of people on the reservation that know how business is run and have conducted their own business; we know of thousands of corporations as run, throughout the United States, successfully. So we have talked it over ourselves and say: Why could not our estate be run as a corporation—and I actually believe that we have the material on that reservation that could be run the same as any other corporation in Oregon, by having a legal advisor as a referee or as a mediator; it could be run successfully and to advantage.

I know of lots of instances where the Indians have made suggestions, time after time, to the Indian Bureau, outlining and adjusting their conditions, that are very logical and feasible and with a good lot of common sense; and they have just ignored and turned it down, because they were in power—because the law says they can administer their estates; and they are taking advantage of these Indians, and it is certainly a wrong thing for any Government. I think the way I have got it mapped out is that Congress has placed faith in the Indian Bureau to administer this estate to the best interest of the Indian; that is the thing that Congress intended that the law should be for the Indian Bureau to work under. But there are employees in the service of the bureau who have been there for a lifetime and they intend to stay there, and their children grow up in that bureau—who don't want to let the Indians have any freedom, or educate them or put any responsibilities on them; or teach them conservatism or any business methods. They hold them down to that particular "rule and regulation," as they call it.

Senator Pine. Making a bigger bureau?

Answer. Yes, gradually growing. I want to show you; for instance, in our budget system here: Now, in the year of 1922 they took $75,000 of our tribal funds to administer this agency; and in 1923 they took $75,000; 1924 they took $100,000; 1925 they took $110,000; 1926 they took $149,000; 1927 they took $164,000; for 1928, they took $164,000; 1929 they took—they have—well, the appropriation was reduced. It is $185,000.

Question. That is for the fiscal year ending June 30, 1929?

Answer. Yes. So you can see that the expense is gradually increasing on these people. Then I want to call your attention to 1922 and 1923, when they had a boarding school that was to be maintained out of this fund: They only used $75,000 to maintain the agency. Now that there are no Government schools—all of our schools are county schools—they ask for $185,000.

Question. That is to cover the schools?

Answer. That has nothing to do with schools. The 8 per cent deduction is taken separate.

Question. That is for the administration of the forest, and is in addition?

Answer. Yes. This is going just for the agency's administration—separate from the forest.

Question. And they ask eighty thousand and some dollars for the forestry, and increasing the administration of the reservation to something like $260,000, or a quarter of a million; is that it?
Answer. Yes. It shows that the bureau is just accumulating employees and building their service up, and they don't intend, I guess, to give the Indians any voice in the management of it. I think the corporation plan would be the most successful thing to do; in this bill—relief bill we have studied out—it would convert our property into bonds. It might look like a radical thing to do; but here is the reason that we thought that thing out: The bureau says, "You Indians are incompetent; you can not manage your estate." So we say, "All right; put it into Government securities." That is what the white people do when they want their property invested safely—they put it into Government bonds.

The CHAIRMAN. You don't think the majority of your people want to give up their property?

Answer. The Indians are willing to suffer anything in order to get relief from this thing. I have heard a number of Indians say: "Give me $20,000 and let the bureau take the estate"—and their estate would probably be worth $20,000 under the value of the timber we have there.

Question. Why do they say that?

Answer. Because they see their money being spent from year to year—out on some fool road, or some other thing they have no voice in; and they can see it is not to their interest, and their money is just scattered from year to year—carelessly spent; they remind me of a bunch of sailors on a party. They have control of this vast estate and the handling of all this money and they are just spending it here and there and everywhere, and they are also making themselves popular with the county by putting our money in those roads around here, and with it, gaining an influence in a roundabout way throughout the county, and with the chamber of commerce. You can see how this thing is handled.

The CHAIRMAN. In Yakima Indian Reservation the county spends thousands of dollars building roads all through the reservation, and good roads too.

Answer. I believe—talking about the roads and in comparing them, Klamath County and the reservation, I don't believe there is any part of Klamath County—comparing the number of roads—that has as many roads as we have on the reservation.

Question. Other than the highways?

Answer. Yes; it is not as good. I do like to see our Government do something about this Indian situation. I can see the condition that our estate is in—our people are in. The Government don't know these things: I think our Congressmen and Senators do not realize this thing is going on. I know how it is; when I was in Washington last winter everybody was busy. It is hard for them to get the details of the situation. Even our own Senators were so busy we did not like to impose upon them and take up so much of their time because we realized their time was valuable; but the Indian Bureau has taken advantage of that, I am sure—taken advantage of these poor, helpless people, the restricted Indians and their children, and who are not able to protect themselves.

So, along comes the Burke Act here, conferring citizenship on the Indians. I suppose you know about the general allotment act, known as the Dawes Act, approved on February 8, 1887 (Stat. L. 338), citizenship being conferred upon all Indians made, in accordance with the act, and declared subject to State and Territorial laws. Now, the Burke Act takes away the citizens all of them. On May 8, 1906, the Burke Statutes at Large, page 182, was approved, vision of the Dawes Act repealing citizenship at the time an allotment was first a citizen only after the fee patent was given to the Indians citizenship, while it then takes it to part of them under this act. Now, here in 1924, declaring all Indians born in the United States.

I have read in that book—

Answer. Yes; what they deem citizens been born a citizen of the United States this United States, and I wanted to know a citizen of this country out of the United property and spend his property in the way I understand that, through the courts, a different thing for the Indian. He only has a personal right: but his property is his, and held over it as long as he holds it and he has said it was anybody; they cite this way: There are a lot of white people citizens, and their property is held in trust, like we do. So, the court has to determine a white person the management of his own affairs: the Indian doesn't determine any free Indian incompetent. To determine whether some of these Indians whether they are competent.

Now, I know some of them are incompetents should be made: it is wrong to compare first thing they want to take up, when they down, the Indian Bureau always compares the reservation. Now, we have a few Indians bit of intoxicating liquor, but the major industrious, thrifty people, and I will propose gentlemen will come up on our reservation the management of it. I think the Indians on that reservation who have not have been subjected to no fine; there are good Indians, and it is wrong to compare those people with some other fellows who have thing—like there are thousands of white people, them staggering in this city every pay day off with.

Question. The white people?

Answer. Yes. And I know a lot of citizens compare them all alike. I think that it is the Bureau to do that.

Senator Price. You complain because, a man is understood to be competent until he

Answer. Yes.
that the bureau is just accumulating em-service up, and they don't intend, I guess, nice in the management of it. I think the e the most successful thing to do; in this nulled out—it would convert our property ; like a radical thing to do; but here is the at thing out: The bureau says, “You In-on can not manage your estate.” So we Government securities.” That is what the ey want their property invested safely— nt bonds. n't think the majority of your people want ! e willing to suffer anything in order to get I have heard a number of Indians say: the bureau take the estate”—and their worth $20,000 under the value of the timber say that? see their money being spent from year to ad, or some other thing they have no voice not to their interest, and their money is just ar—carelessly spent; they remind me of a ty. They have control of this vast estate is money and they are just spending it here re, and they are also making themselves y putting our money in those roads around an influence in a roundabout way through-he chamber of commerce. You can see how cima Indian Reservation the county spends ling roads all through the reservation, and talking about the roads and in comparing nd the reservation, I don't believe there is nty—comparing the number of roads—that have on the reservation. he highways? s as good. I do like to see our Governthis Indian situation. I can see the con—our people are in. The Government don't nk our Congressmen and Senators do not g on. I know how it is: when I was in everybody was busy. It is hard for them to tuation. Even our own Senators were so impose upon them and take up so much of ized their time was valuable; but the Indian age of that, I am sure—taken advantage of e, the restricted Indians and their children, rotect themselves. rke Act here, conferring citizenship on the now about the general allotment act, known oved on February 8, 1887 (Stat. L. 338), citizenship being conferred upon all Indians to whom allotments were made, in accordance with the act, and declared those citizen-Indians subject to State and Territorial laws. Now comes the Burke Act. Now, the Burke Act takes away the citizenship from some but not all of them. On May 8, 1906, the Burke Act given, in Thirty-fourth Statutes at Large, page 182, was approved, which changed the pro vision of the Dawes Act repealing citizenship. Instead of becoming a citizen at the time an allotment was first made, the Indian became a citizen only after the fee patent was granted. You see, that gave the Indians citizenship, while it then takes it away, and only gives it to part of them under this act. Now, here comes the blanket act of 1924, declaring all Indians born in the United States citizens. Now, I have read in that book— Question. Of the Institute for Government Research? Answer. Yes; what they deem citizenship. Now, I myself have been born a citizen of the United States; my father is a citizen of this United States, and I wanted to know how they could hold a citizen of this country out of the United States, and hold his property and spend his money in the way they are doing; but I understand that, through the courts, that citizenship means a different thing for the Indian. He only has a right—political right—and personal right; but his property right the bureau wants to hold their hands over it as long as he has any money. Now, the court has said it was anybody; they cite this, in this instance, this way: There are a lot of white people citizens of the United States and their property is held in trust, like when they are incompetent. So, the court has to determine a white person incompetent to handle the management of his own affairs; the court at the same time determines any free Indian incompetent, I think the court ought to determine whether some of these Indians are incompetent, or whether they are competent. Now I know some of them are incompetent, and a designation should be made: it is wrong to compare everybody alike. The first thing they want to take up, when they want to show the Indian down, the Indian Bureau always compares him with some drunk on the reservation. Now, we have a few Indians who indulge in a little bit of intoxicating liquor, but the majority of our people are an industrious, thrifty people, and I will prove that to-morrow if you gentlemen will come up on our reservation; that they are honest, law-abiding citizens in this county. I know of many citizen-Indians on that reservation who have never been in any court—have been subjected to no fine; there are good people on the reservation, and it is wrong to compare those people with the other and hold their estate with some other fellows who are not doing the right thing—like there are thousands of white people doing to-day. I see them staggering in this city every pay day of the month.

Question. The white people? Answer. Yes. And I know a lot of citizens in this town; I don't compare them all alike. I think that it is wrong for the Indian Bureau to do that.

Senator PINE. You complain because, under the law, the white man is understood to be competent until he is proven incompetent? Answer. Yes.
Senator Pine. And the Indian is understood to be incompetent until he is proven competent?
Answer. Yes.
The Chairman. And they won't give him a chance to prove himself competent?
Answer. Yes. I think the courts should do it, in all fairness to these people as citizens of the United States.
Senator Pine. Going back to the figures, Mr. Crawford, you said the total amount for maintenance of the superintendent here was approximately $260,000?
Answer. Yes.
Senator Pine. That is approximately $200 for each of the members of the tribe?
Answer. Yes.
Senator Pine. And I understand you to say that the Indians received, approximately, or $600 annually?
Answer. Yes.
Senator Pine. The Indian receives $600, and it costs him $200 annually for the administration of his property; or the administration charges are equal to 33 1/3 per cent of what the Indian receives each year?
Answer. Yes, sir.
The Chairman. Do you figure that is rather a high overhead?
Answer. I should say it is!
Question. And it is increasing every year?
Answer. The bureau's own figures show that it is increasing every year. That was when we had schools up there—I want to explain this to this committee.
The Chairman. I suppose we should recess and come back at quarter past 7 and finish up this thing; it is getting late and we will recess until quarter past 7, I want to explain to this committee.
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self; the courts should do it, in all fairness to 
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Mr. Crawford, you said 
the superintendency here was 
approximately $200 for each of the 
members of the delegation, you said 
that the Indians receive $600, and it costs him $200 an-
nual? 

Our agency, and of our forest, and we saw that it was enormous. So 
the delegation asked to have a hearing before the appropriations 
committee, and before Mr. Cranton's committee; and we went there with 
Congressman Sinnott. So Mr. Cranton advised us to go to 
the Indian Bureau and adjust this thing; he said, "I think you people 
have a chip on your shoulder"; so he said, "The thing to do is to go 
down to the Indian Bureau and get around the table and adjust the 
thing, and if you can't get relief down there come up and let me 
know and I will give you a hearing, if I think it is necessary—if it 
shows that it is necessary." So we went down there; they furnished 
us the budget—the items they had asked for; the amount of money. 
They had asked for $192,500 for the annual budget of running the agency. 
So we showed the bureau that they could reduce that appropria-
tion $30,000 and not touch an employee's salary. 

So the bureau then changed their justification, after we had showed 
them that; and they would not stand on that justification. So they 
changed their justification three different times; they improved 
their justification three different times—every time there was some 
thing where we showed them they could make a reduction. So the 
fourth one they submitted and stood on. In the meantime, though, 
this bill had passed through the House and carried $185,000. We 
never got a chance to get before Mr. Cranton's committee; and the 
delegation stormed around there over the injustice part of it, and 
we took it up with Senator McNary and Senator Steiger; and 
Senator Steiger got us a hearing before the Senate committee—the 
Appropriations Committee—and they reduced it $21,000; but what I 
want to explain: In this third justification that the bureau had sub-
mitted to us—to show you how they cooperate with us—there was a 
$10,000 item on their budget that was for forest guards and forest 
rangers for protecting the forest. Now, Mr. Cranton, the day be-
fore that, or two, had instructed them that they could not use any 
money out of their budget for running the agency; could not use any money there which should come out of this 8 per cent; that the 
forest guards and rangers should come out of the 8 per cent; Mr. 
Cranton instructed Mr. Meritt that a few days before this. So, 
anyhow, they had this item in their justification—this was in the 
third justification they had submitted to the delegation. 

Question. The 8 per cent? 

Answer. No; out of the general appropriation here—this budget 
for running the agency; could not use any money—could not ask for 
any money there which should come out of this 8 per cent; that the 
forest guards and rangers should come out of the 8 per cent; Mr. 
Cranton instructed Mr. Meritt that a few days before this. So, 
anyhow, they had this item in their justification—this was in the 
third justification they had submitted to the delegation. 

Question. They put that in again after Congressman Cranton had 
told them they could not have it? 

Answer. Yes; and they said, "Here is the justification; we will 
stand on it." So we called their attention to that one item—the first 
one we called their attention to, and it was about noon, about time 
for lunch. In the meantime, why, they had gotten those papers away 
from our attorney, Mr. Henderson, and had taken them back; and the 
next day or so they submitted another justification, and instead of 
deducting that $10,000 from the amount of the appropriation they 
absorbed it in other items—the next day or two—so they still had and 
asked for $185,000. Now, I want this committee to know how they 
cooperate with us, when we showed them they were doing the wrong 
thing: We don't have any chance in the world of cooperation. They
simply have the law on their side and have the upper hand and they are administering and handling our money to suit themselves.

Question. That manipulation was done by the Indian Bureau?
   Answer. By the Indian Bureau; yes, sir. Now, in this budget here there was all the different items—how this money was supposed to be spent—and after the agency gets ahold of this money—after it is sent out to Mr. Arnold—to spend, of course, that way—the way they ask it for, and they run out of money on one item, like, for example: "The purchase and repair of office equipment." Now, that item shows on that $1,000; now, that is item No. 12. Now, in 11, "The purchase of autos, trucks, and tractors"—that is $2,500. If they fall short on either one of those they can handle that money, switch it from one item to another; and I tackled Mr. Arnold on this subject. and the financial clerk up there, and they informed me that, under the rules and regulations, they were allowed to do that. Now, in the Budget of 1927 there was an item there of $49,000, "Reimbursement to Indians." When the money was allowed to them by Congress it was allowed them out of this money in their annual budget of $164,000; that one item of $49,000 went to "Reimbursement of Indians." And Mr. Cramton told us that after this he was going to see that the money was spent the way it was asked for. And I know that it is not being done that way this year.

Senator PINE. Does Cramton cooperate with you, or with the bureau?
   Answer. Well, from what the records show, he has not cooperated with us; he would not allow us to get before his committee.

The CHAIRMAN. He apparently let the appropriation go through after he had instructed them that those items should be left out?
   Answer. Yes. Here is a letter that the delegation took up with the Commissioner of Indian Affairs in regard to our irrigation project. asking for an adjustment, and it was never answered. We could put that into the record?

The CHAIRMAN. That will go in the record as an exhibit.

(A letter addressed to the Commissioner of Indian Affairs and dated January 24, 1928, was marked as "Exhibit No. 65," and is as follows:)

EXHIBIT No. 65

COMMISSIONER OF INDIAN AFFAIRS.

WASHINGTON, D. C., January 24, 1928.

DEAR SIR: Pursuant to the suggestion made today at your office in a hearing on the Klamath Irrigation project before Assistant Commissioner Merritt, Mr. Reed, head of the irrigation division, and Superintendent Arnold, of the Klamath Agency, we submit herewith the following:

1. The Molock Point project was undertaken by Congress without the consent of the Indians, and the cost thereto was paid for out of tribal appropriations. Later the expense of the project by Congress made reimbursable out of tribal funds without the consent and against the interest of the Indians.

2. The reimbursable plan involves a principle, as wrong, unjust to the tribes, and unnecessary, inasmuch as the lands comprised within the project.

3. From an engineering standpoint the project has been proven by the results of the year's operation. We are informed by your bureau that two or three exceptions, at least, are farming lands within the project.

4. A large area within the project is assessed maintenance charges that cannot be irrigated under any circumstances. Within the past year a board of advisers appointed by the Interior Department has been investigating the Klamath Reservation, and it is informed there will be a report by the board probably within the next sixty days.

Senator PINE. You have received no reply to that letter?
   Answer. No, sir.

Senator PINE. Did you receive any reply from the Superintendent here?
   Answer. The only reply that we got from the agency was to submit the letter to the Commissioner of Indian Affairs, and he did not answer it. They were taken back as wrong, unjust to the tribes, and unnecessary, inasmuch as the lands comprised within the project.

Within the past year a board of advisers appointed by the Interior Department has been investigating the Klamath Reservation, and it is informed there will be a report by the board probably within the next sixty days.

1. The Molock Point project was undertaken by Congress without the consent of the Indians, and the cost thereto was paid for out of tribal appropriations. Later the expense of the project by Congress made reimbursable out of tribal funds without the consent and against the interest of the Indians.

2. The reimbursable plan involves a principle, as wrong, unjust to the tribes, and unnecessary, inasmuch as the lands comprised within the project.

3. From an engineering standpoint the project has been proven by the results of the year's operation. We are informed by your bureau that two or three exceptions, at least, are farming lands within the project.

4. A large area within the project is assessed maintenance charges that cannot be irrigated under any circumstances. Within the past year a board of advisers appointed by the Interior Department has been investigating the Klamath Reservation, and it is informed there will be a report by the board probably within the next sixty days.
The following: ivisioLn, and superinteil(lent Arnold, of the Klamath project before Assistant Commissioner Meritt, Mr. vas marked as "Exhibit No. 65," and i, as apparently let the appropriation go through at the records show, he has not cooperated with you. or with the And I know that it is not being done that at the records show, he has not cooperated with us to get before his committee. parently let the appropriation go through on that those items should be left out? 3. From an engineering standpoint the project was not a practicable one, as has been proven by the results of the years during which it has been in operation. We are informed by your bureau that no Indians, with perhaps one or two exceptions, are farming lands within the project.

4. A large area within the project is assessed with construction and maintenance charges that can not be irrigated under the ditch or ditches as located and constructed.

5. There has been no suitable classification of the lands taxed for construction and maintenance of the project, as a result of which much of the land unsuitable for farming is unencumbered with a lien for these costs and expenses, without in turn receiving any appreciable benefit from the water rights. Some of these are stump lands and others lands of such alkali content as to render irrigation undesirable; others still are swamp lands, that are injured rather than benefited by the so-called improvement.

6. It is reported to us that under another of the projects for which appropriations out of our tribal funds is sought no Indian lands are farmed and that about 100 acres are under cultivation within the same by white men.

Within the past year a board of advisers appointed by the Secretary of the Interior has been investigating the Klamath Reservation projects, and we are informed that there will be a report by the board filed with the Secretary probably within the next 90 days.

Ida M. Crawford,
Secretary Klamath Delegation.

Senator Pine. You have received no reply directly from the commissioner to that letter?

Answer. No, sir.

Senator Pine. Did you receive any reply indirectly, through the superintendent here?

Answer. The only reply that we got was that a relief bill was submitted to the bureau for their approval or disapproval, and in there it states about the irrigation and all of the different matters we have asked; that we were trying to get through in giving the Indians their relief; and on the question of irrigation, why, he said that the Secretary of the Interior had argued against that instrument; that the project was a success under the plan they have submitted, and it would be unwise to change it. It is in his argument here [indicating]. That is the only thing we have. The thing I want to call the committee's attention to is that the Indians have asked numerous times—have asked the Indian Bureau numerous times to revise and close our rolls of the Klamath Reservation because there are Indians on our reservation, put on here by the Secretary of the Interior unknown to the Indians; and we have just discovered it lately that they should not be on our rolls. We asked them to adjust that through our council, and there was nothing ever done about it. There are some Oklahoma Modocs, who are in Oklahoma, drawing per capita payments from our tribal fund and living in Oklahoma.

Question. How long have they lived there?

Answer. They were taken back years ago, right after the Modoc war; and there was a law, after several years—I have the law here somewhere: I will try and find it—giving them the right to come back here. If they had come back here, why, they would be entitled...
Senator PINE. And they were allowed it in Oklahoma?

Answer. Yes.

Senator PINE. And they were allowed it in Oklahoma?

Answer. Yes.

Senator PINE. Has there been some lawyer interested in placing their names on your roll?

Answer. Not that I know of.

Question. Do you know the names of the Indians living in Oklahoma who get paid? Could you furnish us with the names?

Answer. I could furnish it, but I have not it to-night.

Question. Will you send it to us in Washington?

Answer. Yes. I am sorry I have not got it to-night.

Senator PINE. How many of those Indians are there?

Answer. I could not say off-hand. I think there were something like 34; I think something like 34. They are mostly children who were born prior to this act. I have lost that paper somewhere this afternoon in my shuffling; but I will furnish you with that law and also the names of these Indians; and also the names of the different other tribes who are on our rolls here; that the Secretary of the Interior has put on because he has the authority to do it. There are some Molales and some Pitt River, and, I think, some Piutes; I particularly remember the Molales and Piutes—I mean the Pitt River and Molales. I will furnish that data later.

The CHAIRMAN. Where are they living now?

Answer. They are living on the reservation, some of them, and some of them off. Now, did the committee accept this in the record [indicating]?

The CHAIRMAN. That is the beetle report?

Answer. Yes.

The CHAIRMAN. I don't think that there is any need of it.

Answer. What I want to tell you—is that the beetle report?

The CHAIRMAN. You can make a statement on it.

Answer. I want to make a statement on the beetle control here. It shows that the bureau has mismanaged our estate and caused the Klamath Indians to lose approximately $10,000,000. It is about 10 per cent of all of our timber which has been killed by the beetle since 1918. These people knew that these beetles were in here, or did not know it, one way or another; they have not done anything about it. It shows here in four years we have lost 450,920,000 feet of timber; in six years, through the management of our forests; and last fall when the delegation was in Washington, why, the delegation was in favor of taking the balance of this 8 per cent that they were not using—their records showed they were using between 4 and 5 per cent; so we wanted them to use the balance of this 8 per cent to fight the beetles with and protect our forests from these pests, and instead of doing that they took $25,000 out of our principal; instead of using it out of the 8 per cent, they got this $25,000 through in the deficiency bill and they are now spending it up here this year.

Senator PINE. Did the report they made to you show they had $25,000 in your 8 per cent fund?
BANS; and also the names of the different reservation.

Do you furnish us with the names?

Yes. I have not got it to-night.

Is there anyone else who wants to be heard in regard to the Klamath Reservation situation?

There was no response to this question.

This concluded the hearing and testimony taken on the subject of the Klamath Indian Reservation by the committee.

The following is on the Warm Springs Reservation hearing:

R. H. BARR

R. H. BARR appeared before the committee and, being first duly sworn, testified as follows:

The CHAIRMAN. Your name is R. H. Barr?

Answer. Yes.

The CHAIRMAN. From Warm Spring, Oreg.?

Answer. Yes.

The CHAIRMAN. You are a missionary; Presbyterian missionary?

Answer. Yes; United Presbyterian missionary. I have been there about eight years.

The CHAIRMAN. Perhaps you might just as well go ahead and make your statement in regard to the situation there.

Answer. Well, now, I would like, before I do that, I would like to ask a question for this reason: Since Mr. Glavis was there in July—I believe he was there then.

Mr. Glavis. Yes.

Answer (continuing). The superintendent who has been there and given us a good deal of trouble has been removed. Now then, since
that is true it is necessary for me to state about the things we had complained about under his rule, or not?

The CHAIRMAN. I think it would be very well to have it in the record, to show what the situation has been out there.

By Mr. GLAVIS:

Question. As I understand, you had been trying a number of years to get him out?

Answer. Yes; to get these things remedied.

Question. How long have you been there?

Answer. Eight years the 10th of next—since February 21, 1918.

The CHAIRMAN. Yes; we would like to have a statement of the situation that existed there before your superintendent was removed or transferred.

Answer. It is just lately; just a month or so since he was removed.

The CHAIRMAN. Very well; give us a statement.

Answer. One thing has been about the money that has been wasted; that we feel the Government money has been used in a way that has not been helpful to the Indians, nor judiciously spent. Just for illustration, out there at Sinnasho, which is at the north half of the reservation, is a farmer by the name of Mr. Crosswaite. Last year 175 head of sheep were bought and brought on the reservation; $25 per head were paid for those. A farmer told me he felt that he could have bought just as good sheep for $14 a head.

Question. Was it Indians who would not use the sheep?

Answer. They absolutely would not have them at $25 or $27 a head with lambs for this reason: As I understand, none of them are to be allowed more than 25 head apiece. It will take a man to take care of 25 head just as it will 150; so you can readily see the expense. The Indians say, and I think they are right, they were not ready for this. If they had given them a little more time to get the land fenced for sheep and also sheds built and hay put up, they could take care of the sheep.

Question. Did they not want cattle instead of sheep?

Answer. The Indians wanted cattle, absolutely wanted cattle, for the reason that, as I have stated, an allotment of 25 head apiece the expenses would be so great that they could not afford it. Now then, when it came to shearing those sheep last spring the superintendent, Mr. Mortsolf, wanted Mr. Crosswaite to shear these sheep. He would not do it himself, but he said that he would get a man to shear them with a machine for $50; but the superintendent took them in his own hands and had him hire Indians that cost over $100; and even then 40 per cent of the wool and a good deal of the hide—some of the hide was left on the sheep and 40 per cent of the wool was left on the sheep.

Question. What about the water system there?

Answer. The water system at the present time is better than it was when you were there in July. There had been a series of complaints made about the water for a number of years. The blacksmith's wife had complained about this for years.

Question. Tell the committee what you know about the seepage.

Answer. And she had complained about that water, because the seepage from manure piles and toilets was along the stream; no good results came from this complaint, but the blacksmith was removed and the shop with him. There is no other reason why the Indians; and one employee made that complaint. He kept still, the blacksmith could have stayed to." So he was removed because of the continual complaints of the health board began an investigation there. Doctor Bates, sent in water and had another examination. He came to the conclusion that the worst examination was 4,500 germs an enormous amount. Now, this is animal blood.

The CHAIRMAN. And Indian children in there.

Answer. I was, too; we could not get a better complaint. A new roof has been put on the house where the Indians say, and I think they are right, they were not fixed so that nothing can get in it; and the chemical arranged that is to go into the water the water for these germs; and that occurred just lately in July.

Senator PINE. The reservoi was cut out, was it not?

Answer. Yes.

Question. You referred to the school; tell us about the condition of the school children.

Answer. Excuse me, Mr. Glavis; if you will, I will add another item about the waste of money.

Question. No; indeed; go right ahead.

Answer. At Sinnasho this fall a team was bought for $250. I think that I have reliable authority for it. I was told by an ex-stockman, who knows the man of whom the team was paid for that team. I was just talking to the ex-stock man, who knows the man of whom he had no team he considered worth $200, let alone $250. I think that I have reliable authority for it.

Senator PINE. Mr. Thompson is a good man.

Answer. A stockman who has been in the service a long time.

Question. And knows the value of a horse.

Answer. Yes; the man who told me that value of a horse, and I would consider $175 a good price. Of course, the records will show what price was paid for that team. I was just talking to the ex-stock man, who knows the man of whom he had no team he considered worth $200, let alone $250. I think that I have reliable authority for it.

Question. You referred to the school. I think the Senator is interested in the immoral conditions. An Indian, some years ago, Wolfe, was disciplinarian; he came to me and told me that he who cooked for the Indian children reported that the women who were in charge of the school were sleeping with the boys under the dormitory. When the matron was away, many boys were sleeping with them. To make sure of it when the bell rang for supper, and the boys came out afterwards; and when they came out there were no boys there with them. To make sure of it when the bell rang for supper, and the boys come out from under there. And yet the
and you had been trying a number of these things remedied. I would like to have a statement of the health board began an investigation there; our Government physician, Doctor Bates, sent in water and had it examined, and it ran—the worst examination was 4,500 germs per cubic centimeter—an enormous amount. Now, this is animal bacteria in the water.

The Chairman. And Indian children were drinking that water?

Answer. Yes, the man who told me these facts is a good judge of horses.

Question. You referred to the school; tell the committee about the conditions of the school children.

Answer. At Sinnasho this fall a team of horses was bought, and I think that I have reliable authority for the statement that $350 was paid for that team. I was just talking to Mr. Thompson, an ex-stockman, who knows the man of whom the team was bought; he had no team he considered worth $200, let alone $350.

Senator PINE. Mr. Thompson is a good judge of horses?

Question. And knows the value of a horse?

Answer. Yes; the man who told me these facts is a good judge of horses, and I would consider $175 a good price for the team. Now, the records will show what price was paid: I did not examine the records, but I got the information from a man I think knew what he was talking about. That is just a sample of how the money was being spent. In reference to the school: We had complained about the immoral conditions. An Indian, some three years ago, named Wolfe, was disciplinarian; he came to me and told me that the lady who cooked for the Indian children reported that a number of girls of her detail were absent; upon inquiring she found that they were under the dormitory. When the matron was informed, she asked if any boys were there with them. To make sure, the disciplinarian hid out when the bell rung for supper, and the girls were to come out afterwards; and when they came out there were an equal number of boys came out from under there. And you fellows can conclude

and the shop with him. There is no other shop within 50 miles for the Indians; and one employee made the remark, "If his wife had kept still, the blacksmith could have stayed there as long as he wanted to." So he was removed because of the complaints about the water. Now the tank—we had better call it a reservoir—had a roof so that snakes and lizards, rabbits and dogs could get in. but, because of the slope of the walls, nothing could get out. The engineer, who is here to-night, went there one day, raised the trap door, and there lay two rattlesnakes coiled up on the float; he got his gun and shot them, and we cleaned the tank. That was a common occurrence, and we felt he was justified in complaining about the water. Then, because of the continual complaints of water conditions, the State health board began an investigation there; our Government physician, Doctor Bates, sent in water and had it examined, and it ran—the worst examination was 4,500 germs per cubic centimeter—an enormous amount. Now, this is animal bacteria in the water.

The Chairman. And Indian children were drinking that water?

Answer. Yes, the man who told me these facts is a good judge of horses.

Question. You referred to the school; tell the committee about the conditions of the school children.

Answer. Yes.

Senator PINE. The reservoir has been cleaned?

Answer. Yes.

Question. You referred to the school; tell the committee about the conditions of the school children.

Answer. Yes.

Senator PINE. The reservoir has been cleaned?
what was going on there. Now, the disciplinarian reported that to the superintendent, and so far as I know practically nothing was done.

Question. Will you tell the committee about the Willie S. Switzler case?

Answer. William is his first name. Harold Stanton, the Government cruiser, had a revolver valued at $7.50; he traded this with Henry Switzler for a beaver hide.

Senator Pine. For what?

Answer. A beaver hide. Stanton sold this beaver hide to one of the Government post traders; he told me that himself; and that he had paid Stanton $17 for the hide. So the Indian lost the difference; and it is against the rules—the law—for a Government employee to trade with the Indians. Just in that connection: About two years ago it was announced in the Madras papers that the new school principal had purchased a Durant Star from this same fellow, Mr. Harold Stanton. I also understand that it is against the law for a Government employee to be an agent.

Question. With reference to a certain condition on the reservation, do you know of any instance where the superintendent permitted a temporary marriage?

Answer. Yes; I know of one case. I can give the name.

Question. I will hand you this [a paper]. That will be a copy of it?

Answer. Allow me, please. to read the following:

WARM SPRING AGENCY.
Warm Spring, Oreg., May 20., 1926.

To whom it may concern:

Wallace Scott and Myrtle Quechpania are hereby given permission to live together until such time as they are able to be at the office so as to prepare an application for marriage license. They will be at the agency some time before June first.

J. B. MORTSOLE, Superintendent.
By BRUNETTA HAAS, Stenographer.

Question. Did you see the original of that?

Answer. Yes. I copied that myself.

The CHAIRMAN. How long did they live together before they got married?

Answer. About a month.

The CHAIRMAN. Have you seen the original?

Answer. Yes.

The CHAIRMAN. Place that in the record.

(The copy referred to was marked “Exhibit No. 66” and is as follows:)

Exhibit No. 66

WARM SPRING AGENCY.
Warm Spring, Oreg., May 20, 1926.

To whom it may concern:

Wallace Scott and Myrtle Quechpania are hereby given permission to live together until such time as they are able to be at the office so as to prepare an application for marriage license. They will be at the agency some time before June first.

J. B. MORTSOLE, Superintendent.
By BRUNETTA HAAS, Stenographer.
Question. The date of this document is May 20, 1926.
Answer. Yes. Now, as to when they were married and by whom they got married—I could find the exact date of when they were married.

Question. That is immaterial.
Answer. As I understood it was about a month after.

Question. The date of this document is 1926; did you call this matter to the attention of the Commissioner of Indian Affairs?
Answer. Yes, I think I did. It was absolutely ignored; but I did call it to the inspector's attention.

Question. This August?
Answer. Yes. To Inspector Trowbridge, last spring; he said he thought he was a fool.

Question. You have also called the commissioner’s attention to all of these other matters? Not these that happened since.
Answer. Yes.

Question. But the other matters you called to the commissioner's attention?
Answer. Also, I want to speak of this in connection with that immoral business. I made complaints to him time and time again along the line of immorality being practiced among the Indians, and we just could not get anything done whatever.

Question. Whose attention did you call?
Answer. The superintendent's; Superintendent Mortsolf.

Question. Did you not call the Office of Indian Affairs—Commissioner Burke's attention too?
Answer. Yes. I called it to their attention. For example, there were married men who came and got girls out of the dormitory one night, took them up on the mountainside, and kept them there for hours. Practically nothing was done; anything of that kind where anything was done, they sentenced the Indian to jail; and as long as he could be sentenced was only 90 days. In the winter time they consider that a good stunt; 90 days' board for nothing.

Question. Inspector Roberts came out and inspected some of the things which you called to the attention of the Indian Bureau?
Answer. Yes.

Question. Did you hear him make any remarks as to what the commissioner would stand for in regard to disloyalty?
Answer. I did not hear that, but there are men here to-night I know did; Mr. Pummel is one of them. He verified the statement to me, by the man who did make it. I asked two or three employees if the statement was true and they all said it was. Also, in connection with that immorality last spring, the disciplinarian, a white young man by the name of Chester Lunborg, was notified one night by the girls' matron that, at an upstairs window, she heard a noise; and she discovered that there were two young men there who had gotten a rope around the chimney and swung down toward the window, open in the girls' dormitory; they did not get in because they were discovered first. She ran and pounded on the door of the disciplinarian's room and woke him up and told him what she had learned; he absolutely refused to go and get up and help catch those scamps; and yet, in spite of all of that, he was still retained by Mr. Mortsolf as disciplinarian. I asked the reason why, of one employee,
and this is the answer I received: "Mr. Lunborg is in debt almost to all of the stores in the neighborhood, in debt to the post trader's store here, and we thought that if we could hold him a little while the storekeepers would get a chance to get some of their money." A mighty nice thing for the storekeepers, but mighty hard on Uncle Sam. Now, one of the storekeepers—clerks—of the store told me this: One evening one of the older boys met his 7-year-old girl; she had been up to our place bringing up the milk bottle; that was just after dark that he met her; and his hands went over the girl in a way that is unbecoming of any young man; made a date to meet her on the next night. The father reported this to the superintendent, and this was the answer he received: "You had better keep girls off the street after night."

Senator Pine. You say that girl was 7 years old?

Answer. That is what the father told me—7 years old; and the superintendent replied: "You better keep your girl off the street at night." He did not say what was going to be done; I could not prove what he was going to do. Filthy conditions on the reservation among some of the Indians. One woman who drew a pension, her husband being a soldier, as I understand, was left lying on her bed in her last sickness, under indescribable, filthy conditions. As I understand it, the superintendent's attention was called to this and nothing was done; but the money was paid over to the son, and he spent it and left his mother lying there in filth on the floor.

Question. Did you see the mother?

Answer. No, the missionary did.

Question. I would suggest that you confine your statement to what you know of your own personal knowledge.

Answer. Yes—I did not see that myself.

The CHAIRMAN. Anything else?

Answer. Last election an effort was made to have all the Indians registered, and Mr. Mortsolf was appointed registrar. Different ones went in to register and learned he was away; and the last day of registration I called up the judge—Judge King—and he told me to go and get the registration cards and take them over to one of the post traders, and he would see he was authorized to take the registrations; that was done. The superintendent apparently—such is the impression of those of us who think we know—had gotten all the Indians to register that he thought would vote the way he wanted them to and then had turned the books over to the county clerk and left, and we did not know why the rest could not register until the last day of registration. We succeeded in getting six registered that evening. Now, if you wish, suppose you ask some questions on that line of Mr. Pummill and Mr. Thompson. I would like to make some statements about Mr. Stanton.

The CHAIRMAN. Who?

Answer. Mr. Harold Stanton, who is the scaler there, whom we believe is utterly unqualified in his position.

Question. Mr. Harold Stanton, who is the scaler there, whom we believe is utterly unqualified in his position.

Question. The timber scaler?

Answer. Yes.

Question. You are not cutting any timber?

Answer. No a bit.

Question. None being cut at all?

Answer. Not since you were there.
IIONS OF INDIANS IN UNITED STATES

received: "Mr. Lunborg is in debt almost neighborhood, in debt to the post trader's ht that if we could hold him a little while it a chance to get some of their money." A storekeepers, but mighty hard on Uncle storekeepers—clerks—of the store told me of the older boys met his 7-year-old girl; place bringing up the milk bottle; that was not her; and his hands went over the girl ming of any young man; made a date to it. The father reported this to the superint.: answer he received: "You had better keep tight.”

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Stanton, who is the scaler there, whom we fied in his position. scaler?
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Question. Not for years?
Answer. Last fall and spring there was some cut.

Question. By the Indians?
Answer. It was for the Indians; not sold at all. Not only was Mr. Stanton kept there as a scaler, but also a fellow by the name of Mr. Nelson. We feel that none of those men are needed there, just an unnecessary expense; and this here man, we have felt, was Mr. Mortsolf's boss. That was the general impression, and Captain Trowbridge asked me—the inspector—why it was that Mr. Mortsolf took his orders from Stanton. That I can not say, but I can say that and ask that it be verified by Mr. Smith and others—to how he and his sons and others were denied work because they reported facts not complimentary to the superintendent; ask Mr. Smith about that. This Mr. Stanton, a year ago, had a United States U. S. I. S. tag on his own private car, until July, and thus saved half the State tax. Mr. Pummill can verify that. Mr. Stanton sold his car last spring to a firm in The Dalles; that firm resold it to an Indian at the agency. Captain Trowbridge asked him why: "Why did you not sell that car directly to the Indian; you knew who wanted it?" "I did not think I was allowed to do so," was the reply he received. When Trowbridge asked him why he traded that revolver for the beaver hide, he said he did not know it was against the law. This statement should go in first. because he then asked why he did not sell the car to the Indian, and when he saw that he was caught he just, absolutely, laughed right in his face. There were matters that came up about the light and water for the mission that I don't know if it is really necessary to speak about tonight.

The CHAIRMAN. Any other questions? Well, that is all; thank you.

(Witness excused.)

The CHAIRMAN. Mr. Pummill.

TESTIMONY OF LESTER PUMMILL

LESTER PUMMILL appeared before the committee, and being first duly sworn, testified as follows:

By Mr. GLAVIS:

Question. Give your full name.
Answer. Lester Pummill.

The CHAIRMAN. m-i-l-l, or e-l-l?
Answer. i-l-l.

Question. Are you in the employ of the Indian Bureau?
Answer. No, sir.

Question. Have you been?
Answer. I was during years up to July 31, 1928.

Question. At what place?
Answer. Warm Spring. I lacked one month of 10 years. I resigned, to take effect the last day of July, 1928.

Question. There has been a few investigations there by In-
dian inspectors while you were there?
Answer. Yes, during the time.
Question. Did you ever hear Inspector Roberts make any statement regarding the employees who testified against their superiors?

Answer. Yes.

Question. What did he say?

Answer. Well, Mr. Roberts came in there; he was around there three or four days with the superintendent, and finally they set a night and notified all of the employees by the usual—well, not usual form either; they just sent a policeman around, this particular time, to see everybody; because usually they sent out a memorandum with each employee's name and he had to initial his name as presented. We all assembled in the school chapel at a certain hour and the superintendent got up and made a few minutes' talk and just introduced the gentleman and said that he had nothing further to say: that Mr. Roberts was going to talk to us. Mr. Roberts got up and he started out with a little spiel about the Indian Service in general, the commissioner, and on down the line; spoke of the commissioner being in trouble and tried to explain that to the employees. Most of them had already read of it in the papers.

Question. What do you mean, being in trouble?

Answer. Over this Barnett case. He had to go into detail and explain that. Most of them had read it in the papers and knew of it; and he wound up by saying that the commissioner would stand for anything in inefficiency, or anything else, rather than to say anything against the service; and if you did, that meant dismissal; he would overlook inefficiency, but nothing else; but you had to be loyal. The whole keynote of his talk was loyalty; that is what he labeled it when he started out—loyalty. When he got through and sat down the superintendent asked if there was anything further, and he said no. Then he said we were dismissed. The next day we were called into the office about the trouble with the superintendent.

Senator Pine. Did he say how the commissioner had gotten into trouble?

Answer. No; the commissioner was exonerated; he gave us all to understand that. They gave a different version from any newspaper reports I had read.

Question. That was over the criticism and action taken in the Jackson Barnett case?

Answer. I don't remember about that, but he said he was exonerated. The keynote of the talk was loyalty. That is what he labeled it when he started out to make the talk; and the whole thing was only about 15 minutes.

Question. Now, can you tell us about the sheep having been purchased for the Indian reservation?

Answer. Well, they made a purchase of a number of sheep, I think $275 head or something like that, last spring from the Baldwin Sheep Co. The Indians objected to that. The sheep were supposed to cost $25 at the Baldwin sheep ranch, 12 miles east of Madras; and they had to bring them in. Then they said they kept them for a few days until the weather got better and that cost the Indians an additional two or three dollars—cost them $27 or $28 a head.

Question. Did the superintendent approach any employee or anything about the purchase price of the sheep?

Answer. Yes.
Question. What did he say?
Answer. Every employee was approached, to my knowledge; he did mention it in a general talk.

Question. Approached?
Answer. Yes.

Question. Tell the committee what he said to you.
Answer. I was told not to discuss the sheep industry or say anything in regard to the sheep to any Indian or anybody, under penalty; he would not stand for it.

Senator Pine. What did you understand the penalty would be?
Answer. He did not say, but the usual procedure was dismissal.

The Indians did not want the sheep because they said they knew they were very poor sheep because the Russian Government had bought four trainloads out of this band of sheep the company owned, and there were found to be culled, which they proved to be. Quite a number of the Indians were old sheepmen and who had worked on these same ranches.

Senator Pine. You saw the sheep and knew they were poor sheep?
Answer. They were inferior sheep; yes.

Question. What became of the sheep?
Answer. Oh, they still have got them there. They hired a herder; they never wanted to look after them. They had two men, Mr. Stanton and Mr. Crosswait, who were supposed to be expert sheepmen, go over and pick them out—both young fellows—and when it came lambing time they went and hired an old sheep herder who had been in the business all his life—a man around 63 or 64 years of age—to come and look out for the sheep; and he attended to them. I think, until around the middle of October and brought the sheep in.

Question. They could not get any Indians to buy them at all?
Answer. I understood they turned them over to some Indians and the Indians turned them back to them; I know they did haul the wether lambs to Redmond, Oreg., and were selling them; two of the employees who had handed them told me. I asked them what they were doing with the sheep and they said they were going through Madras and were going to sell them at Redmond.

The Chairman. Any other questions? That will be all.
(Witness excused.)

The Chairman. Mr. Smith.

TESTIMONY OF ROBERT SMITH

ROBERT SMITH appeared before the committee and, being first duly sworn, testified as follows:

The Chairman. Give your name and address for the record.

By Mr. Glavis:

Question. Your full name?
Answer. Robert Smith.

Question. Are you a member of the Indian's business committee of the Warm Spring Indians?
Answer. Yes.

Question. Did the committee oppose the leasing of grazing land on the reservation for sheep purposes?
Answer. Did what?
Question. Protest against the leasing of their lands to sheepmen.  
Answer. Not that I know of.

Question. Are there any grazing leases out there?  
Answer. Why, some years ago; yes. Oh, I don't know; it was in—
I don't know; I could not tell you about it. It is a good many years
that leases went to sheep, and cattle also.

Question. Were the Indians making a success of the cattle business?
Answer. Yes.

Question. When did they get out of the cattle business?
Answer. Oh, I don't know.

Question. Why did they get out?
Answer. Well, you know, Indians are—they had hardly anything
to live on and then they had to sell out the little cattle that they
had—that is, I mean they shipped cattle to Oakland.

Question. Did they not lose a good many cattle by starvation?
Answer. Well, one year we had a bad year on account of the shortage
of feed and we lost quite a lot of cattle; yes.

Question. I think Mr. Thompson can tell us about that.
Answer. Yes, he is a stockman and you can ask him.

Mr. GLAVIS. That is all the questioning I have.

The CHAIRMAN. You are not an employee of the agency, are you?
Answer. I was when I was young; I was an employee 19 years,
when I was quite young.

The CHAIRMAN. You have not worked for them in recent years?
Answer. I work sometimes, yes. I am a carpenter and I work
quite a bit around the agency on the buildings.

The CHAIRMAN. Do you know anything about Superintendent
Mortsoff's record?
Answer. I guess I know a little something about it. Any point
that you may want to ask me; if I'm asked, and I do, I will tell
you; if not, I won't.

The CHAIRMAN. Well, do you think the superintendent was working
for the interest of the Indians?
Answer. No, sir; not a bit; I don't think so.

The CHAIRMAN. And the Indians were glad to see him transferred
away from there?
Answer. Well, I should say so.

The CHAIRMAN. That is all, thank you.

Answer. Last summer about harvest time I went up to the school
and asked him for work. He was cutting hay, and I like that job.
I could not get money no place; I got a team, and I have a boy with
a team. He said: “All right, boys: that is all right; you can come
up next week. I will give you a job.” Well, I got another boy: I told
him—my youngest boy, Glenn—we were going to work for Homer—
that is the other boy, said: “I would like to pitch.” I said, “You go
up and ask Mortsoff if he give you a job.” So Albert goes up and
asks for a job. Mortsoff looked at him awhile and said—or rather,
Homer looked at him awhile and said: “I just got orders from Mort-
soff not to give you any job; not to give the Smith boys any job at all;
to turn them out. We don't want them here.”

I will tell you of an instance: I have another boy by the name of
Herbert Smith; he is a good engineer from Chenawa Institute.
He had been running an engine for the forestry, graveling the road.

He was not working for Mortsoff, he was working for Mr. Gray.  
So one day Mortsoff came to him and asked him to drive
the engine; you know, how a fellow wants to drive
it. Mortsoff said: “Say, young fellow; you go over
and ask Mortsolf if he give you a job.” I said: “Why, I
would like to pitch.” I said. “You fire that Smith boy,” because he
told him. Gray said: “No, that is the best around: I can not do that.”
Well, he came to him and said: “Say, Herbert, you
Walter Midan,—another engineer, an Indian,
will take you up to the mill because Mort-
right now. I will take you up to the mill
from Mortsoff. I don't want to fire you; you
So he goes up; at 9 o'clock in the evening
and he kept him there, I suppose, all
boy was well respected. And so Gray took
Bald Peter and stay up there.” So Herbert
stayed up there all summer, and after the
he came down. And there is another thing:
before I take my seat: Now, some years ago—one time my boy, Alfred Smith,
trapping away up about 18 miles from there
trapping beaver and coyote and so on. That
I went up with them; and about the day after
and what is this other fellow's name over
here can not remember his name.

The CHAIRMAN. It does not matter about

Answer. They came there and had all the
and bacon and so on. Those men went
to the mill to burn brush; there was a
brush for them to burn. They stayed
were on their way to the mill and Stanton
not go over and burn brush; we will stay
my boy and the Switzer boy—the two
burning brush. When Stanton came back he returned
That was the time that Stanton
I was there looking at them. Now this
Switzer. My boy and him were trapping
Switzer that the hide was worth more
Switzer boy wanted the gun pretty bad.

Question. Doctor Barr told the committee
Answer. Yes; that was the time. Here
like to tell you about, Senators: Now, so
Commissioner Smith, or whatever his name is
agency: Smith and Mortsoff came there and
he called me in and he said, “Do you talk
I talk some English”: he said, “Well,
Government and I want to go around to the
the Indian homes are.” Then he said, “You
the Indians you can find.” There were
ions of Indians in United States

He was not working for Mortsof, he was working for the forester, Mr. Gray. So one day Mortsof came to him there and was watching the engine; you know, how a fellow watches an engine. Mr. Mortsof said: "Say, young fellow; you go over and feed that crusher." Herbert never said anything, he was busy watching the engine closely. He said, "Do you hear? Come over and feed this crusher." My boy said: "How can I do it? I am watching this engine close." Mortsof. I suppose, did not like it; but he did not say anything further; but that same noon he saw Gray, Mortsof did, and he said:

"You fire that Smith boy," because he did not agree on what he told him. Gray said: "No, that is the best boy I got; he is good all around; I can not do that." Well, the boy worked and Mr. Gray came to him and said: "Say, Herbert, you turn this machine over to Walter Midan,"—another engineer, an Indian boy, and he said: "I will take you up to the mill because Mortsof wants me to fire you right now. I will take you up to the mill just to keep you away from Mortsof. I don't want to fire you; you are the best boy I got." So he goes up: at 9 o'clock in the evening he takes Herbert up to the mill and he kept him there, I suppose, about a couple days and the boy was well respected. And so Gray tells him: "You go up to Bald Peter and stay up there." So Herbert came up there and he stayed up there all summer, and after the season was over, of course, he came down. And there is another thing I would like to tell you before I take my seat: Now, some years ago—four or five years ago—one time my boy, Alfred Smith, and William Switzler were trapping away up about 18 miles from the agency, west; they were trapping beaver and coyote and so on. They wanted me to go up, so I went up with them; and about the day after here comes Stanton—and what is this other fellow's name over here? I know him but I can not remember his name.

The Chairman. It does not matter about that.

Answer. They came there and had a pack horse and canned goods and bacon and so on. Those men were sent from the agency to the mill to burn brush; there was a lot of logs cut and there was brush for them to burn. They stayed with us that night. They were on their way to the mill and Stanton said, "I guess we will not go over and burn brush; we will stay with you boys." They told my boy and the Switzler boy—the two of them—instead of burning brush. When Stanton came back he reported that he had burned brush. That was the time that Stanton sold this gun to Switzler. I was there looking at them. Now this beaver hide they got from Switzler. My boy and him were trapping together; my boy told Switzler that the hide was worth more than that gun, and the Switzler boy wanted the gun pretty bad and so they traded.

Question. Doctor Barr told the committee about that?

Answer. Yes; that was the time. Here is another thing I would like to tell you about, Senators: Now, some years ago there was a Commissioner Smith, or whatever his name was. He came to the agency: Smith and Mortsof came there together. Well, this Smith he called me in and he said, "Do you talk English?" I said, "Yes; I talk some English"; he said, "Well, I was sent here from the Government and I want to go around to the Indian homes, wherever the Indian homes are." Then he said, "You go out and bring in all the Indians you can find." There were probably 60 men around
about the agency. So, I went out and got about 60 Indians and brought them to the office. This man Smith said, “Now, gentlemen; I am sent here to make citizens out of you fellows, if you are capable men; that is what I came out here for.” He said, “Mr. Smith, where do you live?” I said, “Right down here.” I had a home up the river. He said, “Is there a road right up there so that I can drive up?” I said yes. He said, “You wait for me Saturday; I will be around to visit your home.” I said, “I am glad; I will wait.”

I waited Monday until noon, and I saddled up the old pony and went up and found him at the agency. There was an old blind man there, probably 60 or 70 years old. He said, “You are the first man who is going to visit the Indians’ homes;” he said, “There are a lot of inspectors come here, but you are the first man to do that.” Then I said, Mr. Mortsolf, I have waited for you; why did you not come?” He said, “Oh, well, Mr. Babcock,” he was the superintendent then; he said, “I got the information from Babcock that I don’t have to go around; he told me about the Indians.” I said, “Mr. Smith, do you remember what the old fellow told you to-day? Do you remember that? That is the way Government people are.” There were 52 Indians turned into citizenship, as taxpayers. But I will tell you, gentlemen, these clothes you see are all the clothes I have; I have not clothes and I am not fit for a citizen. On the other hand, I was reading in the papers at one time that the Government said that whenever any half-breed or Indian got turned into citizenship he got his full right of the reservation. Then I left it to you. I thought I would tell you this so that you would have it in your minds. Excuse me; just one thing I did not tell you about.

The CHAIRMAN. Make it brief.

Answer. Now, our Indians over at Warm Spring are good workers and they are willing to work and help themselves, if they had something to go ahead with; but the Indians are unable, you know, and build farms and help themselves. Well, we asked Mr. Mortsolf to help us out with farm implements and such, and harness, and so on, so that the boys could go ahead and work. Now, we have a young man who is married—I have a young boy who has four children; I have to keep him. The boy is so poor he can not be able to make his own living; but all the Indians are good workers, the young fellows especially. Now, I thought that I would leave this in your hands. We would like to have help, in farm implements and things like that. That is all.

The CHAIRMAN. All right; thank you.

(Witness excused.)

TESTIMONY OF FORDNEY THOMPSON

Fordney Thompson appeared before the committee and, being first duly sworn, testified as follows:

The CHAIRMAN. Your name is Fordney Thompson?

Answer. Fordney Thompson.

The CHAIRMAN. Of Warm Spring?

Answer. Madras.

By Mr. GLAVIS:

Question. Were you ever in the bureau staff?

Answer. Yes.

Question. How long?

Answer. Oh, I was in the service about 1919.

Question. What position did you hold?

Answer. Well, I held the position of superintendent and disbursing agent.

Question. Were you ever at Warm Spring?

Answer. I was at Warm Springs.

Question. All the time?

Answer. No; I was at various places; Springs.

Question. A good many cattle were lost in 1923 and 1926 at Warm Spring, were there not?

Answer. I don’t know about that; I know of a few.

Question. It was 1924?

Answer. 1924. That was the last year I was there.

Question. Will you tell the committee how many?

Answer. Well, you take 1923: There was a very dry year, and in 1924 it was quite a few of the cattle were shipped out down the river. In the winter the cattle were all in poor condition, there was no feed and there came up cold weather and there was any number died. It is impossible to tell.

Question. Over a thousand, would you estimate?

Answer. No; there was not that many; a fair estimate—maybe more; it is impossible to tell.

Question. Could that have been prevented?

Answer. It could have been prevented.

Question. Did you try to prevent it?

Answer. I spoke to Mr. Mortsolf along the lines of what we would have to have some feed for the Indians had no feed—“we will have to have feed for the winter.” He did not do it too late.

Question. Are the Indians good cattlemen?

Answer. Well, there are some Indians who are cattlemen. Of course, some of them don’t do like they ought to, but the majority do.

Question. Were they making a success when we were there?

Answer. Yes. Of course, it was not what we would do, but they were doing good.

Question. Is it not a fact that the stock that we bought was the cattle as the best they saw?

Answer. They considered the Indian cattle the Benson Cattle Co. will tell you that.

Question. What do you think of the effort the Indians go into the sheep business?

Answer. Well, to be honest about it, I think the Indians did not like...
went out and got about 60 Indians and
This man Smith said, "Now, gentlemen;
zens out of you fellows, if you are capable
out here for." He said, "Mr. Smith,
e out here for." I had a home
Is there a road right up there so that
es. He said, "You wait for me Saturday;
your home." I said, "I am glad; I will
noon, and I saddled up the old pony and
at the agency. There was an old blind
r 70 years old. He said, "You are the
visit the Indians' homes;" he said, "There
ne here, but you are the first man to do
Mortsolf, I have waited for you; why
said, "Oh, well, Mr. Babcock," he was
said, "I got the information from Bab-
go around; he told me about the Indians." I
remember what the old fellow told you
er that? That is the way Government
2 Indians turned into citizenship, as tax-
you, gentlemen, these clothes you see are
have not clothes and I am not fit for a
he got his full right of the reservation.
thought I would tell you this so that you
ids. Excuse me; just one thing I did not
it brief.
ians over at Warm Spring are good
ling to work and help themselves, if they
ad with; but the Indians are unable, you
help themselves. Well, we asked Mr.
th farm implements and such, and harness,
could go ahead and work. Now, we have
ried—I have a young boy who has
him. The boy is so poor he can not be able
but all the Indians are good workers, the
Now, I thought that I would leave this
ld like to have help, in farm implements
it is all.
ght; thank you.

Y OF FORDNEY THOMPSON
ppeared before the committee and, being
as follows:
name is Fordney Thompson?
hapsulation.
arm Spring?

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By Mr. Glavis:
Question. Were you ever in the bureau service?
Answer. Yes.
Question. How long?
Answer. Oh, I was in the service about 14 years.
Question. What position did you hold?
Answer. Well, I held the position of farm and stock man and
superintendent and disbursing agent.
Question. Were you ever at Warm Springs?
Answer. I was at Warm Springs.
Question. All the time?
Answer. No; I was at various places; my last place was Warm
Springs.
Question. A good many cattle were lost during the winter of 1925
and 1926 at Warm Spring, were there not?
Answer. I don't know about that; I know in 1924 there were quite
a few.
Question. It was 1924?
Answer. 1924. That was the last year I was there.
Question. Will you tell the committee how they were lost?
Answer. Well, you take 1923: There was a shortage of pasture
and it was a very dry year, and in 1924 it was exceedingly dry and
quite a few of the cattle were shipped out during that summer; and in
the winter the cattle were all in poor condition and the Indians had
no feed and there came up cold weather and a big storm, and I don't
know, any number died. It is impossible to estimate.
Question. Over a thousand, would you estimate?
Answer. No; there was not that many; there was probably 400—
a fair estimate—maybe more; it is impossible to tell. Some of them
grew down the river, and it is hard to tell.
Question. Could that have been prevented?
Answer. It could have been prevented to a certain extent.
Question. Did you try to prevent it?
Answer. I spoke to Mr. Mortsof early in the fall, and said
that we would have to have some feed for these cattle; that the In-
dians had no feed—"we will have to have some feed if we expect to
get them through the winter." He did not get any feed until it was
too late.
Question. Are the Indians good cattlemen?
Answer. Well, there are some Indians over there who are good
attlemen. Of course, some of them don't take care of their cattle
like they ought to, but the majority do.
Question. Were they making a success until they lost these?
Answer. Yes. Of course, it was not what a regular cattleman
would do, but they were doing good.
Question. Is it not a fact that the stockyards of Portland consid-
ered the cattle as the best they saw?
Answer. They considered the Indian cattle the best that came in.
The Benson Cattle Co. will tell you that.
Question. What do you think of the effort made to make the In-
dians go into the sheep business?
Answer. Well, to be honest about it, I think that was a mistake.
The Chairman. The Indians did not like sheep.
Answer. In fact, the Indian don't like sheep, and it is not the Indian's nature to take care of sheep—the majority of them. Taking sheep, you have to be with them all the time and take care of them; with cattle you don't. You can turn them loose on the range and they will take care of themselves, even in winter.

The CHAIRMAN. The number of cattle the Indians have now is considerably less than they had a few years ago?

Answer. Yes, considerably less; I understand at one time they had over 3,000; and I don't know now that they have over four or five hundred head. I have talked to Indian boys and they think that.

The CHAIRMAN. Of course, that makes a difference in the Indians?

Answer. It does, yes.

Question. Do you think they have been discouraged in the cattle business?

Answer. Well I don't know as I can say they have.

The CHAIRMAN. Why is there less cattle than a few years ago?

Answer. Well, it is on account of the shortage of pasture they had in those years, and they shipped them out.

Question. How did it come they had a shortage of pasture?

Answer. On account of dry weather.

Question. Was it not on account of leasing the land to outsiders?

Answer. Well, that land leased on the outside would take that much land away from their cattle; and another thing, the ponies on the reservation consumed a lot of pasture.

The CHAIRMAN. Do you have any further statement?

Answer. Not that I know of.

The CHAIRMAN. That is all then, thank you.

(Witness excused.)

The CHAIRMAN. The hearing is closed then, if there is nothing further.

(Hearing closed.)