23 There are plenty of teams that will come here and play our boys. The Army does not go outside, and neither does the Navy. The only game they do not play on their own grounds

1210 is the game they play together.

TESTIMONY OF CLAUDE M. STAUFFER.

The witness was duly sworn by the Chairman.

The Chairman. What official position do you hold in the Indian School, and how long have you been employed there?

Mr. Stauffer. I have been employed there since 1904; about ten years. I have been the badmaster and musical director there ever since I have been there.

The Chairman. How many pupils are in the band?

Mr. Stauffer. About 40; in the neighborhood of 45 or 48.

THE Chairman. What do you teach; what instruments?

Mr. Stauffer. I instruct them in a general way on all the instruments, but my principal instruments, that I play myself, are the stringed instruments, the piano and organ, and I have a general knowledge of the brass instruments and reed instruments of the band, sufficient to be able to instruct them.

The Chairman. Do you issue diplomas in your department?

Mr. Stauffer. No; that has never been the policy.

The Chairman. How long does it take to complete the work which you do in the course which you give there?

Mr. Stauffer. Well, the course we give in music has never been an outlined course. There never had been one before I came there, and never one handed me by anybody else. I have these pupils for a certain length of time -- for the time they are there, with the exception of the summer months.

24 During the summer time they go out.

The Chairman. Have any of them completed the course to your satisfaction?

Mr. Stauffer. We have a number of students, yes, that have become very proficient.

The Chairman. Do they teach now?

Mr. Stauffer. Yes; I have a number of boys in the Indian Service at the present time.

The Chairman. Were you ever connected with the Department of Agriculture?

Mr. Stauffer. No; I never was.

The Chairman. Did you ever have the position of instructor in agriculture?

Mr. Stauffer. I never did. Now, I looked that matter up. Mr. Linnen asked me that question, and I looked that up through some of our files out there, and came across a note written to me by Mr. Friedman saying that I should arrange to take some classes in agriculture. I went to Mr. Whitwell and consulted with him about the matter, and he objected to any more classes being introduced in that department. He said that at present their courses were ~~xxxxxx~~ broken up sufficiently with music and the business and drawing. I reported the matter to Mr. Friedman, and it never
1212 was carried out.

The Chairman. Are you skilled in scientific agriculture?

Mr. Stauffer. No, sir.

The Chairman. Do you know anything about ~~xxxxxxxx~~ agriculture?

Mr. STauffer. Only what I have taken in the schools

that I have been in. I am a graduate of a normal school, and I took a course there in physics, and took physics in college.

The Chairman. I am talking about agriculture.

Mr. Stauffer. So far as agriculture is concerned, I am not an agriculturist.

The Chairman. Why did the superintendent instruct you to take classes in agriculture if you had no special training?

Mr. Stauffer. The position of agricultural teacher had been abolished, and he thought they ought to have some practical knowledge.

The Chairman. Why was that done?

Mr. Stauffer. I never went into that with him.

The Chairman. Do you know a ~~Mxx~~ Miss Julia Hardin?

Mr. Stauffer. Yes; she is a pupil of mine. She studied piano under me, and also in the mandolin club.

The Chairman. Did you administer corporal punishment to her?

Mr. Stauffer. I did.

The Chairman. Under whose instruction.

Mr. Stauffer. Mr. Friedman's instruction.

The Chairman. State the circumstances.

Mr. Stauffer. May I read them?

The Chairman. No. You remember what you did.

Mr. Stauffer. I remember what I did, but if I could submit this to you, it is a clear and concise statement of the case and covers it to the best of my ability.

The Chairman. Is this the statement which you made to Inspector Linnen?

Mr. Stauffer. That is the statement that I gave him.

26 THe Chairman. You made one statement to him, and the following day declined to sign it?

Mr. Stauffer. I asked Mr. Linnen whether that was to be regarded as my final testimony. He said that for the present it was. I said I preferred not to sign it until I had rendered my entire testimony, and I requested that I be allowed to submit a fuller statement, in justice to myself, regarding the Julia Hardin affair. That has been about a year ago; not quite a year ago. I never expected to be called upon about this case, and I had not refreshed my memory of the case at all, and in thinking it over I realized that I had not covered the ground sufficiently.

The Chairman. Did you make any statements in the affidavit you gave Mr. Linnen and did not sign that were not true?

Mr. Stauffer. No, sir; I did not.

The Chairman. So far as the statements in that go, they are correct?

Mr. Stauffer. So far as they go, they are correct; yes.

THE Chairman. They did not sufficiently cover the case?

Mr. Stauffer. They did not sufficiently cover the case, in my estimation.

The Chairman. Now, after you had made this affidavit and were asked to sign it by Mr. Linnen, you made some offensive statements to him?

Mr. Stauffer. I did, and I have a transcription of that that I have written down, that I am willing to submit and swear to as to what occurred, to the best of my knowl-

27 ledge, in there.

The Chairman. Have you the statement with you?

Mr. Stauffer. Yes, I have the statement. And I want to say, Mr. Robinson, that I could not see why Mr. Linnen's attitude should be offensive to me at all. I was not shown--

The Chairman. Can you explain why your attitude should have been offensive to him? You knew he represented the government of the United States --

Mr. Stauffer. He did not tell me that he represented the government.

The Chairman. You did not know that he was a representative of the Department of the Interior, of the Commissioner of Indian Affairs, and of the Joint Commission of Congress?

Mr. Stauffer. I had no knowledge whatever.

The Chairman. But did you think he was?

Mr. Stauffer. I knew he was there for the purpose of investigating this matter?

The Chairman. Whom did you think he was representing?

Mr. Stauffer. I thought he was representing the Indian Office, that he was sent here from the Indian Office to make a fair investigation of the school. And in my estimation, Mr. Robinson, I don't see how a man who was a fellow Mason could treat me --

The CHairman. The Masonic business has nothing to do with that. Did you state to Mr. Linnen, "You cannot bluff us the way you have been doing things around here?"

Mr. Stauffer. I said, sir -- I mentioned that he could not bluff me into signing an affidavit.

The Chairman. What did he say in reply to that?

28 Mr. Stauffer. He said, "I told you I was through with you."

The Chairman. He told you you were excused?

Mr. Stauffer. He told me he was through with me.

The Chairman. WHat did you say in reply?

Mr. Stauffer. I said, "Very well."

1216 The Chairman. Didn't you say to him, "You cannot bluff anybody around here?"

Mr. Stauffer. I made that remark.

The Chairman. He told you you were excused. Why didn't you go on about your business?

Mr. Stauffer. Mr. Robinson, I admit I was hasty in what I said.

The Chairman. You also made the statement, "You are no gentleman"?

Mr. STauffer. Yes, I did.

THE Chairman. And that was after he told you you would not be required to sign the affidavit?

1217 Mr. Stauffer. Yes.

The Chairman. AND as you passed out the door you made the statement again?

Mr. Stauffer. Yes; I admit that.

The Chairman. Now, let us get down to the facts about that Julia Hardin case. You say you had instructions from Superintendent Friedman to administer corporal punishment to that girl?

Mr. Stauffer. Yes, sir.

The Chairman. What was his language and what did he tell you to do?

Mr. Stauffer. He just simply said, "Go ahead."

29 The Chairman. Did you ask him for permission to do it?

Mr. Stauffer. I came back to the office and reported that I had been over there, and there was nothing that could be done with the girl at all, in my estimation, and I thought she ought to be made to mind, even if it were necessary to give her a spanking.

Senator Lane. How old is she?

Mr. Stauffer. I judge she is about 17 or 18 years old.

Senator Lane. Were you really going to spank a 17-year old girl?

Mr. Stauffer. Now, I feel -- and I have conclusive evidence there in my statement that I have sworn to as the whole truth, that that girl admitted afterwards -- that was the best thing that ever happened to her.

The Chairman. Let me go ahead. You said you made a statement of the facts to Superintendent Friedman, and he told you to go ahead and punish her. Did you tell him you were going to use a board?

Mr. Stauffer. I did not use a board, Mr. Robinson.

The Chairman. What did you use?

Mr. Stauffer. A little stick that Miss Ridenour handed me, a little piece of kindling wood about a foot long, two inches wide and a quarter of an inch thick.

Senator Lane. Did you strike a 17-year old girl with a missile of that kind?

Mr. Stauffer. Yes, sir; I did. I did not think I did anything that was cruel to the girl. The girl --

The CHairman. How many times did you strike her?

30 Mr. Stauffer. ABout eight or ten times.

THE Chairman. Did you throw her down?

Mr. Stauffer. No, I did not. I slapped her --

The Chairman. Struck a girl --

Mr. Stauffer. I slapped ~~xxxxxxxx~~ her across the mouth when she became insolent to me.

The Chairman. Did Superintendent Friedman give you authority to slap the girl?

Mr. Stauffer. He did not give me any authority except what I told you. He said to me --

The Chairman. When you slapped her, what else did you

1219 do? What did you do after you slapped her?

Mr. Stauffer. She covered her face with her hands and got down on her knees, and as she did I pushed her over so that she was on her hands and knees, with my hand.

THE Chairman. When did you hit her with the board?

Mr. Stauffer. After that Mrs. La Flesche came in, and Mrs. La Flesche had the check she had refused to sign in her office previous to this, which was for her transportation out to her country home. Mrs. La Flesche came in, and I told her the circumstances, and Miss Ridenour also did, and she still was defiant and still insisted she would not go. And I said to Mrs. La Flesche that I did not see anything that we could do. She said, "The only trouble is, she has not had enough." I said, "I am willing to give her some more if you think so," and Miss Ridenour brought

1220 this stick and said, "Here, use this."

The Chairman. How much experience have you had as a school teacher?

31 Mr. Stauffer. I am a graduate of the Bloomsburg State Normal School, holding a diploma as teacher in the State of Pennsylvania.

The Chairman. Have you ever whipped a young lady in that manner before or since?

Mr. Stauffer. No, sir.

~~Mr. Stauffer.~~ The Chairman. Did it occur to you that that was a manly and courageous thing to do?

Mr. Stauffer. I have regretted ever since that it was necessary for me to do it, but I did it as my duty prompted

1220 me to.

The Chairman. You were moved solely by a sense of duty?

Mr. Stauffer. Yes, sir.

The Chairman . You mean you slapped a young lady in the face from a sense of duty, and expect anybody to believe it?

Mr. Stauffer. Well, that is my version of it, Senator Robinson.

The Chairman. Well, I have been a school teacher myself, and am a man of some temperament myself, and I can sympathize with a man that has a temper, but I never would make oath that I slapped a young lady 17 years, and then spanked her with a board, or whatever it was, purely from a sense of duty.

I want you to describe that stick, or board, or whatever it was, that you used.

Mr. Stauffer. I have described it in there. It was about a foot long, two inches wide, and a quarter of an inch thick.

The Chairman. Didn't you say in the affidavit you

32 gave Mr. Linnen it was at least three inches wide and three feet long?

Mr. Stauffer. No; I did not say that.

The CHairman. Did you ever whip a 17-year old boy with your fist?

Mr. Stauffer. No, sir.

The CH airman. You would not do that, would you?

Mr. Stauffer. No, and I regret that I did this other.

The Chairman. You would take your vengeance out with your fists on young ladies. You have seen boys around that school drunk, heard them insult the superintendent and call him a "Jew" --

Mr. Stauffer. No, sir; never in my presence.

The Chairman. And you never struck any of the boys?

Mr. Stauffer. I never heard them do that in my presence.

The Chairman. You have handed me a typewritten statement which you say represents your view of the matter after you had carefully studied it over. Did you confer with anybody when you prepared this statement?

Mr. Stauffer. No, sir; not about this statement.

The Chairman. Whom did you confer with before you prepared it, or while you were preparing it?

Mr. Stauffer. I did not confer with anybody about the statement.

The Chairman. Have you exhibited it to any one since you prepared it?

Mr. Stauffer. No, sir.

1222 The Chairman. You make the statement here: "By this time Mr. Whitwell had arrived on the scene and was told of what had taken place. He pulled the girl up from the floor and told her she would have to make up her mind to go, and that she had not had half enough, and threatened to give her more himself. After considerable persuason on the part of all she finally consented to sign the check and agreed to go to the country if we would let her wait until the morning train. As it was then too late to make the evening train it was agreed she could wait, but Mr. Whitwell ordered her put in the detention room over night so she could not be persuaded by the other girls to change her mind. He then accompanied Miss Ridenour to the room where she was to be kept."

Is that statement correct?

Mr. Stauffer. Yes, sir; to the best of my knowledge, it is.

The Chairman. Now, Mr. Whitwell swears as follows: "I found the girl sitting on the floor sobbing and crying. Mr. Stauffer was standing near, very much excited. So was Miss Ridenour. I had learned on the way over, from Mrs. LaFlesche, something of the trouble. I walked up to Julia and said something like this: 'Julia, you know I wouldn't advise you to do anything against your best interests if I knew it. Now you have got yourself into this trouble and it is up to you to get yourself out of it. I couldn't tell you what is right or wrong, any better than what you yourself now know it, and I am not going to waste time talking to you, but I advise you to do as you are told, whatever that is.'

"I turned to the matron and asked what they wanted her to

do, The matron said she would have to go to the lock-up. I said 'Julia, will you go to the lock-up?' She said, 'I will go for you, Mr. Whitwell.' I knew the girl meant what she said I turned to the matron and said she was ready to go, but the matron did not seem to realize it. I said again that she was ready to go and told Julia to rise and go with her. She went and that ended my connection with the case."

"That evening Mr. Stauffer came to our house and explained his connection with the case. I told him that he would likely be blamed for using corporal punishment on the girl. He said that he had first gone to Mr. Friedman, and that while Mr. Friedman didn't give him direct permission, he took it for granted that he was willing that the girl should be punished. He also added that the girl was ready to give in when I came over. I said so far as I was concerned, I felt I had not done anything worth mentioning."

Now, is the statement in that affidavit true that Mr. Friedman did not give you direct permission, but you took it for granted that he was willing?

Mr. Stauffer. The remark Mr. Friedman made — when I said the only thing I saw was to give her a spanking, he said, "Go ahead."

The Chairman. That was direct instructions to do it, was it not?

Mr. Stauffer. That is what I understood.

The Chairman. Did you tell Mr. Whitwell that Mr. Friedman had not given you direct permission?

Mr. Stauffer. I do not think I ever told him that.

The Chairman. Did you go over to his house that night and

explain your connection with the whipping of the girl?

Mr. Stauffer. I do not think that I did.

The Chairman. Do you remember going over there that night?

Mr. Stauffer. I do not remember going over there that day at all.

The Chairman. Do you remember making any explanation?

Mr. Stauffer. No, I think the explanation was made right there in the room at the time.

The Chairman. You do not remember about it?

1225 Mr. Stauffer. No.