



Education  
Pedagogy  
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DEPARTMENT OF THE INTERIOR.  
UNITED STATES INDIAN SCHOOL,  
CARLISLE, PA.

November 12, 1909.

OFFICE OF INDIAN AFFAIRS  
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The Commissioner  
of Indian Affairs,  
Washington, D. C.

Sir:-

In answer to your letter of November 9th concerning the feasibility and desirability of establishing reformatories for Indians, I have to recommend as follows:-

For a population of 300,000 people of any race, even of the superior white race, there has been, and is, a need for corrective institutions where the criminals, and near-criminal element, can be sent, not only for their own reform, but for the purpose of safe-guarding those with whom they live. I believe, from my own experience on and off of the reservation and in various parts of the Indian country, that there are enough young people with Indian blood of questionable character to warrant the establishment of a school of correction for their confinement. I am in favor of a special school of this kind for Indians in lieu of the present method of sending bad Indians to State Reformatories. My reason for this is as follows: the

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No action necessary  
E. A. C.

criminal element among our Indians is not as vicious as the criminal element among our whites. This is probably due to the fact that the white criminal is keener and more fertile in his imagination in the perpetration of wrong. The criminal acts of Indians are very largely done openly and with none of the connivance which characterizes criminal acts of the white race. The point I wish to bring out is that the white criminal is a more vicious type than the Indian criminal, and the association of the two in a State Reformatory will react against the Indian and, instead of correcting the latter's moral defects, his association with criminal whites would further undermine his character. The personal contact with the criminal type not only of the whites, but of the vicious type of negro, found in practically all State Reformatories, would overcome the corrective disciplinary measures in vogue at the institution.

By placing all Indian incorrigibles in the same school, and not mixing them with a worse type of criminals a better chance <sup>is afforded</sup> to introduce definite corrective measures adapted to this specific type.

While I recommend the establishment of such an institution for bad Indians, I would not, for a moment, have it related in any way whatsoever with the present Indian school system. I believe it should be established for Indians whether they may be found off of the reservation or else-



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where. Every Indian school should stand on its own bottom, and handle its own discipline. I am very determined in my stand against corporal punishment, but I am firmly convinced that in every school where a large number of boys and girls, or even a small number, meet together for the purpose of obtaining an education, certain disciplinary measures must be enforced. It would be going to an extreme to decide that a boy or girl should be sent to a reformatory and have the stigma and blot upon his or her name which such a confinement in such an institution would result in simply because no definite steps for discipline were in vogue in a particular school, or class of schools. There are hundreds of little infractions of the rules each year in every institution which must be punished promptly and with reasonable modes of punishment. Such modes of punishment should be within reason, and I believe most emphatically that the deprivation of privileges, assigning of additional work, or confinement for a reasonable length of time in a sanitary guardhouse are measures which not only could be commended by the most humanitarian minds, but are distinctly pedagogical.

However, I believe your Office should take a firm and definite stand against some of the extreme methods of corporal punishment which have been at one time or another practiced in most of our Indian schools. Superintendents should, however, have reasonable authority in the matter of discipline,



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and should be held personally responsible for the abuse of that authority.

There is the further question of the legality of any process whereby Indians who voluntarily enroll in a school are taken out of that school and imprisoned without due process of law. This is especially true with regard to adults. A recent decision of the Supreme Court in the case of Byalili and his band of Navajos, and their subsequent liberation from a federal prison where they had been confined with the aid of the American soldiers, develops the fact "that the Indian is a man and cannot be imprisoned without due process of law" This legal question is a very important one and should not be lost sight of for the reason that the act of giving an education to their children is a voluntary one with the parents, and, where the parents have not been consulted, a purely voluntary one with the boys and girls. It might be that an occasional case might arise in a school where the viciousness and corruptive influence of a boy or girl would justify his or her imprisonment in a school of correction, but ordinarily these cases should be rare. If in some schools, there have been large numbers of such cases, it is my opinion that students have been indiscriminately selected and that there has been negligence either on the part of the agent or superintendent in charge of the reservation in sending to school whom he knows, or could easily ascertain, is a vicious type, or because the superintendent of schools have not exercised the utmost care in the select-



ing and rejecting of their students.

There probably is room for a corrective institution such as is mentioned in your letter for both boys and girls. On nearly every reservation there are young women who not only have a bad reputation, but whose conduct is disreputable. However, I believe that the confinement of such girls should be in a school separate from the boys. A co-educational institution with inmates of this type would certainly add most difficult problems to its management.

To sum up:-

FIRST: There are probably enough vicious Indians to warrant their confinement in a reformatory conducted after the most approved type of our State Reformatories, and it is advisable for the ultimate correction and reformation of incorrigible Indians to separate these from the more vicious and more pronounced criminals who are found in the white and negro races.

SECOND: Such an institution should have no connection whatever with the discipline of Indian schools, whether reservation or nonreservation.

THIRD: Nonreservation schools should stand on their own bottom in discipline, the same as in other questions.

FOURTH: Superintendents should be empowered with authority in matters of discipline and should be held personally responsible for any infliction of extremes of punishment.

FIFTH: Corporal punishment should either be entirely abolished, or, if it is suffered to continue, should be limited to mild punishment with some of the youngest boys. The thrashing of men and girls should be prohibited.

SIXTH: Practically all misdemeanors which are usually encountered in an Indian school can be corrected by that school in a humanitarian way.

SEVENTH: Such punishments as deprivation of privileges, assignment of extra work, or confinement for a reasonable period of time in a sanitary guardhouse are unquestionably humanitarian and could not be objected to.

EIGHTH: All the legal aspects should be carefully taken into consideration.

NINTH: There should be separate penal institutions for boys and girls.

Very respectfully,



Superintendent.

MF/EFW



Education  
Pedagogy  
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E. A. C.

Establishment of  
corrective schools.

NOV - 9 1909

FOR FILE

Moses Friedman, Esq.

Superintendent Carlisle Indian School,  
Carlisle, Pennsylvania.

Sir:

The Office has under consideration the desirability of establishing a school or schools to which all incorrigible and persistently immoral Indian pupils would be sent.

In order to determine whether conditions as they now exist in the Indian Service warrant such an undertaking, I desire to get your opinion on the matter. Do you think that a school or schools of this character, which would really be reform schools, although they need not be so designated, would relieve the present unsatisfactory condition at some schools relative to discipline, and also do away with the necessary maintenance of guard-houses on the part of most boarding-schools?

These schools should be under the direction of persons of wide experience in the Service and who, in addition to their intellectual qualifications, should be possessed of great moral force.

(2)

They should afford immediate relief to all schools having bad pupils among their numbers and their ultimate object would be to bring about the reformation of all pupils placed in their care. In these schools discipline would be extremely severe and the requirements from pupils in the way of study and industrial work should be of a stern and vigorous character.

It does not seem necessary, however, that new plants be established. One or more of the schools now in existence could be selected for this purpose. If the whole scheme seems desirable, should there be provided such a school for the girls? If it should be done, ought it to be a different school from the one selected for the boys?

The Office does not desire your opinion on this matter based solely upon conditions as they are in your school but rather desires your opinion based upon your general knowledge of the conditions in the Indian Service.

Very respectfully,  
*(Signed) F. H. Abbott,*

Acting Commissioner.

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