

Stauffer - C. M.

STATUS

RETIRED

201

Bay 11 WC

2/72

Box - Stark, No. 2

78199

MAKE REFERENCE IN STATUS OF

Claude M. Stauffer

TO 10144-14 # CARLISLE 154 INVESTIGATION



OFFICE OF
COMPTROLLER OF THE TREASURY
IN REPLYING QUOTE INITIALS

Appeal #23837.

L.R.G.

EWM-3-L.

TREASURY DEPARTMENT

WASHINGTON

July 16, 1914.

78499
RECEIVED
JUL 16 1914
U.S. DEPARTMENT OF THE TREASURY

The Commissioner
of Indian Affairs,
Interior Department.

Sir:

I am returning herewith the status file in the case of Mr. C. M. Stauffer, formerly musical director at the Carlisle Indian School, Pa., which you forwarded to this office by your letter of the 15th inst.

Am also sending you a copy of the decision which this office has rendered upon Mr. Stauffer's appeal from the action of the Auditor for the Interior Department in disallowing his claim.

Respectfully,

Geo. E. Downey
Comptroller.

W

Emps

Status file

copy
L.R.G.

78499

THEASURY DEPARTMENT
Office of Comptroller of the Treasury,
July 16, 1914.

Claude M. Stauffer appealed July 6, 1914, from the action of the Auditor for the Interior Department in settlement No. 40755, dated June 29, 1914, disallowing his claim for pay from February 11 to June 1, 1914, while under suspension without pay as musical director at the Carlisle Indian School, Carlisle, Pa. The Auditor disallowed the claim because there was nothing due appellant from the United States.

It appears that appellant, who was employed as musical director at the Carlisle Indian School, was suspended from duty without pay on and from February 11, 1914, by the Commissioner of Indian Affairs, pending the investigation of charges preferred against him. The matter of the charges was investigated and on June 1, 1914, appellant was informed by the Commissioner of Indian Affairs that there was no longer any

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necessity for the position held by him at the school, and that he was dropped from the service.

Appellant was appointed or employed by the Commissioner of Indian Affairs and while rendering service he was paid from a lump-sum appropriation at the rate of \$1400 per year. His salary was not specifically fixed by law. In the absence of a specific provision of law to the contrary the power to furlough an employee without pay is incident to the power of employing him, and if he is so furloughed I know of no law that would warrant the accounting officers in allowing him pay during such furlough period. (See 9 Comp. Dec., 560; 10 id., 361; 11 id., 560, 661; United States v. Murray, 100 U. S., 536; Keim v. United States, 177 id., 290; Stillings v. United States, 41 Ct. Cls., 6; 59 MS. Comp. Dec., 522, dated November 11, 1911.)

As appellant was suspended from duty without pay by the appointing power and rendered no service to the Government during the period of his suspension, namely, from February 11 to June 1, 1914, he is not entitled to pay during said period. The action of the Auditor in disallowing the claim is affirmed and a certificate of no differences will issue.

Geo. R. Downey,

Comptroller.

19



OFFICE OF
AUDITOR FOR INTERIOR DEPARTMENT
IN REPLYING QUOTE INITIALS

TREASURY DEPARTMENT

WASHINGTON



The Commissioner
of Indian Affairs.

Sir:

Herewith I return your office file of correspondence,
loaned to this office for consideration in the case of claim
of C. M. Stauffer for pay as musical director at the Carlisle
Indian School, Pa., from February 11 to June 1, 1914, while
suspended from office without pay.

Respectfully,

W. W. Woodley
Auditor.

CWF

Encls.
~~*File*~~

Status file

RECEIVED

Ed. Emp.
B B G

JUL 15 1914

My dear Mr. Comptroller:

I have your letter requesting information regarding the case of Mr. C. M. Stauffer.

Mr. Stauffer was suspended from duty and pay effective February 11, 1914, pending the investigation of charges preferred against him. The matter of the charges were investigated and on June 1, 1914, Mr. Stauffer was advised that there was no longer any necessity for the position and that he was dropped from the Service.

I am enclosing herewith Mr. Stauffer's status file which contains the entire record. Kindly return the file as soon as it has served its purpose.

Very truly yours,

(Signed) E. B. Meritt

Assistant Commissioner.

Hon. Geo. E. Downey,

Comptroller of the Treasury.

CAREON FOR STATUS FILE

Carbon for Indian Office



OFFICE OF
COMPTROLLER OF THE TREASURY
IN REPLYING QUOTE INITIALS

Appeal #23837.

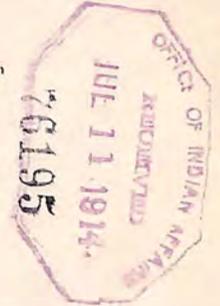
L.R.G.

EWM-2-L.

TREASURY DEPARTMENT

WASHINGTON

July 10, 1914.



The Commissioner
of Indian Affairs,
Interior Department.

Sir:

I have to request that you will furnish this office all the essential facts relating to the suspension without pay of C. M. Stauffer, formerly musical director at the Carlisle Indian School, Pa.

It appears that the status file of Mr. Stauffer forwarded by you and upon which the Auditor for the Interior Department acted in disallowing his claim for pay from February 11 to June 1, 1914, was returned to you by the Auditor without any statement of the facts being left with the papers of the Auditor's settlement.

Mr. Stauffer has appealed to this office from the action of the Auditor in disallowing his claim.

Emps

Respectfully,

Geo. E. Downey
Comptroller.

lsg

July 3, 1914.



Mr. O. H. Lipps,
Supervisor in Charge,
Carlisle Indian School,
Carlisle, Pennsylvania.

My dear Mr. Lipps:

I have your letter of July 2, and
am herewith enclosing you copy of letter
just written to C. M. Stauffer, which is
self-explanatory, and which may be taken
by you as an answer to your letter herein
referred to.

Sincerely yours,

(Signed) Cato Sells

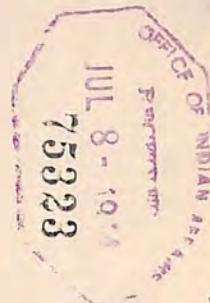
Commissioner.

Enclosure.



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

July 2, 1914.



2

The Honorable
Commissioner of Indian Affairs,
Washington, D.C.

Sir:

I transmit herewith letter received from Mr. C. M. Stauffer in reply to my written notice to him to vacate the Government quarters which he still occupies at the school. Personally I have no desire to inconvenience Mr. Stauffer. So far as my observation goes, his presence here is not obnoxious, still it is somewhat embarrassing to have the employees communicating information to Members of Congress and members of the Investigating Committee which may indicate the disposition on my part to specially favor Mr. Stauffer.

In view of all the circumstances in this case I respectfully request that the Office give me definite instructions regarding this matter immediately.

Very respectfully,

O. H. Lipps
Supervisor in Charge.

OHL:SR

FILED BY J. L. W.

File

Carlisle, Pa. July, 2nd, 1914.

Mr. C.H. Lipps, Supervisor in Charge,

Carlisle Indian School, Pa.



Dear Mr. Lipps,-

In answer to yours of to-day, in which you say you are being criticised for permitting me to occupy government quarters, after I am no longer an employee of the school, let me say, that after the two interviews which I had with you, especially the last one, I felt that under the circumstances there was no harm in my remaining in my quarters until I had heard definitely, from the Commissioner and the Secretary of the Interior, in answer to letters written them, concerning my case, which are still unanswered.

I had hoped to receive from the Indian Office a re-instatement and transfer, and possibly the payment of my salary, during suspension. I felt in view of the service which I have given the government, there could be no harm done, especially with your permission, in remaining in the quarters, until the matter was finally settled.

Being under suspension for almost four months, without any income and with all my financial obligations still going on, I have been placed in a very embarrassing position I assure you, and I hope the office will take these matters into consideration, and allow me the privilege of my quarters, until the matter is settled.

In a letter from the Commissioner to Honorable Charles E. Patton, Congressman, dated June 19th, he says as follows; "Under the rules of the Civil Service Commission, an employee dropped by reason of the discontinuance of his position, may, in the discretion of the appointing officer, be re-instated in the position should it again be re-established." I had hoped that perhaps the Commissioner would re-consider his action, and re-establish the position again, and that I might perhaps be re-instated.

In a letter from Senator Robinson, he says, "During the hearings at Carlisle, I expressed my-self perhaps with unnecessary emphasis concerning your chastisement of the young lady, I thought then that under the circumstances you deserved censure, but I have not the slightest wish to hinder your success. This is the first information which has reached me, that the position you formerly occupied at the school, has been abolished, and I take the liberty of referring your letter to the Commissioner of Indian Affairs, for such consideration and action as that officer may deem the circumstances warrant."

These and other letters, which I have received, and the fact that the Commissioner, has not taken any action on my last letter to him, dated June 22nd, also that Miss Beatrice Herman whose case I quoted, has received her salary, during the term of suspension, I have felt that until these matters were settled, there was no harm in my remaining at the school.

Thanking you for your courtesy to me under the circumstances, I am,

Very respectfully,

C.M. Stauffer.

Carlisle, Pa. June, 22nd, 1914

Cato Sells, Commissioner of Indian Affairs,-
Washington, D.C.



Honorable Commissioner,-

I understand Miss Beatrice Herman has been paid her salary in full, during the time she was under suspension without pay. I have been refused mine. Why the discrimination? You say the Comptroller has held that where no service was rendered, no salary could be paid. How about Miss Herman's case?

I received a letter from the office dated June 17th, which states, "You are advised that there is no vacancy at the present time for which you are eligible." I will consider an offer of transfer other than in the musical line. Do you not have other vacancies in other lines of work you can offer me?

What reason is there for sending me away from Carlisle? If the work is to be divided, I am eligible for any of the positions created in the musical line right at Carlisle.

Did you ever think Mr. Commissioner, how you would like to be treated, as you have me? I have been in the service here for ten years, and have done faithful work. I have letters from scores of young people who have gone out from the school, thanking me for what I did for them. Many are in the service as Bandmasters and Teachers of music, some are studying music at Conservatories, and other schools.

In view of this, am I not entitled to more consideration by your office? Trusting to have a favorable reply, I am,

Very Respectfully,

C. M. Stauffer.

Carlisle, Pa. June, 5th, 1914.

Honorable Commissioner of Indian Affairs,
Washington, D.C.



Sir,-

Since reading the report, which has recently been published of the so-called investigation, of one E.B. Linnen, I wish to put myself on record, regarding certain statements made by him in his report, which I had no opportunity of knowing were made, and which were not contained in the charges preferred against me. These charges have recently been dismissed against me, by action of your office. This man has repeatedly, since the time he arrived at Carlisle, caused to be made certain false statements which were heralded through the public press, namely, that I had clubbed an Indian girl, when there is no evidence whatever, in any of his report, or that of the Congressional Committee, making such a statement. He based his report, relative to this case of corporal punishment, which was administered by me, upon one Julia Hardin, entirely on the testimony of this Indian girl. It had been shown before, and since, the Congressional Committee had arrived at Carlisle, that this girl was untruthful and had a bad record, and yet her testimony was accepted as against the testimony and affidavits of such reputable employees as Miss Ridenour, Miss Austin, Miss Knight, the three matrons, Mrs. LaFlesche and Mr. Friedman as well as the sworn statement, of my-self regarding this case.

After I received the charges, one of which was based on the testimony by this girl, I proceeded to answer this charge, and in doing so, I procured an affidavit from the girl herself, to which you may refer by reading my answer in full, who gave it willingly, of her own accord, in the presence of a notary public, and three other witnesses. The girl read this statement after it had been transcribed, and signed it willingly. She afterward made additional statements, indicating Mr. Whitwell's and Miss Sweeney's influence over her, in trying to get her to make this damaging statement against me. We expressed regret that she had not made these statements before her affidavit had been transcribed and sworn to, by her, to which she replied, that if we desired it, she would make another affidavit, including these statements. In the meantime she told Mr. Whitwell, Miss Sweeney and others what she had done, and they advised her not to make another statement. When she told us of her decision, we said it was all right, that the one she had made was perfectly satisfactory. Miss Sweeney, a teacher who spent more time in the Principal teacher's office, than she did in her school-room, immediately got busy and was instrumental in having a wire sent to Mr. Linnen to hurry back to the rescue. Let me say that I was merely making an attempt, in a perfectly legitimate way, to answer a vicious charge, made against me by this man, and in doing so, I was handicapped, as I have shown you. He did return to Carlisle, when he again secured additional false statements from this girl, and others, against me. I again call your attention to the fact that the regulations do not prohibit corporal punishment, and even if they did, why should this case be singled out, when the history of the school is full of examples. In the case of Disciplinary Denny, who testified that he whipped boys, struck them in the face with his fists, cut them open with a ring, knocked a boy down stairs, the inspector only recommended that he be reprimanded.

Two affidavits have been furnished your office, one from a former teacher of the school, and the other her pupil, Elizabeth Grey, both of which set forth the cruel and brutal beating by Mr. Whitwell the Principal Teacher.

This man also administered two other cases of corporal punishment during the time the investigation was going on. He was also permitted to read a statement which I made to the inspector, in which he says, that said statement by me, was false. Why should he have been permitted to see any testimony of mine, when I was not extended the same courtesy by the inspector?

I was present when four boys were whipped by Mr. Dickey in the guard house, because several of these boys had attempted the life of Mr. Dickey the night before, when they tried to throw him down from the third story porch, while they were drunk. I call your attention to the case of Mr. Grey the farmer, who in a fit of anger, struck a boy with a fence rail, and when the boy raised his arm to protect himself, the rail struck his arm, and broke it. This case was never referred to, during the inspection.

At the time it occurred, Mr. Friedman recommended that this man be dismissed for his act, the office merely paroled him for two weeks, and he is still in the service at the school. I am not censuring Mr. Grey, but merely ask, why the discrimination?

The charge of insubordination was preferred against me by this man, because after having refused to admit a fair statement regarding the case of corporal punishment, and after snatching the paper out of my hand, and keeping it, I told him he was no gentlemen. He does not say anything, however about the apology, which I made to him, and which he accepted, as attested to, by the affidavit of Will H. Miller. The insubordination by two other employees on the grounds was never referred to, and one received a transfer to another school at a promotion, the other is still here and was one of the star witnesses, but the inspector recommended that the one be retained at Carlisle, indefinitely, for the best interests of the school, the other, he says, is a good teacher. I refer to Mr. Whitwell and Miss Sweeney.

Referring to the statements which appear in Mr. Whitwell's letter to you, dated October 15, 1913, and found in the report on page 1079, regarding the work which I did at the school building, and on the calendar, during the summer months, I have this to say. While he was on a trip, riding around the country in his automobile, I was detailed to clean up his school building. I began with his office first, because I saw there the need for a cleaning up more than in any other part of the building. It must be understood that this office, contained all the supply of books, etc; which had been collected from the entire school building and quarters, after school closed, and taken in there in baskets, and dumped in piles. All of these books were assorted, and placed neatly and orderly on the shelves by my-self, and one boy, he being all the help I could get. The change and appearance of the office and the whole building, was remarked on, by a number of people, but the lack of appreciation on the part of this man, is only an indication of his envious, jealous spirit, which certainly made him totally unfit for the position he held at Carlisle.

He passed judgment on my work in music, and yet he never visited a class nor attended a single band rehearsal, in all the time he was here, and he knew absolutely nothing about music. His main delight and his most important vocation at the school, was standing up before the school snapping his fingers, as the students marched out.

He was known among the student body, as the chief-snapper. As to the calendar which he says was prepared by him before he left, I want to say that it was, in his way, although if it had been printed as he prepared it, no one could have gotten head or tail out of the contents. Radical changes were made and the calendar proved a success and was practical.

Miss Sweeney in her testimony says I made certain statements to Mrs. Thorpe, when she was yet a student here. I wish to deny this, and to say that I can produce the evidence that it is a malicious falsehood.

Rose Lyons makes a statement that I sold a mandolin for a profit. The facts are, that Rose Simpson who had purchased this instrument and case for twenty-five dollars, was going home, and offered it for sale to me for \$5.00. I loaned this instrument during the next year to a girl in the mandolin club, named Stella Bradley. During the time she was using it, the instrument was broken, and it became necessary to send it away and have it repaired, at a considerable expense to me. The following year when the club was organized, one of the girls desired purchasing an instrument. I showed her this one, and she voluntarily purchased it, at the price I asked for it. The inspector evidently tried to show by this testimony, that I took advantage of this student in this transaction. His motive was absolutely groundless. It was my personal property and I had a right to set my price for it.

Another statement made by the inspector, which is wholly unfounded, is, that double the room was assigned to me, in respect to quarters, than I needed. This man was never in my cottage, while here therefore was in no position to make such a statement, truthfully. It is simply another indication of his malicious attitude toward me. Again, he says that while he was at Carlisle, he did not hear the band play, that there never was a flag salute, that the records of the Athletic fund show numerous payments for musicians, while Mr. Stauffer was receiving a salary of \$1400. To my knowledge the band played three times publicly while Mr. Linnen was here, all of which he had knowledge of, having a special invitation, but he did not attend. There was a band rehearsal held every morning, to which he was invited, and where he might have witnessed an example of my work along that line, but he never came. He did not attend any of the numerous musical recitations or private instruction which I gave every day, although he was in the school building, a great many times. The payments made for musicians were for orchestras composed of town musicians, which played for the annual Band Reception, the Athletic Reception and the Alumni Reception. These musicians were all outsiders, and were payed for out of the athletic fund, as a courtesy to the band, which rendered service at the athletic contests, and played for all the receptions which were held during the year. These boys were thus deprived of the social privilege which the other students enjoyed, and for which they received no remuneration. In addition to my regular duties, I personally played, with the boys, for all these receptions, during all the years I have been here. If the inspector had taken the trouble to look into the character of my work, the large schedule which I had, and the numerous duties which my position required, he would not have intimated, had he been fair and just, that the salary of \$1400. was more than I deserved.

This man who presumes to pass judgment upon the various things which his report contains, is a wonder. He proclaims the unfitness of the Judge of the Courts of Cumberland County, and criticizes a musician, who has served successfully during the terms of three Superintendents, and three Indian Commissioners, the latter having expressed publicly their amazement at the results obtained in the various musical organizations, which I built up.

One E. K. Miller who came to Carlisle as a printer, and who was known as a chronic grouch and kicker from the time he arrived here, never having had a good word for any body, states that he saw beer wagons stop in front of, and carry cases of beer into the homes of Mr. Nori, Mr. Warner, and myself. I want to enter a denial against the statement by this man, by saying that he never saw any cases of beer or any other intoxicants carried into my home. I have knowledge that this man was entertained on the grounds, and indulged in beer drinking himself, and when he left here, he had packed up government property, which he attempted to take along with him. Such is the record of a man, whose testimony along this line was sought by the inspector, who wrote to Mr. Miller for the statement.

In your letter of June 1st, to me you have stated, that as there is no longer any necessity for the position of Musical Director at Carlisle, that position has been discontinued, in view of which my suspension is terminated. This is an indication that you have not taken any action upon the charges preferred against me, and that therefore, they have been dropped, and I have been vindicated, and not dismissed from the service, as the reports in the public press, emanating from your office stated. In regard to the claim which I made in my letter to your office for my salary, during the time I was suspended, I am advised through your letter of June 4th, that I am not entitled to pay for this period.

Your letter further states that there is no vacancy to which I can be assigned. Why have I been compelled to suffer this series of injustice and persecution against me by your administration?

Am I not an American citizen and entitled to fairness and justice?

In reviewing this whole affair it must be seen, that there must have been some object in view on the part of the inspector, in bringing this case of corporal punishment up against me, other than that he thought a wrong had been done. The girl did not run to him and volunteer her story, she had to be sent for. How did he come to know about the case in the first place? The girl never complained. This all occurred a year before he came to Carlisle. Then came my suspension. Is there anything shown to justify suspending me, yet I was suspended without salary.

Had I been treated by your inspector as a gentleman, in the same courteous manner I met him and he received others, my remark to him would never have been made.

Since the charges could not be sustained and after having been kept here almost four months with out a chance to do anything to earn a livelihood, I am relieved from duty with-out even a transfer offered me, nor one cent for the time I have lost.

In all the report there is not one good word said in favor of my work. I have spent ten faithful, hard-working, painstaking years in the service at Carlisle and this is the climax and reward for that labor. In view of these facts, do you think Mr. Commissioner, that I have been treated with the justice that you assured me would be accorded me and which is due every American citizen and loyal employee in the service?

Very truly, C. W. Stauffer.

July 3, 1914.

Mr. C. M. Stauffer,
Carlisle,
Pennsylvania.



My dear Sir:

Answering your several letters to me and your letter to Secretary Lane, which has been referred to me, I have to advise that the positions formerly held by you have been abolished, and that there is no other position at Carlisle for which you are considered available. This action is final and reconsideration is not contemplated.

I am advised that you are still occupying property on the premises, which of course is without authority, and it is my desire that you vacate same without further delay.

Sincerely yours,

(Signed) Cato Sells

Commissioner.

DEPT. OF THE INTERIOR
JUN 24 1914
TO INDIAN OFFICE,
SECY'S OFF.-MAILS & FILES

Carlisle, June 22nd, 1914.

RECEIVED
JUN 23 1914
OFFICE OF
THE SECRETARY.

OFFICE OF INDIAN AFFAIRS
JUL 7 1914
C. Campbell

Honorable Franklin K. Lane,
Secretary of the Interior.
Washington, D.C.

My dear Sir,-

For nearly ten years I have been Musical Director at the Carlisle Indian School. During that time I have sent out many young indian boys and girls with a splendid training in music, some of whom are in the Indian Service as Bandmasters or Music Teachers, some are playing in Governmental Bands, one received a scholar-ship at Dana's Conservatory of Music on the violin, and has just finished his first years work, with much credit at that Institution, another received a scholar-ship at St. John's Military School, N.Y. as being the most capable on the instrument he is playing in the band. I also have scores of splendid letters from returned students, praising me, for what I did for them.

In January Inspector E.E. Linnen came to Carlisle, and on his arrival became prejudiced against me, thru another employee, who was at variance with the school's head. Of course Mr. Linnen started in at once to discredit me, and hunted about for something with which he might accomplish it. A case of corporal punishment was found, and this was used to do the work. I had been called upon to do this unpleasant duty by the Superintendent, although it was not in my line of work. Because I declined to sign a statement, regarding this case, which I considered incomplete and one sided, and resented the attitude of the Inspector toward me, because I would not sign it, I was charged with insubordination. Please bear in mind, the corporal punishment case happened over a year ago, and was not brought up by the student, nor had it any bearing whatever on the investigation. For this, I was suspended by the Indian Office, at Mr. Linnen's suggestion on February 10th, and nearly a month later, two charges were preferred against me by the office, namely,

- 1-Violating the Department's regulation in administering
-- Corporal Punishment.
- 11- Insubordination.

I was given ten days to answer these, which I did, very completely, and they were not sustained by the Commissioner. However on June 1st, I received a letter from the acting Commissioner, Mr. Merritt, stating, "As there is no longer any necessity for the position of Musical Director at the Carlisle Indian School, that position is abolished, your suspension terminated, and you are dropped from the service." For five months I have been kept under suspension without salary, and without a chance to earn anything, then I was dropped without a reason or a place to go to. My position was not abolished because it was not properly filled, as there was not a complaint made of my work, not a student offered a word against me, relative to my work or anything else.

I wrote the Commissioner and asked for my salary during the period of suspension, as the charges had not been sustained, and I also asked for a transfer. Both requests have been refused me. The letter states that the Comptroller has held, that persons under suspension are not entitled to salary because no service has been rendered. This is a general ruling however. I was suspended without a cause and if there was no cause, then how am I to blame for not rendering these services. I was here ready and willing to do it. Miss Beatrice Herman, was also suspended by Mr. Linnen, charged with revealing Government business. She has been reinstated, and her salary paid her in full. Why the discrimination?

File

Besides this, Mr. Linnen has permitted certain damaging and untruthful statements to be made about me in the Public Press, which were not supported by facts. These were, in effect, that I had clubbed an Indian girl, that I was dismissed from the service for clubbing an Indian girl, etc; both are false statements. Is it not bad enough to throw a man out of his position, and deprive him of his livelihood, without trying to injure his reputation and character?

Why should a man who has served the Government for ten years, lived a good, clean, life, with the highest endorsement of the Superintendent's under whom I have served, and the highest praise given my work, by three former Commissioners, both publicly and privately, be treated as I have been?

Would you want a son of yours to be treated, as I have been?

My dear parents sacrificed for years that I might have the advantages of an education, can you understand what their feelings must be, to have their son discredited without a cause, and suddenly deprived of his position and livelihood?

If my position was desired, Mr. Lane, for political or other reasons, why did the office not offer me a transfer?

May I not hope for a reversal of this whole proceeding, and be reinstated with a transfer offered me, and my salary paid me during suspension?

I am sure, if you had the time to review my answers carefully, you would realize the great injustice done me. Mr. Sells promised to give me a personal hearing, if I desired it, before he rendered his final decision, and this was not done.

I do not care if the office transfers me to a position in another line, such as Principal Teacher, so long as the salary is somewhere near what I was getting.

I thank you Mr. Lane, and trust I may have a favorable reply,

Respectfully Yours,

Claude M. Stauffer.

OFFICE OF INDIAN AFFAIRS
JUL 8 - 1914
75321

July 3, 1914.

Hon. George T. Oliver,
United States Senate,
Washington, D. C.

My dear Senator:

I have your letter in behalf of
C. M. Stauffer, who desires employment as
musical instructor at Carlisle Indian
School, and answering same have to advise
that Mr. Stauffer has heretofore been en-
gaged at this institution as bandmaster,
but this place has recently been abolished
and there is now no position for which he
would be available.

Very truly yours,

(Signed) Cato Selis
Commissioner.

FILED BY T.M.

United States Senate,

GEORGE T. OLIVER
PENNSYLVANIA

WASHINGTON, D. C.

June 30, 1914.



Hon. Cato Sells,
Commissioner of Indian Affairs,
Washington, D. C.

My dear Mr. Sells:

I have been informed that there is some thought of reestablishing the position of musical director at the Carlisle Indian School, or at all events of employing somebody as musical instructor at that institution. In such event may I ask that due consideration be given to Mr. C. M. Stauffer, former musical director, who is willing to accept any place in the line of his profession?

Very sincerely yours,

George T. Oliver

Take

O-B

F



July 3, 1914.

Hon. A. S. Kreider,
House of Representatives,
Washington, D. C.

My dear Mr. Kreider:

I have your letter in behalf of Mr. C. M. Stauffer, who desires employment as musical instructor at Carlisle Indian School, and answering same have to advise that Mr. Stauffer has heretofore been engaged at this institution as bandmaster, but this place has recently been abolished and there is now no position for which he would be available.

Very truly yours,

(Signed) Cato Sells

Commissioner.

A. S. KREIDER
18TH DISTRICT PENNSYLVANIA

House of Representatives U. S.
Washington, D. C.



June 27, 1914.

Hon Cato Sells,
Commissioner of Indian Affairs,
Interior Department,
Washington, D. C.

My dear Mr. Commissioner:-

I am informed that Mr. C. M. Stauffer of Carlisle Pa. was suspended as musical director at the Carlisle Indian School on February tenth. On June first Mr. Stauffer was advised that his suspension had been removed but that the position of musical director had been discontinued. Thereupon, he was dropped from the service.

For four months, as I understand it, Mr Stauffer was without salary awaiting the result of the charges preferred against him and this together with the subsequent loss of his position has been quite a hardship to him.

If it is possible to have Mr. Stauffer reinstated in his position(and I am informed that the position is to be re-established) I would greatly appreciate it and I believe he is well qualified for the position in view of his ten years of experience at the Carlisle School . If there is not an opening at Carlisle, would it not be possible to have him transferred to another school?

Mr. Stauffer is also of the impression that he should receive his salary for the period of his suspension. Kindly advise me as to this?

Any consideration given Mr. Stauffer's application for reinstatement will be personally appreciated by me.

Yours respectfully,

ASK/B

Asa Kreider

July 6, 1914.

Hon. Joe T. Robinson,
United States Senate,
Washington, D. C

My dear Senator:-

I have your letter of June 29th, with enclosure from C. M. Stauffer, which will be given careful consideration. However, it may be of interest to you to know that the position of Bandmaster at Carlisle was abolished after full consideration of the usefulness of this position, and in doing so, we were fully advised of Mr. Stauffer's association with same.

You may also be interesting in knowing that Mr. Stauffer has continued to remain on the Campus of the Carlisle Indian School, and that I have recently notified him to remove from the premises.

Yours sincerely,

(Signed) Cato Sells

Commissioner.



File

JOE T. ROBINSON, ARK., CHAIRMAN.
JOHN WALTER SMITH, MD.
LUMPKIN, TENN.
THEODORE E. BURTON, OHIO.
JOHN D. WORKS, CAL.
GRADY MILLER, ARK., CLERK.

United States Senate,
COMMITTEE ON
EXPENDITURES IN THE TREASURY DEPARTMENT.

June 29, 1914.

Hon. Cato Sells,
Commissioner of Indian Affairs,
Washington, D. C.

My dear Mr. Commissioner:-

Enclosed please find communication from Mr. C. M. Stauffer,
a former employe of the Carlisle School, also copy of my reply thereto,
for your consideration.

Very truly yours,

Joe T. Robinson

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Enc 2-



June 29, 1914.

Mr. C. M. Stauffer,
Carlisle, Pa.



Dear Sir:-

In reply to your letter of the 25th inst., I assure you I have no feeling of prejudice whatsoever against you. During the hearings at Carlisle I expressed myself perhaps with unnecessary emphasis concerning the episode of your chastisement of the young lady. I thought then, and still think, that under all the circumstances you deserved censure, but I have not the slightest wish to hinder your success. Your letter contains the first information which has reached me that the position you formerly occupied at the school, has been abolished. While I cannot see my way clear to recommend your reinstatement, I take the liberty of referring your letter to the Commissioner of Indian Affairs for such consideration and action as that officer may deem the circumstances warrant.

You may rest assured that I have ^{found} no pleasure in the demotion or dismissal from the service of anyone, and that I have no other purpose than to discharge my official duty efficiently and fairly.

Very truly yours,

Carlisle, Pa. June, 25th, 1914.

Senator Joseph T. Robinson,-

Washington, D.C.

My dear Sir,-

I have been considering for some time the advisability of writing you a letter, in an effort to change your opinion, if possible, of me, which you gained during the time you were in Carlisle, investigating matters at the school. As a result of the investigation, which you conducted, I have been mis-represented through the public press, have lost my position at the school, and the salary for the same, during the time of suspension. Your prejudice against me, was brought about through the testimony of the young indian girl, whom I punished, a year before you arrived at the Carlisle School.

Let us assume, that this was a mistake, and that the punishment should not have been administered. Are we not all human, and liable to mistake? If you and your colleagues, who criticized me, had been placed in the position, in which I was at that time, I wonder, if you would not have done, just as I did. The girl did not hold that against me, and would never have mentioned it, if she had not been urged to do so.

As I told you, during the investigation, I was very sorry that I was compelled to administer this punishment. As for my insubordination to the Inspector, I apologized to him for that, and was heartily forgiven, and I thought, that, so far as that was concerned, the matter had been dropped entirely.

If this case of corporal punishment, had been the only one which had been brought to your attention, or if it had been proven by other witnesses, that it had been harsh, there might have been a good reason for making so much of it. However, the charges which were preferred against me, were not sustained by the Commissioner, but my position at the school, was abolished, and I was dropped out of the service, by virtue of this.

What was the reason for abolishing my position, if the charges preferred against me, failed? There was not a criticism made of my work, by a student or employee, nor was I given an opportunity to demonstrate any of my work, while you were here. Should not the service which I have rendered to the many young students, who have been under my instruction during the ten years, I have been at the school, have been taken into consideration, as against a mistake or two which were pointed out? It means a hard fight, to overcome the wrong which is done a mans reputation, after having gone through such an affair as this. You are human, you are a mason, you are an elk, and according to your vows which you made in these various organizations, I ask you for an interest, and a re-consideration on your part of my case, and hope that you may be able to come to my assistance at this time, in helping me to secure a re-instatement in the Service, and the salary paid me during suspension. I trust you will be able to do this, I am,

Very Respectfully,

C. M. Stauffer.

M.D.S.

In rep to yr let I assure you that I have no
feeling or prejudice whatever against you.
During the hearings at Carlisle I exp-
myself with perhaps unnecessary emphasis
concerning the episode of your chastisement
of the young ladies. It then & still seems
that under all the circumstances you
deserved censure. I have not the slightest
wish to hinder your success - you
let cont the furthering which has
reached me that the good which you
formerly occupied at the school
has been done. While I can not see
my way clear to rec. your reinstatement
I take the lib of yr let to the Com. & I
for such counsel & action as that
officer may deem the circumstances
to req. You may rest assured that
I have found no pleasure in the
denunciation or rebuke of from
the pen of any one & that I have
no other purpose than to do my duty
effi & fairly.

VT

1301 Dir arc

Parsons Hans

Home file July 3, 1914.

Honorable Commissioner of Indian Affairs
Washington D. C.

Dear Sir:-

I am writing you in behalf of Mr. C. M. Stauffer former music director at the Carlisle Indian School, whom I understand has been suspended from service.

I attended the Carlisle School three years graduated in 1912 and remained another year attending the Business Department of the ^{School}. In September 1913 I secured a scholarship at Dana's Musical Institute (and) Warren, O., and have not been in Carlisle since - I do not understand the circumstances under which Mr. Stauffer was suspended - but in his behalf I feel it my duty to write you in favor of reinstating him.

During the three years I attended Carlisle I have never known Mr. Stauffer to do anything but what he considered right and encouraging.

to the students. — Carlisle had a fine music Department and one of the best bands in the East under his direction — and I really feel sorry that music department has been abolished as I know music means quite a lot to the Indians.

Mr. Stauffer is a fine instructor both kind and patient and exercising the utmost care with his pupils and it is through his encouragement that I have the scholarship at Dana's. I must here express my gratification to Mr. Friedman, I am very thankful for the assistance he has given me in the way of recommendation.

Furthermore Mr. Stauffer is a respectable man and I never have known him to meddle with the other teachers affairs which of course is no more than right — but there was a kind of general idea that the music students were a little bit hindered ^{in school} by the study of music.

Now for the (personal) benefit of the
students whom enter Carlisle in the
future and those especially whom may
be interested in music - I beg
that this letter reach the proper officials
whom may consider re-instating
Mr. Stauffer.

I do not mean this letter as wholly
influential but thro' friendship and
honesty I write you in his behalf.

Feeling ^{that} you perform your duties with
all sincerity in behalf of the ~~son~~
Indian - my best wishes for you are
but a trifle -

Sincerely yours
O. ^m C. Cardin.

Ed. Emp.
B S G

67879-14

JUN 24 1914

My dear Mr. Auditor:

I am returning herewith a letter, dated June 10, 1914, from C. M. Stauffer, formerly musical director at the Carlisle School, Pennsylvania, which bears your endorsement, with a request to be furnished all the facts in the case and all correspondence relating thereto.

In compliance with your request I am sending herewith the status file of Mr. Stauffer which contains the papers requested.

Kindly return the file as soon as it has served your purpose.

Cordially yours,

(Signed) Cato Sells

Commissioner.

Hon. R. W. Woolley,

Auditor for the

Interior Department.

File

FILED BY L. E. G.



Cl. 251054

DEPARTMENT OF THE INTERIOR

F-Clms
63742-1914

UNITED STATES INDIAN SCHOOL

HFE

CARLISLE, PA.

Adjustment of
difference.

June 18, 1914.



The Honorable
Commissioner of Indian Affairs,
Washington, D. C.

Sir:

Replying to Office letter of the sixteenth instant, I have the honor to state that Mr. C. M. Stauffer is no longer an employee of this school, his position having been abolished. The bill will be sent to Mr. Stauffer.

Very respectfully,

O. H. Lipps
Supervisor in Charge.

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J F Jr.,

6-EO-15



JUN 16 1914

My dear Mr. Palmer:

I am in receipt of your letter of June 8, 1914, regarding the case of Mr. C. M. Stauffer, formerly musical director at the Carlisle Indian School, and suggesting that Mr. Stauffer should receive compensation up to the time of his separation from the Service.

I have given very careful consideration to the suggestion made by you. However, in cases of this nature my action is controlled by decisions of the Comptroller of the Treasury, the final authority on such matters. In a decision dated November 8, 1911, with regard to a similar case where a supervisor of ditches was suspended from duty without pay pending investigation of certain charges filed against him and who was later exonerated, the Comptroller decided that as this employee

File

"was suspended without pay by the appointing power and having rendered no service to the Government during the period of suspension I am of opinion there is no authority of law to pay him for that time."

This decision precludes me from taking any steps

INITIALING COPY - FOR FILE.

CARDON FOR STATUS FILE

in Mr. Stauffer's behalf. I appreciate very much your position on the question but there is apparently no authority of law for me to do anything for the relief of Mr. Stauffer.

Very truly yours,

(Signed) Cato Sells
Commissioner.

Honorable A. Mitchell Palmer,
House of Representatives.

SIXTY-THIRD CONGRESS.

OSCAR W. RWOOD, CHAIRMAN.
CLAUDE KITCHIN.
HENRY T. RAINEY.
LINCOLN DIXON.
CORDELL HULL.
WINFIELD S. HAMMOND.
ANDREW J. PETERS.
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TIMOTHY T. ANSBERRY.
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AUGUSTUS O. STANLEY.
CLEMENT C. DICKINSON.
MICHAEL F. CONRY.
SERENO E. PAYNE.
JOSEPH W. FORDNEY.
AUGUSTUS P. GARDNER.
J. HAMPTON MOORE.
WILLIAM R. GREEN.
VICTOR MURDOCK.

NEYLE COLQUITT, CLERK.

COMMITTEE ON WAYS AND MEANS

HOUSE OF REPRESENTATIVES.

WASHINGTON, D. C.



June 8, 1914.

Hon. Cato Sells,
Commissioner of Indian Affairs,
Washington, D. C.

My dear Sir:- Mr. C. M. Stauffer, formerly musical director at the Carlisle Indian school, has written me in connection with his dismissal from that institution. Charges were preferred against Mr. Stauffer to which he filed an answer. It seems that no action was taken upon these charges, but on May 20th, last, he received notice from Supervisor Lipps that the position of musical director at Carlisle had been abolished. Mr. Stauffer has received no salary since the filing of the charges and feels that he is entitled to compensation up to the date of his dismissal from the service. I am of the opinion that his claim is a perfectly just one under the circumstances, and while it is a matter in which your own judgment of the situation should and will prevail, still, I feel that I should render him the benefit of whatever influence it is possible for me to exert.

FILED BY L. E. G.

With kind regards, I am,

Yours very truly,

A. Mitchell Palmer

Cl. 251054

F-Clms
63742-1914
H.F.E.Adjustment of
difference.

JUN 16 1914

Mr. Oscar H. Lipps,

Supervisor in Charge, Carlisle School,

Sir:

There are enclosed herewith two letters from Carl Fischer dated May 2, and June 5, 1914, addressed to the Auditor for the Interior Department and by him referred to this Office.

As will be noted, Mr. Fischer states in the last-mentioned letter that the difference between the amount allowed in the claim No. 251054, \$19.56, and the amount due as shown by his books, \$23.14, represents an old balance belonging to the personal account of Mr. C. M. Stauffer, an employee of Carlisle School. Please investigate and take the necessary steps to adjust this matter satisfactorily at the earliest practicable date.

Respectfully,

(Signed) C. F. Hauke
Second Assistant Commissioner.

Wx-6-12

INITIALING COPY - FOR FILE.

Ed. Emp.
63030-14
G W B

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JUN 10 1914

My dear Mr. Rupley:

I have the honor to acknowledge the receipt of your letter of June 6, 1914, requesting to be advised as to the pay status of Mr. Claude M. Stauffer prior to the recent abolishment of the position of musical director at the Carlisle School.

On June 5, 1914, Mr. Stauffer was advised as follows as to why he could not be paid the salary of this position subsequent to February 10, 1914:

"You are advised that the Comptroller of the Treasury has held that employees under suspension and who perform no service are not entitled to pay for the period under suspension, on the grounds that no service was rendered. As you have not been on duty since February 10, the date you were suspended from duty and pay, you are not entitled to salary after that date."

Very truly yours,

(Signed) E. B. Meritt
Assistant Commissioner.

6-RSM-9

Hon. Arthur R. Rupley,
House of Representatives.

INDIAN OFFICE COPY.

SIXTY-THIRD CONGRESS.

JOHN H. STEPHENS, TEX., CHAIRMAN.	CHARLES H. BURKE, S. DAK.
CHAS. D. ARTER, OKLA.	PHILIP P. CAMPBELL, KANS.
JAMES B. GUDGER, JR., N. C.	BIRD S. MCGUIRE, OKLA.
THOS. F. KONOP, WIS.	CLARENCE B. MILLER, MINN.
J. D. POST, OHIO.	CHARLES M. HAMILTON, N. Y.
CARL HAYDEN, ARIZ.	PATRICK D. NORTON, N. DAK.
LEWIS L. MORGAN, LA.	ARTHUR R. RUPLEY, PA.
DORSEY W. SHACKLEFORD, MO.	JAMES WICKERSHAM, ALASKA.
ROBT. P. HILL, ILL.	
ALLAN B. WALSH, N. J.	
JOHN R. CLANCY, N. Y.	
JOHN M. EVANS, MONT.	
WM. H. MURRAY, OKLA.	
DENVER S. CHURCH, CAL.	

JAMES V. TOWNSEND, CLERK.
PAUL N. HUMPHREY, ASS'T CLERK.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INDIAN AFFAIRS,
WASHINGTON.

June 6, 1914.

RECEIVED
JUN - 8 1914
63030
11618-NMF
OF

Hon. Cato Sells,
Commissioner of Indian Affairs,
Washington, D. C.

My dear Mr. Commissioner:

Mr. Claude Stauffer, of the Carlisle Indian School, advises me of an order granted for the abolishment of the position of musical director at the Indian School. He insists that since he was not discharged and the position abolished, he is entitled to his salary from some time in last February. On the surface, there may be some reasonableness in this request, and I will appreciate your advising me in the premises.

Very truly yours,

Arthur R. Rupley

FILED BY L. E. G.

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1170

Ed. Emp.
61906-14
G W B

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11

JUN 17 1914

Mr. C. M. Stauffer,
Carlisle, Pa.

Sir:

The Office is in receipt of your letter of June 3, 1914, in reference to your wish for reinstatement in the Indian Service.

You are advised that there is no vacancy at the present time for which you are eligible.

Your letter of May 29, 1914, has heretofore been answered.

Respectfully,

Signed) C. F. Hauke.

Second Assistant Commissioner.

6-RSM-15

Carbon for Indian Office.

Carlisle, Pa. June, 3rd, 1914.

Honorable Commissioner of Indian Affairs,
Washington, D.C.

OFFICE OF INDIAN AFFAIRS
RECEIVED
JUN -5 1914
61906

Sir:

A letter from your office dated June 1st, stating that the position of Musical Director of Carlisle, has been discontinued, as there is no longer any necessity for the position, I hereby make application for re-instatement in the service, either at Carlisle or at one of the other large schools. I also call your attention to my letter, dated May 29th, upon which no action has as yet been taken, and upon which I await an early reply. Trusting that these matters may have your immediate attention, I am,

Very Respectfully,

C. W. Stauffer.

FILED BY L. E. G.

Surf

Ed. Emp.
61072-14
G W B

JUN -4 1914

My dear Senator:

In the absence of the Commissioner in the Field, I have the honor to acknowledge the receipt of your letter of June 2, requesting to be informed as to the status of Mr. Claude M. Stauffer, formerly employed as Musical Director at the Carlisle School, Pennsylvania.

On June 1, Mr. Stauffer was advised as follows:

"As there is no longer any necessity for the position of Musical Director at Carlisle, that position has been discontinued, in view of which your suspension without pay is terminated and you are hereby dropped from the Service."

The enclosure referred to in your letter is returned herewith.

Very truly yours,

(Signed) E. B. Meritt
Assistant Commissioner.

6-RSM-3

Hon. Boies Penrose,
United States Senate.

INDIAN OFFICE COPY.

BOIES PENROSE, PA., CHAIRMAN.
MILES POINDexter, WASH.
WILLIAM J. BROWN, MO.
WILLIAM H. HENNING, N. J.
JAMES K. VARDAMAN, MISS.
JOHN H. O'BRIEN, CLERK.

United States Senate,

COMMITTEE ON ADDITIONAL ACCOMMODATIONS
FOR THE LIBRARY OF CONGRESS.



June 2 1914.

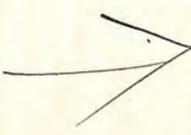


Hon. Cato Sells,
Commissioner of Indian Affairs,
Washington, D. C.

Dear Sir:

I enclose herewith a copy of a communication I have received from Mr. R. B. Stauffer, a prominent citizen of Philipsburg, Pa., which explains itself. I would be glad if you would advise me as to the status of the matter referred to therein, and what if anything can be done in the way of the retention of Mr. Claude M. Stauffer as bandmaster at the Carlisle Indian School.

FILED BY L. E. G.



Please return the enclosure with your reply.

Yours truly,

Boies Penrose

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1045

Ed. Emp.
E S G

JUN -4 1914

Mr. O. H. Lipps,

Supr. in Charge Carlisle School.

My dear Mr. Lipps:

The Office is in receipt of your letter of May 29, regarding the payment of certified claims for salaries of M. Friedman and Claude M. Stauffer from February first to the date of their suspension.

You are advised that Mr. Friedman's claim was settled on April 2 and transmitted to the Auditor. The Auditor has informally advised the Office that the claim will not be paid until his accounts are settled.

Mr. Stauffer's claim was settled in this Office on May 29 and transmitted to the Auditor. If he does not receive a warrant for the salary due him up to the time he was suspended within a reasonable time, you may bring the matter to the attention of the Office again.

In regard to the payment of the salary to Mr. Stauffer for the period he was under suspension, you are advised that he is not entitled to pay for this period, and he has been advised accordingly, in answer

CAREON FOR STATUS FILE

to a letter sent direct to the Office.

You may advise Mr. Stauffer that there is
no vacancy to which he can be assigned.

Very truly yours,

E. B. Meritt
Assistant Commissioner.

6-REM-4

Ed. Emp.
E S G

JUN -5 1914

Mr. Claude M. Stauffer,
Carlisle, Pennsylvania.

Sir:

The Office is in receipt of your letter of May 29, requesting that you be paid a salary from February 11 to May 20, inclusive, the period you were under suspension.

You are advised that the Comptroller of the Treasury has held that employees under suspension and who perform no service are not entitled to pay for the period under suspension, on the grounds that no service was rendered. As you have not been on duty since February 10, the date you were suspended from duty and pay, you are not entitled to salary after that date.

Your claim for salary from February 1 to 10, inclusive, has been administratively examined by this Office and was transmitted to the Auditor for the Interior Department on May 29 for settlement. If you do not receive a warrant for the amount within a reasonable time, you should take up the matter direct with the Auditor.

Respectfully,
(Signed) E. B. Meritt

Carbon for Indian Office.

6-RSM-4

Assistant Commissioner.

Carlisle, Pa. May, 29th, 1914.

RECEIVED
JUN 15 1914
60189
OFFICE OF THE COMMISSIONER OF INDIAN AFFAIRS
WASHINGTON, D. C.

Honorable Cato Sells,

Commissioner of Indian Affairs,

Sir,-

Under date of February tenth I was suspended with-out from the position of Musical Director, at \$1400 per annum, at the Carlisle Indian School. Subsequently charges were preferred against me and I submitted a complete answer and refutation of each charge.

No action was taken on these charges by your office, but on May twentieth, Supervisor Lipps received a carbon copy of authority from the Secretary of the Interior, abolishing the position of Musical Director, at Carlisle .

The fact that your office took no action on the charges coupled with the abolishment of the position, amounts to a vindication and dismissal of the charges.

I therefore have the honor to make request for my back salary, from February eleventh to May twentieth, inclusive, due me, as I was merely under suspension, and entitled, according to law to my salary, until I was actually relieved.

*Insd
Wm. D. ...*

Very Respectfully,

C. M. Stauffer,

FILED BY L. E. G.