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**CATO SELLS:
A TEXAN AS COMMISSIONER OF INDIAN AFFAIRS**

by William B. Whisenhunt

When Woodrow Wilson became president of the United States in 1913, he appointed a number of Texans to important positions in his government. The role of Texans in Wilson's administration has been studied extensively, but one person appointed to a critical position is virtually unknown today. Cato Sells had not been a Texan long, but in the few years he had been in the state he had made a reputation for himself in the Democratic Party. Wilson's appointment of Sells as Commissioner of Indian Affairs was partially a payment for his support, but Wilson believed that Sells could bring integrity to a scandal-ridden agency.

The office of Commissioner of Indians Affairs had been riddled with controversy since its inception in 1824 as a specialized office within the Department of War, and beyond its transfer to the Department of the Interior in 1849. The general strategy of early commissioners was to keep Indians separate from white society, as was evident especially in the removal policy imposed on the Five Civilized Tribes. During the 1820s and 1830s these tribes were forced from their homelands in the southeastern United States and placed in the new Indian Territory that later became Oklahoma. By the mid-nineteenth century, Indian policy assumed a more paternalistic role as Native Americans were confined rapidly to specific reservations and treated as wards of the government.

Despite subtle differences in their approaches, each commissioner faced profound and far-reaching problems, not the least of which was to determine policy for hundreds of separate Indian nations within the United States. Some commissioners met the challenge with vigor and positive results, but most fell short of their stated goals and even created additional problems for Indians. Failure frequently resulted because the commissioner lacked a basic understanding of Indian customs, or because he had few administrative skills for simultaneously satisfying Congress, agents, and outraged reformers. In numerous cases the office became a gift which successful politicians bestowed upon loyal supporters, after leaving the fate of Indian matters in the hands of men unqualified for the job. Likewise, the nature of the agency system did not lend itself to efficient supervision because the main office was in Washington, D.C., while most of the Indians were confined to reservations located west of the Mississippi River. This resulted in slow delivery of supplies and difficulty in defending Native Americans from white raiders.¹

By the early part of the twentieth century, the prevailing philosophy was one of assimilation. The "Progressive Movement," led by high-minded

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reformers, tried to correct the problems of American society by stressing a more active role for various levels of government in producing positive social change. Many of these reformers saw the vast majority of Indians as incapable of becoming a part of white society primarily because of their lack of skills in financial matters. In such cases, progressives advocated guardianship until Indians became more accustomed to white culture and exhibited the ability to handle their own affairs. During much of the Progressive Era, this paternalistic philosophy dominated Indian policy.

In 1913, newly elected President Woodrow Wilson appointed Franklin K. Lane as Secretary of the Interior to administer the Bureau of Indian Affairs. Wilson and Lane then chose Texas banker Cato Sells to fill the position of Commissioner of Indian Affairs. The choice of Sells was not an easy one, but Wilson had to select someone free from the scandal that had plagued the office under Robert G. Valentine. Wilson rewarded Sells for his efforts in the national election in Texas, and simultaneously found someone who shared the same highly moralistic philosophy as the newly elected president.²

Cato Sells was born on October 6, 1859, in Vinton, Iowa, to Captain George Washington and Elizabeth Catherine Sells. Captain Sells, who practiced law, moved to LaPorte City, Iowa, when his son was quite young. In 1873 the elder Sells died suddenly of a heart attack, leaving his wife and two sons. Hard-pressed for family income, Cato Sells gained employment in a local hardware store owned by B.S. Stanton, who took special interest in the boy and gave him an excellent training in business. Sells attributed much of his later success to the encouragement and guidance he received from Stanton.³

In 1877 Sells entered Cornell College in Mount Vernon, Iowa, while his brother, Douglass, enrolled in Cornell's senior preparatory school. Their mother also moved to Mount Vernon and was employed for several years by the college as a house mother of the Cornell Boarding Association.⁴ Sells completed two years at Cornell College and returned to LaPorte City to study law under ex-judge C.A. Bishop. After two years of intense study, he passed the Iowa bar examination in 1880 and began practicing law in LaPorte City. The local newspaper, *The Progress Review*, referred to Sells as "a deep thinker, a keen reasoner, an assiduous student, a close observer of men and events, and a brilliant orator."⁵

Sells' political activity began at an early age and lasted throughout his life. While a student, he gave speeches for the Democratic Party which gained him the title "boy orator."⁶ He served for two years as city recorder of LaPorte City, beginning in 1880, and quickly climbed the political ladder to mayor in 1882 at the age of twenty-three. His popularity remained strong enough that the citizens of LaPorte City called on him to seek another term as mayor, but Sells declined. Instead he chose to become more active in state Democratic politics by serving on the state Democratic committee for a number of years. Despite his failure to win election in 1886 as Iowa's sec-

retary of state, the Democratic National Convention sent him to Indiana to campaign for local Democratic candidates because of his celebrated oratorical abilities.⁷

In 1889 Sells moved back to Vinton and was chosen by Governor Horace Boies to be a member of his staff. He served in this capacity until 1892 when he was called to fill former Lieutenant Governor Joseph Dysart's seat on the board of trustees of the Iowa State College of Agricultural and Mechanic Arts. He served one term on this board and was nominated for another, but declined. At the same time, Sells served two terms as the Benton County district attorney, and *The Progress Review* praised him as the "most able and vigilant public prosecutor that county has ever known."⁸ A year earlier Sells had married Lola Abbott McDaniel, with whom he eventually had three children: Dorothy, Donald, and Barbara.

In 1892 Sells was named secretary of the Democratic National Convention, and the following year he became chairman of the Iowa State Democratic Convention. In 1894 Sells gained more national recognition when President Grover Cleveland named him United States district attorney for the Northern District of Iowa. He served admirably in this position until 1898 and became known for his fierce prosecution of pension fraud cases involving Civil War veterans.⁹ Cornell College recognized his efforts as a prosecutor by conferring an honorary Master of Arts degree on him that same year. Years later he received honorary law degrees from his alma mater and Baylor University in Texas for his accomplishments as commissioner of Indian Affairs. In 1898 he returned to Vinton and resumed his private practice of law.¹⁰

In 1907 Sells moved to Cleburne, Texas, and left behind a prosperous law practice in Iowa. As he later noted, he moved to "pursue his political career in the more congenial surroundings of Cleburne."¹¹ There he established the Texas State Bank and Trust Company and became heavily involved in local Democratic politics. He joined Texas' "Wilson for President" movement soon after Wilson was elected governor of New Jersey in 1910. Many notable Texas progressives such as Otis B. Holt, Thomas Watt Gregory, Albert S. Burleson, and Thomas B. Love joined Wilson's campaign in Texas. Love forged ahead and called on Governor Wilson to seek the nomination of the Democratic Party for president of the United States.¹²

In Texas a split existed in the Democratic Party. The progressives faced a formidable conservative opposition from Governor Oscar Branch Colquitt and Senator Joseph Weldon Bailey. To counter the growing threat to his nomination, Wilson travelled to Texas in 1911 and planned strategy with his supporters. At the Oriental Hotel in Dallas, Sells introduced Wilson as the man "whom we all hope will be the next President of the United States."¹³ Although the initial response to Wilson was not entirely favorable, his following continued to grow. He identified himself with the liberal tradition of Senator John H. Reagan, Governor James Hogg, and

Judge A.W. Terrell to build Texas support. Unfortunately in the larger arena of Texas politics, the continued endorsement of Wilson by the progressive Democrats produced a further split in the state's Democratic Party. On May 11, 1912, Sells established the Wilson campaign headquarters at the Hotel Southland in Dallas. By this time, the diligent work of Sells, Love, and Gregory propelled the Wilson organizations into nearly every county and town within the state. Their intention was to perfect the party organization and to "bring out the vote," which they did effectively.¹⁴

Governor John Harman of Ohio ultimately won support in only two states for the 1912 nomination of the Democratic Party. Yet, conservative Democrats in Texas had thrown their support to Harman partially because of his ideals but mostly to fight Wilson's nomination. They favored Harman's traditional ideas of conservative principles and not the "Socialistic heresies" of Wilson. The Harman campaign was loose in organization but gained support in traditionally conservative Texas. In the spring of 1912, however, the president of the Harman organization killed the campaign in Texas by declaring "that if the Democratic party adopted the principles of 'this so-called progressivism,' he [Harman] would turn Republican."¹⁵ By May the Wilson supporters had gained control of the state Democratic Convention in Houston, and Sells was rewarded for his diligent work by his appointment to the national committee of the Democratic Party.¹⁶ Wilson won the presidency in November 1912 and took office four months later.

In June 1913 Sells was selected by Secretary of the Interior Franklin K. Lane and President Wilson to be the commissioner of Indian Affairs. According to Matthew K. Sniffen of the Indian Rights Association, the selection of Sells was influenced by members of this association. In 1914 Sniffen thanked Wilson and Lane for putting the "right man in the right place."¹⁷ Wilson wanted to place "a man of affairs, because he has millions to administer; a man of imagination, that he may have sympathy for the Indian; and, above all, a man with the fear of God in his heart."¹⁸ Here again, the moralistic attitude of the Wilson administration and the whole Progressive Era became apparent. Lane claimed that Sells was perfect for his position because "it would not be a job, but an opportunity."¹⁹

Sells chose to take this position with a salary of \$5,000 per year instead of a position with the Interstate Commerce Commission with a salary of \$7,500 per year. The *New Republic* claimed that this position "had taken a grip upon his [Sells] heart and life that no offer of ease or increased salary could shake."²⁰ The *Review of Reviews* insisted that this was not a reward for political support, but rather Sells was selected because he represented both "idealism and common sense in managing the Indian Office." Under the leadership of Lane, Sells would "encourage the evolution of Indians into full and self-directed citizenship."²¹

Sells entered the office with the hope of providing strong new leadership that had been lacking under his predecessor, Robert G. Valentine.²² He

faced the challenge with excitement, despite the fact that he had little knowledge of Indians. Having entered the office with few preconceived notions, he viewed the office as a business proposition to be run in an honest and efficient manner. He "inventoried" his "plant" of 6,000 employees and made a careful study of its far-flung components.²³ Sniffen praised the "genius" Sells demonstrated early in his tenure, especially his ability to resolve the factionalism of the bureau and to bring the "house divided against itself" together. Because of the personal ambitions of former commissioners, the bureau had become chaotic and, Sniffen claimed, the remaining employees were inspired by Sells' "magnetic personality" and enthusiasm.²⁴ During his eight years as commissioner, Sells faced many monumental problems in administering the Indian policy of Congress, and he approached the office with the same progressive zeal that was characteristic of his formative years in Iowa politics and of the overall Wilson administration. Early in his first year, Sells laid out his philosophy on Indian policy. He wanted "to bring about the speedy individualization of the Indian."²⁵ Among the numerous issues with which Sells dealt, the most pressing were land and agriculture, Indian Bureau reform, educational services, health care, and the military service of Indians.

Sells' new individualization policy brought the land policy of the bureau into question. When he took office in 1913, the Dawes Severalty Act of 1887 and its twenty-five year protection period had just ended, leaving Sells to determine the competency and fate of numerous Indians. To speed the complicated process, competency commissions were established to survey the different levels of ability among Indians. Once a commission reported its findings, Sells decided whether each recommended Indian was ready to accept the responsibility of his allotment and other financial resources. Ultimately feeling great pressure from reformers seeking to have Indians handle their own affairs and persons looking for the chance to buy Indian land, Sells implemented a new policy. He released a large segment of the Indian population from ward status based almost entirely on the amount of Indian blood they possessed.²⁶

This "new era" in land policy intensified the problems surrounding the rights of Indians to their land and resources. Minors' estates in Oklahoma and agricultural rights in many Western states became two of the major problems Sells faced. Many Oklahoma Indian minors lost much of their land because of unauthorized sale of their allotments by both government guardians and their own parents and relatives. This problem rapidly accelerated following the discovery of rich oil and coal deposits on Oklahoma lands. Likewise, on the more arid reservations of the West, Indian water rights came under attack from cattle and farming interests.²⁷

These pressing problems developed because of poor policies initiated by Sells' predecessor and because local Indian Bureau officials failed to carry out the policy properly. The latter practice continued to plague Sells and the integrity of the bureau, especially because it was difficult for Sells

to oversee the more than 6,000 employees at such distant locations. Reform groups such as the Indian Rights Association and the Society of American Indians regularly protested the immoral behavior of many local employees whose actions ranged from personal gain on land sales to running prostitution rings of Indian girls.²⁸

On the national level, legislation was proposed to reform the bureau and even to dissolve it altogether. The Johnson Bill, proposed by Senator Edwin Johnson of South Dakota in 1916, advocated that each tribe have the right to select its own superintendent as decided by a majority vote of the male members of the tribe. Further legislation suggested the complete dissolution of the bureau, which would have left Indians bereft of treaty protections and without any federal monies. This idea sounded extreme but the original intention of Secretary Lane and Commissioner Sells was to move Indians toward independence in order to dissolve the bureau and save the government money. Yet, the radical wording of this proposal insured its legislative defeat, along with the Johnson Bill.

Education under Commissioner Robert Valentine had become an integral part of the proposed solution to Indian assimilation problems. Valentine's administration recorded a higher number of Indians in public schools than ever before, and by 1914 Sells declared that the number of Indians in public schools equalled that of Indians in government schools. Sells agreed with Valentine that educating Native Americans was an important step in freeing them from wardship. Once Indians attained an education they supposedly could manage their own affairs. In response to this enrollment shift toward public schools, Sells began a program of reducing the number of government schools to save money. He saw the establishment of white public schools on allotted land as a positive step toward the destruction of the reservation system and wardship in general.²⁹

In 1916 Sells adopted a policy of moving education toward more vocational training so Indians would be better prepared for jobs. Congress likewise implemented compulsory education as a part of its new program for Indian education. While trying to adhere to the congressional guidelines requiring school attendance, Sells set up special committees to hear Indian complaints on school reform. By the time he left office, Sells had abandoned these committees and accepted the congressional guidelines.³⁰

Sells tried to improve the lives of Indians through better health conditions. He received congressional appropriations to build hospitals and to sponsor lectures on how to live a more healthy and sanitary life. However, World War I interrupted these efforts just as the influenza outbreak of 1918 descended with a fury. This epidemic ultimately claimed over two percent of the total Indian population in the United States.³¹

Two other issues that Sells felt compelled to address were alcohol and peyote use among Indians. The sale and use of alcohol on reservations was illegal, but white distributors continued to make an impact. Sells vowed

that he would not drink any alcohol while he was commissioner, and claimed that the elimination of alcohol from the lives of Indians was a key step in their liberation. As for the use of peyote, many reform groups petitioned Sells to make forceful strides to curb and even forbid its use. Despite Sells' efforts, peyote remained available because the contents of this drug could not be determined to violate any existing law.³²

The war in Europe intensified as Sells began his second term, and military service among Indians became a major issue, though not a new concept. Throughout American history Indians had played a significant role in the military, usually as scouts or guides for military units in unfamiliar areas. In the 1890s experimental Indian companies were organized to see if Native Americans could become accustomed to the regimentation of military life. This project ended with the units being disbanded by 1897, but the war in Europe sparked more discussion on the subject.³³

Sells, the reform groups, and military officers could not reach a consensus on the format for Indians in the military service, but they did generally agree that Indians should have the opportunity to serve their country. The dispute centered on the issue of whether Native Americans would be organized in segregated or integrated units. Sells advocated integrated units as a way of hastening assimilation into white society. Reform groups such as the Society of American Indians supported Sells on this point, but legislative action, promoted by Joseph Kossath Dixon, called for the creation of segregated Indian units. Each Indian recruit would receive citizenship as well. Sells objected to this arrangement by claiming that these units would not provide citizenship training for Indians. He won critical support from Captain Richard Henry Pratt, who changed his initial position to support the integrated units because he was in favor of speedy assimilation.³⁴

Faith in the quality of Indian soldiers proved itself in their enviable service record, but after World War I the citizenship controversy re-erupted. Many reformers advocated automatic citizenship for veterans and Sells supported this movement. Others advocated legislation to confer citizenship upon all Indians and free them from government control. Sells hesitated to go that far. With the passage of an act late in 1919 that gave citizenship to all Indian veterans of World War I, the debate subsided until the following decade.³⁵

Land policy plagued Sells more than any other single issue of his tenure. While conceding that some "incompetent" Native Americans required continued federal protection, he was eager to release those he considered ready for life in white society. Unfortunately, this "progressive" notion destroyed more of the Indian land base than any single action since the passage of the Dawes Severalty Act in 1887. Knowledge and cultural sensitivity, not merely good intentions, were the necessary ingredients for a proper national Indian policy, but these were sadly lacking late in the nineteenth and early in the twentieth centuries, and Sells' administration was no exception.

By the time Sells left office in 1921, he had more understanding of Native Americans and the problems they faced. Despite the frustrations and political jockeying he encountered as commissioner, Sells felt he had made some impact on the improvement of the lives of Indians. Even though he had not achieved all he wanted, Sells returned to private life in Texas believing that he had done his best and that Native Americans were better off than before he became commissioner.

Sells and his wife, Lola, settled in Fort Worth since they had sold the bank in Cleburne before he took the position in Washington. Even though Sells retired from the Indian Bureau, he continued his interest in Indian affairs and politics. A lifelong Democrat, Sells became disillusioned with the party during the 1920s because of the internal movement to repeal the prohibition of alcohol. In the presidential election of 1928, he supported Herbert Hoover mostly because of Al Smith's support of a "wet" Democratic platform.³⁶

Always politically active, Sells headed the Texas Centennial Committee for the state's celebration of its independence in 1936. Sells also spent much of his time travelling to many of the areas he had once administered, visiting many Native Americans, and almost without exception receiving high praise for his work as commissioner of Indian Affairs. While commissioner and in his later travels, Sells collected many Indian artifacts which later were given to the Fort Worth Children's Museum. After battling a lengthy illness, Sells died in Fort Worth on December 30, 1948, at the age of eighty-nine.³⁷

NOTES

¹Francis Paul Prucha, *The Great Father*, 2 (Lincoln, 1984), pp. 759-772, 872-888.

²Frederick Eugene Hoxie. "Beyond Savagery: The Campaign to Assimilate the American Indian, 1880-1920" (Ph.D. dissertation, Brandeis University, 1977), pp. 451-452.

³*History of Black Hawk County, Iowa and Its People Illustrated*, 2 (Chicago, 1915). pp. 187-188.

⁴Mount Vernon Hawkeye, 17 August 1877, 2. Author's interview with Charles Milhauser, Registrar, Cornell College, Mount Vernon, Iowa, 27 April 1991.

⁵Progress Review Illustrated. Souvenir Edition (La Porte City, Iowa: Progress Review, 1895), p. 210.

⁶Progress Review, p. 210.

⁷Progress Review, p. 210.

⁸Progress Review, p. 210.

⁹Fort Worth Star Telegram, 21 June 1941.

¹⁰Milhauser interview, 27 April 1991.

¹¹Laurence Kelly, "Cato Sells, 1913-21," in *The Commissioners of Indian Affairs, 1824-1977*, Robert Kvasnicka and Herman Viola, eds. (Lincoln, 1977), p. 243.

¹²Arthur Link. "The Wilson Movement in Texas, 1910-12," *Southwestern Historical Quarterly*, 48 (October, 1944), p. 157.

¹³Link, "Wilson Movement," p. 161.

¹⁴Link, "Wilson Movement," pp. 163-166.

¹⁵Link, "Wilson Movement," p. 168.

¹⁶Link, "Wilson Movement," p. 169.

¹⁷Matthew K. Sniffen, "A Man and His Opportunity," in Indian Rights Association Papers, 1914, Reel 102, B95, p. 1. The Indian Rights Association was an influential white reform group organized in Philadelphia in 1880. Its papers are reproduced on 136 rolls of microfilm and hereafter will be referred to as IRAP.

¹⁸Sniffen, "Man and Opportunity," p. 2 .

¹⁹Sniffen, "Man and Opportunity," p. 2 .

²⁰Sniffen "Man and Opportunity." p. 13 .

²¹"Portrait," Review of Reviews, 48 (August, 1913), p. 151.

²²Kelly, "Cato Sells," pp. 243-244 .

²³Sniffen, "Man and Opportunity," p. 4.

²⁴Sniffen, "Man and Opportunity," p. 4.

²⁵Kelly, "Cato Sells," p. 244 .

²⁶Hoxie, "Beyond Savagery," 450-466. Janet McDonnell, "Competency Commissions and Indian Land Policy, 1913-20," *South Dakota History*, 11 (Winter, 1980), pp. 21-34.

²⁷Prucha, *Great Father*, v. 2, pp. 888-894.

²⁸Herbert Welsh, "Vicious Indian Legislation," in IRAP, 1916, Reel 102, B107, pp. 1-3. Thomas Sloan, "The Administration of Indian Affairs," *Quarterly Journal of the Society of American Indians*, 1 (January-April, 1913), p. 83 .

²⁹Prucha, *Great Father*, v. 2, pp. 814-830.

³⁰Prucha, *Great Father*, v. 2, pp. 814-840.

³¹Prucha, *Great Father*, v. 2, pp. 841-850.

³²Prucha, *Great Father*, v. 2, pp. 841-863.

³³Michael L. Tate, "From Scout to Doughboy: The National Debate Over Integrating American Indians into the Military, 1891-1918," *Western Historical Quarterly*, 18 (October, 1986), pp. 417-419.

³⁴Tate, "From Scout to Doughboy," pp. 426-427 .

³⁵Tate, "From Scout to Doughboy," pp. 427-437 .

³⁶Kelly, "Cato Sells," p. 249 .

³⁷"Cato Sells, 89, Dies After Long Illness," *Fort Worth Star-Telegram*, 31 December 1948, pp. 1-2.