

3-2-1860

Invasion of the Osage Indians (To accompany bill H.R. no. 130.)

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indian and Aboriginal Law Commons](#)

Recommended Citation

H.R. Rep. No. 40, 36th Cong., 1st Sess. (1860)

This House Report is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact darinfox@ou.edu.

INVASION OF THE OSAGE INDIANS.

[To accompany Bill H. R. No. 130.]

MARCH 2, 1860.

Mr. BUFFINTON, from the Committee on Military Affairs, made the following

REPORT.

The Committee on Military Affairs, to whom was referred "A bill to pay to the State of Missouri the amount expended by said State for repelling the invasion of the Osage Indians," have, according to order, had the same under consideration, and report :

That, concurring in the justice of the demand upon the federal treasury, but opposed to the allowance of interest, they report the following as a substitute for the bill referred to them.

They also ask that the memorial of the legislature of Missouri, (marked A,) and the certificate of the auditor of said State, bearing date the 2d of March, 1858, may be regarded as a part of their report.

A.

A MEMORIAL TO CONGRESS requesting a reimbursement of money paid by this State in repelling an invasion of the Osage Indians.

To the Congress of the United States :

Your memorialists, the general assembly of the State of Missouri, respectfully represent: That the policy of the general government has, during a course of many years, placed upon the borders of Missouri and Arkansas an immense number of Indians, nearly equal by actual computation to the effective population of the two States. This policy, which yearly receives the sanction and adoption on the part of the federal government, has exposed our frontier to great and imminent peril, a peril from which the few forces of the United States upon our line are utterly unable to protect our citizens. From a painful experience we have learned that whenever a year of scanty occurs among the Indians the settlements of the whites become the theatres of their predatory excursions, and the retaliation which is thus provoked leads to a murderous warfare.

In the year 1837 an incursion was made of this character on the part of the Osages into the southwestern portion of our State, which it became necessary for the military authorities of this State to repel.

Under the known rule of Indian warfare, which consists of a sudden and unexpected inroad, an exterminating massacre, and a precipitate retreat, the military force of the United States at that period in our State could not be summoned in time to meet the danger, and our only resource for defence and repulsion was in our State militia. A portion of them was ordered into the field, and the incursion was repelled happily without much injury. In the prosecution, however, of this expedition, the State of Missouri was compelled to sustain and liquidate all the costs of the forces thus raised to defend its frontier and protect its citizens, which costs amounted to the sum of twenty-one thousand one hundred and forty-six dollars and ninety cents. Your memorialists, in presenting to Congress this statement of facts, respectfully ask that Congress will relieve the State of Missouri from the payment of this burden. They scarce think it is necessary to remind your honorable body of the selfish and cruel policy of accumulating thousands of savages on our line and leaving us to defend ourselves as best we may against the inroads and incursions with which our frontier is yearly threatened. It must present itself to every mind as partial, oppressive to our citizens, and ruinous to the best interests of our State. If the wisdom of Congress has placed these savages upon our line, it should equally, by the strictest justice and letter of the Constitution, have protected us against the invasion. But if the general government, from the suddenness of the Indians' attacks, or the small force which is stationed on our border, is unable to protect us from such an invasion, and it becomes necessary for the State to guard its own interests, then we, as your memorialists, respectfully suggest, an obligation, under the Constitution, arises upon the part of the general government to indemnify the State for any loss which it may thus have sustained. Any construction to the contrary would be operating as a constant drain upon our public resources, drive us to the necessity of a high taxation or an enormous debt, or would compel us to seize the first outrage of the Indians as an opportunity for an exterminating war.

Your memorialists close this petition with a request that Congress pass a law relieving the State of this debt, and providing for the reimbursing the amount which has been paid to the troops called into service of the State, as before mentioned; and, as in duty, &c.

Approved February 11, 1841.

TREASURY DEPARTMENT,

Auditor's Office, Missouri, City of Jefferson, March 2, 1858.

I, William H. Buffington, auditor of public accounts of the State of Missouri, do hereby certify that it appears from the pay rolls in my office of the fourth and seventh divisions of the militia of Missouri, called into service of the State by the commander-in-chief to repel an invasion of the Osage Indians in the year 1837, that the sum of seventeen thousand and seventy dollars and ninety cents has been paid by the State to the officers and men of said divisions; and I further certify that it appears from said pay rolls that there is due to the officers and men of said divisions the sum of two thousand and thirteen dollars and eighteen cents, for which sum the said State is now liable;

and I further certify that several thousand dollars in addition were paid for the salary and expenses of officers connected with the service of making payment to the officers and men of said divisions, the precise amount of which cannot be stated, as the officers engaged in the payment were also allowed for making payments at the same time to volunteers in the Mormon, Iowa, and Heatherly disturbances in this State.

In testimony whereof, I have hereunto set my hand and affixed the [L. s.] seal of office the day and year above written.

WM. H. BUFFINGTON,
Auditor of Public Accounts.