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Great and Little Osage Indians. Message from the President of the United States, in reference to a treaty now being negotiated with the Great and Little Osage Indians

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GREAT AND LITTLE OSAGE INDIANS.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

IN REFERENCE TO

A treaty now being negotiated with the Great and Little Osage Indians.

JUNE 11, 1868.—Referred to the Committee on Indian Affairs, to investigate, with authority to send for persons and papers, and ordered to be printed.

To the House of Representatives :

In reply to the resolution of the House of Representatives of the 1st instant, I transmit herewith a report from the Secretary of the Interior in reference to a treaty now being negotiated between the Great and Little Osage Indians and the special Indian commissioners acting on the part of the United States.

ANDREW JOHNSON.

WASHINGTON, D. C., June 10, 1868.

DEPARTMENT OF THE INTERIOR,

Washington, D. C., June 9, 1868.

SIR : I have the honor to acknowledge, by reference from you, the receipt of a preamble and resolution of the House of Representatives as follows :

Whereas the Indian tribes of the United States have no power by treaty to dispose of their lands except the power of cession to the United States, and whereas a treaty is now being negotiated between the Great and Little Osage Indians and the special Indian commissioner, acting on the part of the United States, by which eight millions of acres of lands belonging to these Indians are to be transferred to the Leavenworth, Lawrence and Galveston Railroad Company, in contravention of the laws and policy of the United States affecting the public domain : Therefore,

Resolved, That the President of the United States be requested to inform this house by what authority and for what reasons the said lands are to be disposed of as above recited, and not ceded to the United States and made subject to their disposition.

This department is not advised whether the recitals in the preamble are or not true. No information, either official or unofficial, has reached the department to that effect.

The 4th section of the act of Congress of March 3, 1863, entitled "An act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June thirtieth, eighteen hundred and sixty-four," provides,

"That the President of the United States be, and is hereby, authorized to enter into treaties with the several tribes of Indians, respectively, now residing in the State of Kansas, providing for the extinction of their titles to lands held in common within said State, and for the removal of such Indians of said tribes as hold their lands in common, to suitable localities elsewhere within the territorial limits of the United States, and outside the limits of any State." (Stat. at Large, vol. 12, pp. 774 and 793)

Representations were made to this department, from time to time, through the past autumn and winter, by the superintendent of Indian affairs for the central superintendency, by Senator Ross, of Kansas, and others, that the interests of the citizens of Kansas and the growth and prosperity of the State alike demanded the negotiation of a new treaty with the Great and Little Osages, for the relinquishment of their lands in that State, and their removal beyond its borders; and that the Indians, in common with the citizens of Kansas, were anxious that a new treaty for the accomplishment of these ends should be made.

In view of these representations, and of the law hereinbefore recited, making it your duty to enter into treaties with the several tribes of Indians in Kansas, for the extinguishment of their titles to land in that State and for their removal to other localities, the department applied to you for the appointment of commissioners on the part of the United States, to meet commissioners on the part of the Great and Little Osages, to negotiate a treaty in accordance with the requirements of the law.

On the 3d of April, 1868, in compliance with the recommendation and request of the department, you appointed Nathaniel G. Taylor, Commissioner of Indian Affairs; Thomas Murphy, superintendent of Indian affairs for the central superintendency; Albert G. Boone, special commissioner to locate Indian lands; and George C. Snow, United States Indian agent, such commissioners.

By virtue of this appointment, the commissioners on the part of the United States proceeded to the Indian country, and it is reported that they have concluded a treaty with the Indians. But no such treaty has yet been reported to the department; and if one has been negotiated, the department is uninformed as to its provisions, no special instructions having been given the commissioners on the subject.

I submit herewith copies of all communications, to and from the department, relating to the appointment of the commissioners and the negotiation of the treaty, as per list following:

1. Letter from Superintendent Murphy to Commissioner of Indian Affairs, dated November 15, 1867.
2. Letter from Acting Commissioner of Indian Affairs to Secretary of the Interior, dated December 2, 1867.
3. Letter from the Secretary of the Interior to Acting Commissioner of Indian Affairs, dated December 3, 1867.
4. Letter from Senator Ross to the Secretary of the Interior, dated December 10, 1867.
5. Letter from Senator Ross to Commissioner of Indian Affairs, dated January 8, 1868.
6. Letter from Acting Commissioner of Indian Affairs to Secretary of the Interior, dated January 9, 1868.
7. Letter from Senator Ross to Commissioner of Indian Affairs, dated January 24, 1868.
8. Letter from Secretary of the Interior to Commissioner of Indian Affairs, dated January 28, 1868.
9. Letter from Commissioner of Indian Affairs to Secretary of the Interior, dated January 27, 1868.
10. Letter from Agent G. C. Snow to Superintendent Murphy, dated February 16, 1868.

11. Letter from Agent G. C. Snow to Superintendent Murphy, dated February 16, 1868.

12. Letter from Superintendent Murphy to Commissioner of Indian Affairs, dated February 25, 1868.

13. Letter from Agent G. C. Snow to Superintendent Murphy, dated February 25, 1868.

14. Letter from Superintendent Murphy to Commissioner of Indian Affairs, dated February 25, 1868.

15. Letter from Superintendent Murphy to Commissioner of Indian Affairs, dated March 5, 1868.

16. Letter from Superintendent Murphy to Secretary of the Interior, dated March 26, 1868.

17. Copy of commission, appointing N. G. Taylor, Thomas Murphy, A. G. Boone, and G. C. Snow, commissioners.

I am, sir, with great respect, your obedient servant,

O. H. BROWNING, *Secretary.*

The PRESIDENT.

No. 1.

OFFICE OF SUPERINTENDENT INDIAN AFFAIRS,

Atchison, November 15, 1867.

SIR: I have the honor to inform you that in my opinion the welfare of the Osages requires that a treaty be made with them this winter, providing for the sale of their present reservation in Kansas, and their removal to some portion of the Indian country south of this State. This is rendered necessary from the manner in which the reserve is being taken possession of by white settlers.

Settlements and locations have already been made on their reserve, a distance of four or five miles from the boundary of the same, and nothing will keep them off except a military force is constantly stationed there, for they pay no attention to what the officers of the Indian department may say. These white men are sustained by the State authority.

Not long since the adjutant general of this State sent them arms and ammunition with which to defend themselves. The Osages are well aware of this, and in a conversation had at Medicine Lodge creek with Commissioner Taylor, Little Bear expressed a wish to take a delegation of his people to Washington this winter. These Indians are now in the neighborhood of Medicine Lodge creek, where they will remain all winter, hunting game, &c.; and in case you coincide with me that a treaty should be made with them, I have to request that you give me such instructions in the premises as in your judgment you may deem best. If they are to be taken to Washington this winter, these instructions should be given immediately, as it will take some time to reach them, at their present hunting grounds. In this connection I would suggest that, as there are to be delegations of Indians from Agents Leavenworth's and Wynkoop's and other agencies who will visit Washington this winter, it would be best to have them come on at the same time, as in this way arrangements can be made with the railroad companies to transport them at reduced rates. Should you consider this wise and proper, instructions should be given to some one man to see to this business, and the agents should be directed to bring their Indians to Leavenworth city at a stated time, and funds should be placed in the hands of the party intrusted with this service, to defray the expenses of the party to Washington.

Very respectfully, your obedient servant,

THOS. MURPHY,
Superintendent of Indian Affairs.

Hon. C. E. Mix,
Acting Commissioner, Washington, D. C.

No. 2.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,*Washington, D. C., December 2, 1867.*

SIR: I have the honor to enclose herewith a letter from Superintendent Murphy, dated the 15th ultimo, relative to the affairs of the Osage Indians, making a statement in regard to the necessity of negotiating a new treaty with them, and recommending that a delegation of the tribe be permitted to visit this city for that purpose.

There can be no doubt but that it would be for the interest of these Indians, as well as of the white settlers in Kansas, if a new treaty could be made with them. Frequent reports have been received at this office of the whites encroaching upon these Indians, and settling within the limits of their present reservation. If a treaty were made, by which they could be moved out of Kansas, and into the Indian territory, I am satisfied that it would be to the advantage of both parties, and therefore have no hesitation in recommending that a delegation of the tribe be permitted to visit this city the present winter, with the view of negotiating such treaty.

There are no funds, however, at present at the disposal of the department that can be applied towards defraying the expenses of such delegation, and if it is determined to allow the visit to be made, it will be necessary to have an appropriation made by Congress to meet such expenses. I am of the opinion that Congress will, after being advised of the present condition of the Osages, and of their affairs, make proper provision to enable the department to carry out its views and objects in regard to those Indians.

The matter is respectfully referred for your consideration and determination, and for such instructions respecting such delegation, as well as the other delegations referred to by the superintendent, in connection with their visit to this place, as you deem proper and necessary.

Very respectfully, your obedient servant,

CHARLES E. MIX,
Acting Commissioner.

Hon. O. H. BROWNING,
Secretary of the Interior.

No. 3.

DEPARTMENT OF THE INTERIOR,

Washington, D. C., December 3, 1867.

SIR: Referring to your communication of the 2d instant, relative to the affairs of the Osage Indians, and enclosing a letter from Superintendent Murphy, recommending that a delegation of the tribe visit this city for the purpose of negotiating a new treaty, I have to inquire whether, conceding the necessity for such a treaty, it would be better for a delegation to visit the city or commissioner be sent there to negotiate.

If it should be decided to bring them here, how many are to come, and what amount of appropriation will be needed to meet the expense? Superintendent Murphy's letter returned.

I am, sir, very respectfully, your obedient servant,

O. H. BROWNING, *Secretary.*

Hon. C. E. MIX,
Acting Commissioner of Indian Affairs.

No. 4.

UNITED STATES SENATE CHAMBER,
Washington, D. C., December 10, 1867.

SIR: I am informed that a communication has been received at the office of Indian affairs from Superintendent Murphy, of Kansas, recommending the making of a new treaty with the Osage Indians of Kansas for the cession of their present reservation to the United States, and their removal to the Indian territory south of Kansas. I most heartily concur in the suggestion of Superintendent Murphy.

In conversation with a number of chiefs and headmen of the Osages last summer I was informed by them that it was the general desire of their people to transfer the balance of their lands and take new homes in the region mentioned.

It being understood that these Indians have, in advance, consented to the sale of their lands, there are many considerations of an important public nature which urge the prompt adoption by the government of this proposition by the Indians.

It would be better for the Indians themselves to be removed from their present location to one less exposed to contact with the whites. In their present wild, uncivilized condition, and roaming over, as they do, an immense region of country, possessing no specific knowledge of its defined limits, it is impossible that conflicts should not occur disturbing the quiet of the settlement, and consequently retarding the development of the vicinities where they occur. Without pretending to fix the responsibility for these irregularities, it is sufficient that a method for their avoidance is offered in this proposition for sale and removal.

These people are not now prepared for an abandonment of their present mode of life, but it is hoped that stipulations may be incorporated into a new treaty providing for the allotment of their lands in severalty, the annual supply out of the interest accruing upon the sum which will be due them for their lands of stock and agricultural implements, and for the establishment of manual-labor schools among them. With such provisions as these not a tenth part of the land now occupied by them would be needed, and the money received for the balance would go far to prepare them to engage in a much higher and more prosperous manner of living. I am induced to believe that a large portion of the tribe is prepared to attempt the gradual introduction of a reform of this kind, which properly seconded by the government could not but produce most beneficent results. Provision could also be made, as in my judgment it ought to be, for the establishment of police regulations, and thus the inculcation of political ideas preparatory to their ultimate incorporation into the State.

The State which I in part represent has also a deep interest in the acceptance of this proposition by the government. Embracing, as this reservation does, some 9,000,000 acres of land, much of it among the best in the State, and possessing a uniformly mild and genial climate, it is being eagerly sought by emigrants from nearly every State in the Union. While there is no claim or concession of any right to trespass upon these lands, yet disturbances have arisen, and it must be apparent that the most effectual and satisfactory method of preventing their recurrence is at once to extinguish the Indian title on fair and honorable terms, and provide for their settlement at the option of the emigrant. At present these lands are sealed up against settlement and development. Seven thousand square miles, a tract greater than some of the States, and comprising nearly a tenth part of my State, remain and will remain, as long as the Indian possession continues, a barren and unproductive waste; practically a desert and a refuge for outlaws within the State, within the limits of which the

laws of the State are practically inoperative, and the law officers comparatively powerless.

In the hands of the government, or rather in the hands of actual settlers, which would speedily result from their purchase by the government, but a very few years would elapse till it would be densely populated, and be made one of the richest and most productive portions of the State; and feeling confident, as I do, that the extinction of the Indian title would be directly productive of this high degree of development, I should do violence to my own sense of duty, and fail to represent the interests of my constituents, were I not to urge every consideration in my power in behalf of this proposition.

I have, therefore, the honor to request that the suggestions made by Superintendent Murphy be duly considered, and that steps be taken at the earliest practicable day for the making of a treaty which shall throw these lands open to settlement and improvement.

Very respectfully, your obedient servant,

E. G. ROSS.

Hon. O. H. BROWNING,
Secretary of the Interior.

No. 5.

UNITED STATES SENATE CHAMBER,
Washington, January 8, 1868.

DEAR SIR: Please inform me whether the Osage chiefs have been ordered to Washington with a view to making a new treaty; if so, when they will probably be here.

Truly yours,

E. G. ROSS.

Hon. N. G. TAYLOR.

No. 6.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., January 9, 1868.

SIR: I have the honor to reply to your letter of the 3d ultimo, relative to a delegation of Osage Indians visiting this city for the purpose of negotiating a new treaty, and your reference on the 4th instant of a letter from Hon. E. G. Ross, upon the same subject, to state as follows, viz: I think it would be better for a delegation to visit this city than to send commissioners there to negotiate. Agent Snow, in a report dated the 31st ultimo, forwarded by Superintendent Murphy in a letter dated the 3d instant, and received at this office yesterday, states as follows, viz: "I am satisfied that they cannot agree on a delegation to go to Washington to make a treaty, although all the chiefs are anxious to go." In regard to this statement, I would respectfully remark that Commissioner Taylor saw Little Bear, an Osage chief, at Medicine Lodge creek, and Little Bear there stated to him that the Osages desired to send a delegation to Washington, and that they could agree in the selection of such delegation.

The delegation, in my opinion, should consist of nine persons, to be composed as follows, viz: The principal chief of the tribe; three persons from each of the two parties of the tribe respectively, viz: the Great Osages and the Little Osages; the agent and an interpreter.

I estimate \$2,500 as the amount that will be required to cover the expense of having such a delegation visit this city, for their expenses while here and to return to their country.

In the event you shall decide to have the delegation come to this city, I would respectfully suggest whether it would not be well, in view of the importance of early action, to anticipate the appropriation by Congress by advancing from the funds of the tribe on hand for the expenses of the delegation, if it can properly be done.

The letter of Hon. Mr. Ross is herewith returned.

Very respectfully, your obedient servant,

CHARLES E. MIX,
Acting Commissioner.

Hon. O. H. BROWNING,
Secretary of the Interior.

No. 7.

UNITED STATES SENATE CHAMBER,
Washington, January 24, 1868.

SIR: I am informed that your estimate for the appropriation necessary to bring a delegation of the Osage Indians to Washington is now in the hands of the House Appropriation Committee, where it is liable to rest until the general appropriation bill comes up, some weeks, probably some months hence.

In view of this probable delay, I desire to ascertain whether the requisite permission would be given if the Indians should choose to come on, and run the risk of having to defray their own expenses, in case no appropriation should be made by Congress hereafter.

I am induced to ask this in view of the urgency of the case, they desiring to sell their lands and thus be ready to remove in the early spring now approaching; and also in the confident expectation that they could secure the necessary funds, if they should not now have them, and would very cheerfully incur the risk of the money being hereafter refunded them by the government.

It is of vital importance to the Indians, as well as to the people of that section of my State, that a treaty should be made, and the Indian title extinguished at the earliest practicable day. On this, both parties, Indians and whites, are agreed; and if the present owners are willing to take the chances mentioned, I can see no impropriety in their being allowed to visit Washington for the purpose at once.

Very respectfully, your obedient servant,

E. G. ROSS.

Hon. N. G. TAYLOR,
Commissioner of Indian Affairs, Washington, D. C.

No. 8.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., January 28, 1868.

SIR: I acknowledge the receipt of your letter of the 27th instant, relative to a delegation of Osage Indians visiting Washington for the purpose of negotiating a treaty, and enclosing a communication from Senator Ross, of Kansas, on the subject.

There is no appropriation at the control of the department to defray the expenses of bringing a delegation of Osages here; but as it is represented to be of vital importance to the Indians, as well as to the people of Kansas, that a treaty shall be made, and the Indian title to the lands in Kansas be extinguished

at the earliest possible day, a delegation may come on the understanding that they defray their own expenses in the event that Congress shall fail to make an appropriation for the purpose.

The letter from Senator Ross is herewith returned.

Very respectfully, your obedient servant,

O. H. BROWNING, *Secretary.*

Hon. N. G. TAYLOR,

Commissioner of Indian Affairs.

No. 9.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., January 27, 1868.

SIR: On the 11th instant an estimate of appropriation required to defray expenses of a delegation of Osage Indians to visit this city for the purpose of negotiating a treaty, was reported to you to be transmitted to Congress. I have the honor to enclose herewith a letter from Hon. E. G. Ross, dated the 24th instant, upon this subject.

Senator Ross urges the necessity of early action in this matter, and states that the estimate referred to "is now in the hands of the House Appropriation Committee, where it is liable to rest until the general appropriation bill comes up, some weeks, probably some months, hence," and desires to be informed whether permission will be given to the Indians "to come on and run the risk of having to defray their own expenses in case no appropriation should be made by Congress hereafter," and thinks the "Indians would cheerfully incur the risk."

In view of the facts presented I would respectfully recommend that permission be granted on the terms mentioned. You will please return the letter of Hon. Mr. Ross with your decision in the premises.

Very respectfully, your obedient servant,

N. G. TAYLOR,
Commissioner.

Hon. O. H. BROWNING,

Secretary of the Interior.

No. 10.

HUMBOLDT, KANSAS, *February 16, 1868.*

SIR: From what I can learn there are hundreds of persons in Kansas making arrangements to go down on the Osage lands to make claims as soon as the Osage delegation leaves for Washington. It has been published in the St. Louis papers that a delegation has been ordered on. *Something must be done to stop this movement.* If the Indians should make a treaty, their women and children will be driven from their camps before they return from Washington.

I would therefore respectfully ask you to get an order at once on the commander of the post at Fort Leavenworth, for an officer and at least ten well-mounted men, *to report as soon as possible*, to Deputy Marshal S. S. Dickinson, Humboldt, Kansas.

Respectfully, your obedient servant,

G. C. SNOW,
U. S. Neosho Indian Agent.

Colonel T. MURPHY,

Superintendent Indian Affairs, Washington, D. C.

No. 11.

HUMBOLDT, KANSAS, *February 16, 1868.*

SIR: I have not yet succeeded in getting a delegation of Osage Indians to go to Washington. I have had great trouble in harmonizing the different factions. They are to meet the 21st instant to select their men to go. I now think they will agree. I may have to take eight men. They do not like the idea of paying their own expenses. I have given my word that I would do all I could to have the expense paid by the government. I hope you will *do all you can* to have this done. If I succeed, we cannot leave Lawrence before the 2d day of March; be in Washington about the 5th.

Very respectfully, your obedient servant,

G. C. SNOW,
U. S. Neosho Indian Agent.

Colonel THOMAS MURPHY,
Superintendent Indian Affairs, Washington, D. C.

No. 12.

WASHINGTON, D. C., *February 25, 1868.*

SIR: I have the honor herewith to enclose a letter of the 16th instant from Agent Snow, relative to bringing a delegation of Osage Indians to this city.

Very respectfully, your obedient servant,

THOMAS MURPHY,
Superintendent Indian Affairs.

Hon. N. G. TAYLOR,
Commissioner.

No. 13.

HUMBOLDT, KANSAS, *February 25, 1868.*

SIR: I received a copy of the honorable Commissioner's letter to you of January 28 on the 12th instant, in the Indian country, the contents of which had been anticipated by telegrams and letters from you.

I had been doing all I could for several days to harmonize the different factions. On the 12th instant the two parties agreed that they would come together at the Big Hill town on the 21st instant and decide what they would do. On the 20th I went to White Hair's town, and there learned that he was not going to the council, saying "that he would not be dragged down to Big Hill town to a council, and he had no land to sell."

I staid there until noon the 21st, hired a team, and got the most of White Hair's leading men to go down. After counselling two days and one night they decided not to send a delegation to Washington.

All the chiefs and most of the leading men are very anxious to visit the capital, but they do not want to run the risk of paying their own expenses, or make a treaty by which their title to lands in Kansas will be extinguished. I think a majority of the Indians would favor a treaty if they knew where the government would re-locate them.

Some of them favor a treaty reserving the Arkansas river and Whitewater. A treaty can be made, I think, this spring, if the following plan can be pursued:

1. Send me an order (with maps) to take as many Osages as will go, to pro-

ceed to the Indian territory and select their future home. The maps must show all the lands from which we can select.

2. Have their payment ready by the 20th of May.

3. Have commissioners here ready, and fully authorized, by the 25th of May, to make a treaty.

I believe they will take the Seminoles' lands if they can go down as far as the mouth of Little river.

Very respectfully, your obedient servant,

G. C. SNOW,

United States Neosho Indian Agent.

Colonel THOMAS MURPHY,

Superintendent Indian Affairs, Atchison, Kansas.

No. 14.

WASHINGTON, D. C., *February 25, 1868.*

SIR: I have the honor herewith to transmit a letter of the 16th instant from Agent Snow, stating that when the delegation of Osage Indians left for Washington their reservation would be settled on by whites, their women and children be driven from their camps, and asking for an order for an officer and ten mounted men to protect the rights of the Indians.

Very respectfully, your obedient servant,

THOMAS MURPHY,

Superintendent Indian Affairs.

Hon. N. G. TAYLOR,

Commissioner.

No. 15.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,

Atchison, March 5, 1868.

SIR: I have the honor herewith to transmit a letter from Agent Snow, of the 25th ultimo, reporting the determination of the Osage Indians not to send a delegation to Washington to dispose of their lands.

Very respectfully, your obedient servant,

THOMAS MURPHY,

Superintendent Indian Affairs.

Hon. N. G. TAYLOR,

Commissioner, Washington, D. C.

No. 16.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

Washington, D. C., March 26, 1868.

SIR: I have the honor to inform you that the Osage Indians have declined to visit Washington, for the reason that the Cheyennes and Arapahoes are at war with them, and the headmen of the Osages are unwilling to leave their people while this war exists. They are, however, anxious to make a treaty with the government for the sale of their trust lands and diminished reserve,

and have agreed with their agent to meet commissioners of the government in council, on their reservation, on the 14th of next month, for the purpose of negotiating such a treaty.

If it is the pleasure of the government to appoint commissioners to meet these Indians on the day designated, I respectfully recommend that the itemized estimate of goods submitted by Agent Snow to the Indian department, and amounting to \$7,500, be purchased at once, and shipped to Lawrence, Kansas, so as to have them there in time to be distributed to the Indians at the time of holding said council. This will do away with the necessity of furnishing them with presents, which is always customary in negotiating treaties or holding councils with these Indians.

Very respectfully, your obedient servant,

THOS. MURPHY,
Superintendent Indian Affairs.

Hon. O. H. BROWNING,
Secretary of the Interior.

P. S.—The object in calling your attention to this matter is that the interest due these Indians shall be paid to them semi-annually, in money, clothing, provisions, or such articles of utility as the Secretary of the Interior may, from time to time, direct. (See Statutes at Large, volume 14, page 687.)

THOS. MURPHY,
Superintendent Indian Affairs.

No. 17.

EXECUTIVE MANSION, WASHINGTON, D. C.,
April 3, 1868.

NATHANIEL G. TAYLOR, *Commissioner of Indian Affairs:*

Under authority conferred by the 3d section of the act of Congress approved February 27, 1851, relative to the negotiation of Indian treaties, you are hereby designated and appointed a commissioner, jointly with Thomas Murphy, superintendent of Indian affairs for Central superintendency, Albert G. Boone, special Indian commissioner to locate Indian lands, and George C. Snow, United States Indian agent, as commissioners, to negotiate a treaty with the Great and Little Osage tribes of Indians.

ANDREW JOHNSON,
President.

O. H. BROWNING,
Secretary of the Interior.

Dear Sir:

GREAT AND LITTLE DRAG INDIANS

MESSAGE

PRESIDENT OF THE UNITED STATES

IN SENATE, JANUARY 18, 1868.

I have the honor to acknowledge the receipt of a report from the Secretary of the Interior, dated the 15th inst., in relation to the Great and Little Drag Indians, and the result of the treaty recently concluded with the Great and Little Drag Indians, and the result of the treaty recently concluded with the Great and Little Drag Indians, and the result of the treaty recently concluded with the Great and Little Drag Indians.

To the House of Representatives:

I have the honor to acknowledge the receipt of a report from the Secretary of the Interior, dated the 15th inst., in relation to the Great and Little Drag Indians, and the result of the treaty recently concluded with the Great and Little Drag Indians, and the result of the treaty recently concluded with the Great and Little Drag Indians, and the result of the treaty recently concluded with the Great and Little Drag Indians.

ANDREW JOHNSON

DEPARTMENT OF THE INTERIOR
Washington, D.C. Jan 15, 1868

I have the honor to acknowledge the receipt of a report from the Secretary of the Interior, dated the 15th inst., in relation to the Great and Little Drag Indians, and the result of the treaty recently concluded with the Great and Little Drag Indians, and the result of the treaty recently concluded with the Great and Little Drag Indians, and the result of the treaty recently concluded with the Great and Little Drag Indians.

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GREAT AND LITTLE OSAGE INDIANS.

M E S S A G E

FROM THE

PRESIDENT OF THE UNITED STATES,

IN ANSWER TO

A resolution of the House of 13th instant, relative to the treaty concluded with the Great and Little Osage Indians.

JUNE 15, 1868.—Referred to the Committee on Indian Affairs and ordered to be printed.

To the House of Representatives :

I transmit herewith a report from the Secretary of the Interior, made in reply to the resolution adopted by the House of Representatives on the 13th instant.

The treaty recently concluded with the Great and Little Osage Indians, to which the accompanying report refers, was submitted to the Senate prior to the receipt of the resolution of the House upon the subject.

ANDREW JOHNSON.

WASHINGTON, D. C., June 15, 1868.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., June 15, 1868.

SIR: I have the honor to acknowledge, by reference from you, the receipt of a preamble and resolution, adopted by the House of Representatives on the 13th instant, in relation to a treaty recently concluded between the United States and the Great and Little Osage tribes of Indians.

The resolution is as follows :

Resolved, That the President is hereby requested to furnish to this house copies of all instructions, records, and correspondence, connected with the commission authorized to make the above-named treaty, and copies of all propositions made to said commission from railroad corporations or by individuals; and the President is requested to withhold said treaty from the Senate, or, if sent to the Senate, to withdraw the same, until a full investigation can be had and report made by the Committee on Indian Affairs of this house.

On the 9th instant I had the honor to make to your Excellency a report, in response to preamble and resolution adopted by the House of Representatives on the 1st instant, upon the same subject.

That report embraced copies of all "records and correspondence connected

with the commission authorized to make the above-named treaty," and has been duly communicated to the House of Representatives, and is now in its possession.

No instructions were given to the commissioners except such as were contained in their commission, which, in general terms, designated their duties. A copy of the commission was made a part of the report above referred to, and is now in the possession of the House.

No "propositions made to said commission from railroad corporations or by individuals" have come to the knowledge or possession of this department.

Prior to the passage of the preamble and resolution, the treaty had been laid before you by this department, with the request that you would communicate it to the Senate for its constitutional action thereon.

I am, sir, with great respect, your obedient servant,

O. H. BROWNING, *Secretary.*

The PRESIDENT.

with the commission authorized to make the above named treaty, and has been duly communicated to the House of Representatives, and is now in its possession.

No instructions were given to the commissioners except such as were contained in their commission, which, in general terms, directed their duties. A copy of the commission was made a part of the report above referred to, and is now in the possession of the House.

No propositions made to said commission from Indian corporations or by individuals, have come to the knowledge or possession of this department.

Prior to the passage of the preamble and resolution, the treaty had been laid before you by this department, with the request that you would communicate it to the Senate for its constitutional action thereon.

I am, sir, with great respect, your obedient servant.

G. H. BROWNING, Secretary.

The President.

THE PRESIDENT OF THE UNITED STATES
OF AMERICA
TO THE SENATE OF THE UNITED STATES
IN SENATE, JANUARY 18, 1862.

MESSAGE

PRESIDENT OF THE UNITED STATES

My countrymen, I have the honor to acknowledge the receipt of your message of the 17th inst., and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. I have also the honor to inform you that the same has been forwarded to the proper authorities for their consideration.

The President of the United States

GREAT AND LITTLE OSAGE INDIANS.

MESSAGE

OF THE

PRESIDENT OF THE UNITED STATES,

IN ANSWER TO

A resolution of the House of the 13th ultimo, relative to the late treaty with the Great and Little Osage Indians.

JULY 18, 1868.—Referred to the Committee on Indian Affairs and ordered to be printed.

To the House of Representatives :

In compliance with the resolution adopted by the House of Representatives on the 13th instant, requesting "copies of all instructions, records, and correspondence connected with the commission authorized to negotiate the late treaty with the Great and Little Osage Indians, and copies of all propositions made to said commission from railroad corporations, or by individuals," I transmit the accompanying communications from the Secretary of the Interior, together with the papers to which they have reference.

ANDREW JOHNSON.

WASHINGTON, D. C. July 18, 1868.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., July 17, 1868.

SIR: I am in receipt, by reference from you, of a resolution adopted by the House of Representatives on the 13th instant, requesting the President "to furnish to the House copies of all instructions, records, and correspondence connected with the commission authorized to negotiate the late treaty with the Great and Little Osage Indians, and copies of all propositions made to said commission from railroad corporations or by individuals."

A similar resolution was referred by you to this department for report, on the 13th ultimo, and in conformity to the requirements thereof the department, on the 15th ultimo, reported to you full and complete copies of all the papers referred to in the said resolution, which were in its possession or under its control.

Nothing additional upon the subjects referred to in the resolution having come into the possession of the department, the resolution of the 13th instant was referred by the department to the Indian bureau for answer.

I now have the honor to lay before you copy of a letter from the Commissioner of Indian Affairs, addressed to this department on yesterday, together

with a copy of the records of the commission, "showing all correspondence had by it, and all propositions made to it, by or from any individual, company, or corporation, relative to, or in connection with, the negotiation of said treaty."

At the time of answering the resolution of the 13th of June, this record had not reached the Indian bureau.

The resolution is herewith returned.

I am, sir, with great respect, your obedient servant,

O. H. BROWNING,
Secretary.

THE PRESIDENT.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., July 16, 1868.

SIR: I have the honor to acknowledge the receipt of your communication of the 15th instant, stating that all instructions, correspondence, records, &c., in the possession of the department relative to the negotiations of the Osage treaty, have been communicated to the House of Representatives, and enclosing for report a resolution passed by the House of Representatives on the 13th instant, setting forth, among other things, that it is believed a portion of the records of the commission appointed to treat with the Great and Little Osage Indians must have been withheld by me as chairman of said commission, and again requesting the President to furnish to the House copies of all instructions, records, and correspondence connected with the commission authorized to negotiate the late treaty with said Indians, and copies of all propositions made to it from railroad corporations or by individuals.

The only instructions the members of the commission had were those contained in the commissions appointing them to negotiate a treaty with the Osages. It is presumed a copy of these commissions has already been furnished the House, under its resolution of the 13th ultimo. I now enclose a copy of the records of the commission, showing all correspondence had by it, and all propositions made to it, by or from any individual, company, or corporation, relative to, or in connection with, the negotiations of said treaty.

At the time the resolution of the 13th ultimo was responded to, this record had not been received by me. It was then in the hands of the secretary of the commission, who was busily engaged in preparing it, hence it was impossible to have it accompany your report in response to the first resolution.

It is believed that the information contained in this record, together with that embraced in the reply to the resolution of the 13th ultimo, will acquaint the House with all instructions, records, and correspondence connected with the commission appointed to treat with said Indians, also with all propositions made to the commission from railroad corporations or by individuals.

I return herewith the resolution accompanying your communication of the 15th instant.

Very respectfully, your obedient servant,

N. G. TAYLOR,
Commissioner.

Hon. O. H. BROWNING,
Secretary of the Interior.

CAMP CHETOPAH, *May 10, 1868.*

At a meeting of the commissioners appointed to treat with the Great and Little Osages for the purpose of organization—Present: Hon. N. G. Taylor, Colonel Thomas Murphy, Colonel A. G. Boone, and Major G. C. Snow—

On motion of Colonel Murphy, Hon. N. G. Taylor was unanimously appointed president of the commission.

Adjourned.

A. N. BLACKLIDGE, *Secretary.*

CAMP LOCUST GROVE,
(On the bank of the Verdigris,)

May 13, 1868.

Commission met pursuant to the call of the president, all the commission present. The principal object of this meeting being to determine the point at which the commission would locate permanently, on motion of Colonel Murphy, the place for holding the council with the Great and Little Osages be established at the springs near the junction of the Drum creek with the Verdigris river.

Commission adjourned.

A. N. BLACKLIDGE, *Secretary.*

CAMP LOCUST GROVE, OSAGE NATION,
May 13, 1868.

To the chiefs, headmen, and braves of the Big Hill and Clemont towns of the Osage Indians:

We, the commissioners sent by your Great Grandfather and the Great Council at Washington to counsel with your people, finding a difference of opinion among your people respecting the place of the great council, and finding the camp where we now are too wet and inconvenient for the purposes, have ourselves selected a good place for the council at the springs near the mouth of Drum creek, where we wish all the chiefs, headmen, and warriors of the Osages to meet us in council on important business on to-morrow. In order to get to our new camp in good time, we will be compelled to leave here by 10 o'clock to-day.

Very respectfully,

N. G. TAYLOR,
THOMAS MURPHY,
A. G. BOONE,
G. C. SNOW,
Commissioners.

DRUM CREEK SPRINGS CAMP,
Osage Nation, May 13, 1868.

To the chiefs, headmen, and braves of the Big Hill, Clarmont, and Black Dog bands of the Big Osages.

Your letter of to-day, dated 12th instant, is received, and its contents have been duly considered.

I, your Great Father, with the commission which was sent with me by your Great Grandfather, having found Locust Grove a wet and unwholesome place for a council camp, have selected this spot as every way suitable to hold a grand business council with the whole Osage nation, by and with the consent of my fellow-commissioners.

We have business of importance to transact with you Your Great Grandfather has ordered us to do it. We cannot wait for you very long. We wrote

you a letter this morning, in which we told you the commissioners had chosen this place for the council, and gave you our reasons. We are now in camp, and well pleased with the ground. We will have your annuity goods here, and some presents for your people, and some provisions for your use. We cannot now well change the council ground, and will therefore await your coming at this place. We are sure you will reconsider what you said in your letter, and come to us. We have travelled many hundred miles to meet you, to take you by the hand as friends, and go into council with you. You will not refuse to come five or six miles to meet us.

To-morrow, at 12 o'clock, we expect to open council. We want you present with us; but if you refuse we cannot help it. We are men and not children, and we are of the same opinion we were of when we wrote to you this morning. I am your friend, and hope you will think over this matter and come to a better decision. I have nothing more to say.

Your father,

N. G. TAYLOR, *Commissioner,*
In behalf of the Commissioners.

CAMP NEAR DRUM CREEK,
Osage Nation, May 14, 1868.

Commission met pursuant to the call of the president. All present except Major Snow.

Rev. P. McVickers, superintendent of common schools for the State of Kansas, being present, made a request of the commission that in making a treaty with the Osages they insert a provision in the treaty reserving the 16th and 36th sections of said reservation for school purposes. Ordered filed for further consideration.

Ordered, That the commission meet at 9 o'clock a. m. each day, until otherwise ordered, and that the council for business with the Indians shall be at 12 m. of each day.

The president laid before the commission a letter from Hon. Sidney Clarke, expressing his views in regard to the proper course to be taken in making treaties with Indians in Kansas. On motion, the communication was filed for further consideration.

The president laid before the commission a letter from S. S. Smart.

Colonel Murphy offered the following preamble and resolution, which were unanimously adopted:

Whereas the commission appointed by the President to treat with the Great and Little Osages, having called them together for that purpose, we find that the rations of food furnished them by Thomas A. Osborn, under his contract, are barely sufficient to feed them while collected at their various homes; and whereas it has become necessary, in order to transact business with these Indians, to collect their chiefs, headmen, and braves together in council at one point, which necessarily takes them from their homes during the pending of our negotiations with them; and whereas these chiefs, headmen, and braves have to be fed while they remain with us in council, and this commission having no funds placed at their disposal sufficient to purchase food for them: Therefore,

Be it resolved by this commission, That the Commissioner of Indian Affairs be requested to direct said contractor, Thomas A. Osborn, to furnish, under his contract, one ration of beef, flour, sugar, and coffee for 1,000 Indians for 15 days.

Commission adjourned to meet at 9 o'clock to-morrow morning.

A. N. BLACKLIDGE, *Secretary.*

CAMP NEAR DRUM CREEK,
Osage Nation, May 14, 1868.

SIR: In compliance with a request of the Osage Indian commission, this day made, you are hereby instructed, under your contract, to furnish immediately a daily ration of beef, flour, coffee, and sugar for 1,000 Indians for 15 days, at this point, and prompt compliance is desirable and important.

Respectfully, your obedient servant,

N. G. TAYLOR,
Commissioner of Indian Affairs.

THOMAS A. OSBORN.

CAMP NEAR DRUM CREEK,
Osage Nation, May 15, 1868.

Council met at 9 o'clock. All present. The provisions of a treaty with the Osages was discussed.

On motion the proposition of Rev. P. McVickers, superintendent of common schools for the State of Kansas, in regard to the 16th and 36th sections of land, was taken from the table, and after due deliberation was, on motion, indefinitely postponed.

On motion the commission adjourned to meet to-morrow at 9 o'clock.

General C. W. Blair, president Missouri, Fort Scott and Santa Fé Railroad Company, appeared before the commission and stated that on the part of his railroad he proposed that it be incorporated in the proposed treaty with the Osages that his railroad have the privilege of purchasing one-third of said lands at the same price and on the same conditions as was proposed to sell these lands to the Leavenworth, Lawrence and Galveston railroad; that if this was done he and his friends would assist in making the treaty; otherwise he would deem it his duty to do all he could to prevent the Indians from making any treaty, and that he knew he had the power and influence to do this. The president of the commission informed him that what he had said would be taken into consideration.

A. N. BLACKLIDGE, *Secretary.*

OSAGE COUNCIL GROUND,
Osage Nation, May 16, 1868.

Commission met, pursuant to adjournment, at 9 o'clock. Commission all present. Father Schoenmaker, being present by invitation, was consulted in regard to his views in relation to the treaty.

On motion, the commission adjourned.

A. N. BLACKLIDGE, *Secretary.*

OSAGE COUNCIL GROUND,
Osage Nation, May 17, 1868.

Council met pursuant to adjournment. All the commission present. The provisions of the treaty were discussed and considered. The president of the commission was instructed to answer the letter of General Blair.

Commission adjourned.

A. N. BLACKLIDGE, *Secretary.*

OSAGE COUNCIL GROUND,
Osage Nation, May 18, 1868.

The commission met at 9 o'clock and proceeded to consider the treaty. The following letter from General C. W. Blair, president of the Missouri, Fort Scott and Santa Fé Railroad Company, proposing to buy the Osage lands for said road, which letter is in the words and figures following, to wit:

SIR: I have the honor to propose to you, and through you to the commission appointed to treat with the Osage Indians for their trust lands and diminished reservation, that the lands comprised therein be required by the United States government and offered for sale in a body to the highest bidder, thus leaving it open to the competition of all companies who desire to purchase the same, and hereby pledge myself that the railroad company I represent will offer for the whole of said lands at least the sum of \$2,000,000, giving any guarantee of payment that the government may require, which sum is one-half million of dollars more than that proposed to be paid by the Leavenworth, Lawrence and Galveston Railroad Company.

Should it be against the policy of the government to purchase land except under conditions of immediate transfer to parties or companies who can make the required payments, we respectfully request your commission to create the trust in the treaty for the benefit of our company, we to pay therefor the sum of \$2,000,000. I would also state that our company is properly incorporated, traverses the whole length of these lands from east to west, and is in the hands of men of capital and influence.

We propose, also, to accept all the terms and conditions of the treaty, as already drawn and prepared by the commission, and in addition to securing the rights of the half-breeds, protecting the settlers, and making liberal donations for school purposes, changing the treaty only by substituting the name of the Missouri, Fort Scott and Santa Fé Railroad Company for that of the Leavenworth, Lawrence and Galveston Company, for which change we offer more than a half a million of dollars, in addition to the amount proposed by Mr. Sturgis. Our company is composed of and supported by men of large capital and influence, (the governor of the State being one of our directors,) who are able to give all the guarantees required by the treaty, or which may be imposed by the government, such guarantees to be given prior to the submission of the treaty to the Senate for ratification.

I also make this proposition for the purpose of harmonizing conflicting interests and advancing the interests of the north and south, as well as the east and west, national thoroughfare. I am content that the treaty may include both roads, giving the Leavenworth, Lawrence and Galveston Company two-thirds of said lands, and securing to the Missouri, Fort Scott and Santa Fé Railroad Company one-third of the same, being equal in value and extent, and divided by blocks of sections from north to south, two blocks to their road and one to ours, alternately, through the whole length of said lands, east and west; we to take shares by express stipulation in the treaty to our road, by name and on the same terms and conditions of payment and otherwise as are imposed on the other company. All the propositions seem to me fair and just, and the acceptance of any one of these will secure the cordial co-operation of myself and friends in favor of the speedy completion of the treaty by the exertion of all the influence we can command in its behalf.

I am, colonel, very respectfully, your obedient servant,

CHARLES W. BLAIR,

President Missouri, Fort Scott and Santa Fé Railroad Company.

Hon. N. G. TAYLOR,
Commissioner of Indian Affairs.

P. S.—I would respectfully request that this proposition be held and reserved with the papers of the commission for future reference.

On motion of Colonel Boone said letter was filed for future consideration.

At 12 o'clock the commission adjourned to meet the Indians in council.

N. A. BLACKLIDGE, *Secretary.*

OSAGE COUNCIL GROUND,
Osage Nation, May 18, 1868.

At the council between the commission on the part of the United States and chiefs, headmen, and braves of the Great and Little Osage nations, the following talk was had. Hon. N. G. Taylor, president of the commission, addressed the Indians as follows:

MY CHILDREN AND FRIENDS, THE CHIEFS, HEADMEN, WARRIORS, AND BRAVES OF THE OSAGE NATION: I meet you to-day as the messenger from your Great

Father at Washington. He, through me, has called you together this bright and beautiful day, and you have answered; the commission here and myself have come here by order of your Great Grandfather and the people who made him so. The Osages have always been the friends of the whites; that friendship has never been disturbed by open war; the chain of friendship between your people and our people has never rusted nor lost a link, and by the blessing of the Great Spirit, the Father of us all, it never shall rust or never shall break. While we of the present generation live, let us live as fast friends; and when we die, let our children live as friends. Your Great Grandfather at Washington is a wise man, and he loves all his children, red and white, and he wants to see them all prosperous, all united, and all happy. He is the great head of the white man and he is the great friend of the red man; when he speaks it is our duty, all of us, to have our ears open to listen and to obey his counsel. There is a bad spirit and a good Spirit; there are white men and red men that listen to the voice of the good Spirit in their hearts, and there are red and white men who listen to the bad spirit. When I tell you the message that the Great Father sends you, bad men and the bad spirit will tell you not to listen, but good men and the good Spirit will tell you listen and obey. We come to tell you what your Great Grandfather wants you to do, that you may live and flourish and become as happy as your white brethren. He says there was a time once when the Osage and other Indians could afford to be idle and follow the chase, for then you could find plenty of game; these lands of yours were once covered with plenty of buffalo, elk, and deer, but you look in vain for game now; here and there you may find a single deer. When you could shoot the deer and antelope within a half a mile of your lodge, then the Osages could afford to be idle. But now there is no game near; buffalo, elk, and deer are far from you and fast disappearing. You love your wives and children, and it is your duty to protect and care for them so that they may live and not die. If you do not get the means upon which they can live they will die; but if your game is all gone, how can you provide the means? There is but one way left, that is for you to labor. I said the buffalo were disappearing; you know that all the people who depend on buffalo for a living are disappearing like them. Fifty years ago there were three Osages living where there is one now. Fifty years from to-day in the future all those who depend on game will have nothing to live on and must die. Now, while you have been getting smaller the whites have been getting larger. You were once manly and large, but now you are few and small. The whites were once small and few, but now they are great and many. Now I ask you, every one of you, what is the reason of this difference? I will tell you the reason: the white man digs in the earth and makes his corn, wheat, rye, and everything that is good for man and beast; he raises hogs, sheep, cattle, and horses. Now your Great Grandfather wants you to settle like white people, labor and live like white people. One of your chiefs, last fall, when we were at Medicine Lodge creek, told me your people were rich in land and poor in everything else.

Your Great Grandfather sees your homes in a State, this State of Kansas. In a State the governor is the immediate ruler; in a Territory your Great Grandfather is the immediate ruler. The people of the States are troublesome; they trouble you, and it makes your hearts sad. Your Great Grandfather has looked down upon you here; he sees this trouble getting thicker here; he sees that the Osages will not be contented while they live in the neighborhood of the white people; but he has set apart a large country immediately south of you; a large country, good land, water, and timber. There are many tribes settled upon it now—Cherokees, Chickasaws, Delawares, &c.; there are many other tribes going there; the Great Father intends to send them there; to give them money and means to cultivate and build like white men; and when they

get ready, he intends they shall have a State of their own, and send their councilmen to Washington. Your Great Grandfather wants you, the Osages, to become a part of that country, and part of that State; he wants you to sell your lands here to the government, and select your lands there, and move out of the State into the Territory; he proposes, therefore, through us, to offer you a treaty, the general outlines of which are as follows:

1. Osages sell all their lands in the State for not less than one million five hundred thousand dollars. After deducting from this sum an amount sufficient to purchase their new home in the Indian territory, removing them thereto, and settling them thereon, the remainder shall be invested in United States registered bonds; the interest on which shall be paid to them semi-annually, and will amount to, including the present annuity money, not less than seventy thousand dollars a year, perhaps to eighty thousand dollars.

2. The government becomes the purchaser, and in the treaty proposes to permit a railroad company or companies, as the case may be, to become the owner of the lands by paying for the lands the same amount agreed to be paid by the government to the Indians therefor. Details are found in the project of the treaty.

3. The government proposes to purchase a new home for the Osages in the Indian country, or to sell them lands it already owns at the cost price thereof. The commission desire you to consider and inform them where you wish your new home in said Indian country to be located.

4. It is provided that an agency building shall be built at a convenient point in their new country, and the agent required to live with them. It is also provided that a physician's residence, blacksmith's house and shop, school-house and church, and mills shall be erected at the agency, and that a physician, blacksmith, miller, and teacher shall be employed for their benefit, and reside at their agency.

5. The treaty provides for the payment to the nation of thirty thousand dollars on account of failure of government to keep up mills for ten years, under the treaty of 1839, and to furnish them stock, agricultural implements, wagons, &c., according to said treaty.

6. Treaty also provides that after reimbursing the three hundred thousand dollars advanced for the thirty by fifty miles strip of land, and for surveying and selling the same under the treaty of 1865, the balance arising from the sale of said lands shall be applied to the Osage school fund, instead of going into the general civilization fund, as now provided in said treaty.

7. Treaty also provides that the half-breeds shall have equal rights with the full-bloods in all the benefits of this and all former treaties, and shall have a voice in national council. It also provides a stated yearly salary to be paid to the chiefs and councilmen of the nation, and provides a premium or reward to each individual of the tribe who shall settle and improve lands. There are details and particulars which will be submitted to you for consideration as soon as the Commissioner shall have prepared them completely.

The above is an outline sketch of the treaty we propose.

One other point from the Great Father. The Great Grandfather loves all his red children, and he wants them to love one another and to live at peace. He has heard that there is war between the Osages and Arapahoes and Cheyennes. He is unwilling for his red children to kill each other or to be killed by one another, but he wants them to live like brothers. Tell him the leaves of the trees will fall themselves in autumn; why then destroy the beauty of the tree by plucking them off? Tell him that all mankind will die away soon enough; why then butcher one another? There is room enough in the world for Arapahoes, Cheyennes, and Osages. I have already told you that a few years ago you were many; now you are few. The same thing is true of the Arapahoes

and Cheyennes. Why then destroy each other and make this remnant less? Why then not make peace and be friends forever? Tell them this commission and I am sent out by their Great Grandfather to make peace with his red children. Tell them I understand that there are difficulties among themselves; that I and the Great Grandfather are sorry for these difficulties, and this commission are sorry for them, and want these divisions to heal and harmony to prevail. They know that the Great Grandfather has the power to settle all these difficulties. But tell them they are good men, wise men, and brothers, and I want them like brothers to settle those difficulties among themselves; but tell them I am ready to council with them after this business is done. I love them all alike and I am willing to counsel with them. I have delivered the message from the Great Grandfather and am done; tell them that they come from an honest heart, and I want them to consider it among themselves, and then I will consult in making this treaty. I don't want to conceal anything from them, and if there is anything they do not understand I will explain it to them, and have copies made out and given them.

OSAGE COUNCIL GROUND,
Osage Nation, May 19, 1868.

Council met pursuant to adjournment; all the commission present. The provisions of the treaty were discussed and considered. The president of the commission was instructed to answer the letter of General Blair. Commission adjourned.

A. N. BLACKLIDGE, *Secretary.*

OSAGE COUNCIL GROUND,
Osage Nation, May 20, 1868.

SIR: Your communication of the 18th instant, addressed to me as Commissioner of Indian Affairs, making various propositions in reference to the purchase of the Osage lands, was received and laid before the commission.

I am instructed by the commission to reply that for various reasons, satisfactory to it, neither of your propositions are accepted.

With sentiments of high personal respect, I have the honor to remain, your obedient servant,

N. G. TAYLOR,
President of the Osage Commission.

General C. W. BLAIR,
President Missouri, Fort Scott and Santa Fé R. R. Co.

OSAGE COUNCIL GROUND,
Osage Nation, May 20, 1868.

The commission met at 9 o'clock pursuant to adjournment; continued in session considering the treaty until 12 m., when the commission adjourned to meet the Indians in council.

A. N. BLACKLIDGE, *Secretary.*

OSAGE COUNCIL GROUND,
Osage Nation, May 20, 1868.

The commission met the Indians in council for the purpose of reading and explaining the treaty to them.

As I promised you, I have come with the treaty to have it read and interpreted to you; in order that there may be no misunderstanding we have engaged these three men to interpret, that there may be no mistake. The treaty is long, and will take a good deal of time, and will require patience of you all to hear. We want all the people to hear it now, so that none may misunderstand. After I have read it, and it has been interpreted, I shall give it to your superintendent to go with and fully explain it to you. After this meeting of the council all future meetings will be private, and no whites will be admitted in the council. The commission and myself have come here by order of your Great Grandfather. The government is your friend, and would not advise you to do anything that was not to your interest. We are a long way from home; have been with you a good while; have much to do with other Indians. I have delivered my message, and now deliver this treaty into the hands of your superintendent; he will explain it to you; when you have examined it, let us know, that we may go on; and when you get this treaty fixed, we are then ready to hear anything you may have to say. As to difficulties among yourselves—you are all men, and I wish you to settle all your matters among yourselves. If you cannot, and present the matter to me as the representative of your Great Father, I will take the responsibility of doing right. After this work is done, I have a little something to make your hearts glad in the shape of presents.

The treaty was then delivered to Alexander Beyette, the United States interpreter for the nation, with directions that it should be kept and read and explained to the chiefs and headmen by him and Lewis Chenton and Augustus Captain.

Commission adjourned.

A. N. BLACKLIDGE, *Secretary.*

OSAGE COUNCIL GROUND,
Osage Nation, May 21, 1868.

Commission met pursuant to adjournment; commission all present. On motion, Colonel Murphy was ordered by the commission to buy twenty-six head of cattle to feed the Indians while in council, which motion was adopted, and Commissioner Murphy was instructed to make the purchase.

The president laid before the commission the following letter:

OSAGE NATION, *May 20, 1868.*

SIR: As it is anticipated or feared that representations may or have been made to your commission that the Missouri, Fort Scott and Santa Fé Railroad Company is irresponsible or unable to furnish to the government the proper guarantees of payment in case they acquire any or all of these lands by treaty, I have the honor to propose to you as security for such guarantees as may be required, the bond of S. A. Williams, B. P. McDonald, and C. F. Drake, who are worth over \$100,000; or I am willing to give you lien on the ground as collateral security for such guarantees, or the draft of the banking house of A. McDonald & Brother, on New York, for the sum of \$50,000. This security is offered as a pledge of our entire good faith, as well as our ability to comply with any conditions of payment which may be imposed on our company, in case such lands are granted to it.

Very respectfully, your obedient servant,

CHARLES W. BLAIR,

President Missouri, Fort Scott and Santa Fé Railroad Company.

Hon. N. G. TAYLOR,
Commissioner of Indian Affairs.

Which was read and ordered filed, and the following preamble and resolution was, on motion, unanimously adopted:

Whereas it is the duty of the commission, in negotiating a treaty with the Osage Indians, in providing for the sale of the lands therein proposed to be pur-

chased from said Indians, to conform its action to such stipulations as will most largely promote the public interest of the United States, of the people of Kansas, and of the Osages;

And whereas this commission are fully satisfied that the Leavenworth, Lawrence and Galveston railroad proposes to connect by an almost direct line the Missouri river at Leavenworth with the Gulf of Mexico at Galveston, to pass through the entire width of the Indian territory, the future home of the Osages, and to bring it into close proximity to the north and south, and by its lateral connections to bring it into intimate relation with the east and west, thereby more fully and more certainly promoting and securing the public interest aforesaid, than any other corporation proposed;

And whereas said Leavenworth, Lawrence and Galveston Railroad Company has already constructed, equipped, and is now running successfully thirty miles of its road, has offered satisfactory guarantees in thirty miles of road finished, in its stocks subscribed, in its franchise in hand and prospective, in its capital and credit, and in the very necessity which must compel the early completion of its road, that it will rapidly prosecute its great enterprise to completion: Therefore,

Resolved, That in the proposed treaty with the Osages, the said Leavenworth, Lawrence and Galveston Railroad Company shall be permitted to purchase said lands upon such conditions and under such restrictions as the commission may in said treaty stipulate.

On motion, the commission adjourned.

A. N. BLACKLIDGE, *Secretary*.

OSAGE COUNCIL GROUND, *May 23, 1868.*

Commission met pursuant to call of the president.

On motion, it was ordered that Colonel Thomas Murphy be instructed to purchase 42 sacks of flour for the use of the Indians during council.

On motion, the commission adjourned.

A. N. BLACKLIDGE, *Secretary*.

OSAGE COUNCIL GROUND, *May 23, 1868.*

Commission met the Indians in council, for the purpose of discussing the provisions of the treaty.

SPEECH OF TWELVE O'CLOCK.

MY GREAT FATHER: I want to speak a word with you. I am not a man of great respectability; I must say this. You have been sent out here by the Great Father, and we think you are honorable, respectable men. We have all heard what you have said. There is a Great Father above us all, and when I shake you by the hand, I shake with Him. There is a slope on the north ceded to the government in trust, and now the white man gets it. How is this? You have made me a chief councillor. I have advised our people to let the property of the whites alone. But the whites are holding property of ours. You say you have a good heart. I have the same. I now come to the point. One of our chiefs went out to the council on the plains, and I went with him. From that time, in 14 days, the Arapahoes attacked us, and two of our women were killed, also two of the young men, and our property and houses were taken, and we are poverty-stricken. Still I tried to make peace, and dropped the knife, (striking his knife upon the ground.) You see that tree; at that distance they shot at me, and I had then taken no revenge against the enemy.

Here are our warriors and braves, and they recognize me as a warrior and brave. I'll tell you what I want done. We want to know what has been done with the annuity heretofore sent to us. If the agent would bring it correctly, all would be well; but we doubt whether he brings it, and we think he pockets a good deal of it, (putting his hands in the agent's pockets.) I wish always to be a friend of the whites. Our fathers never fought your fathers, and we do not wish to violate their faith. Now I am not mistaken as to our agent, and I want you to reflect well for the benefit of our children, and give us a good man for agent.

SPEECH OF CHE-TO-PAH.

It has been the wish of our chiefs and headmen to have you present, so they could see you when you got before them. They wish to make everything good and have a full understanding. The Great Father having sent for us to visit him at the great council-house, through our agent, after that our head councillors and headmen would listen and comply with his wishes. Therefore the chiefs and headmen desired to see you before them, and you being present, we do not wish any misunderstanding.

It is you, the officers of the government, that have given me the privilege to be a councillor. I can say this myself, that I have advised my people to be good and let the property of the whites alone. We have our women and children, and I want to see whether our Great Father has said anything to keep them down. I am now going to come to the point. One of our chiefs went out on the plains, and I accompanied him, and we saw the superintendent there. In fourteen days the Arapahoes attacked us; two of our women and two of our young men were killed, and at the same time our property and horses were all taken from us, and I have nothing for supper. In obedience to the Great Father, when they made the raid upon us, I dropped the knife (here throwing his knife upon the ground) and done nothing. Of course, with the advice of the Great Father, I have stood still, and I have only got my blanket, and have not taken revenge against the enemy. Here is our people, braves and warriors. All of them think I am a brave man and a warrior. I have something to tell you this morning. I must tell you what I have got to advise; it is better for me; we want to understand what is the annuity sent to our agent here. If the agent brings our annuities, and would bring our annuities correctly, all would be right; but we fear he pockets some of it. (Here he stepped up to the agent and put his hand into the agent's pocket.) I have an anxiety to be right in selling this land—this has been the result. Eight seasons ago we ceded a portion of our country to the Great Father. Here is the Neosho river; they agreed to give 30 miles; they have given 30 by 50 miles on that end. We got the annuity into our hands, but it does not do any good. The Great Father sends us our goods, and when they are distributed some of the bands—one-half of them—do not get anything.

You can go up upon our lands and see the white settlers, and see them all doing well and receiving the benefits of our land. We get pay from our Great Father, but it does us no good and we are not satisfied. We have ceded 20 miles in trust. When will we get paid for those lands? We acknowledge we have ceded that land to the Great Father, but now I will say this in regard to our Great Father. It appears that he has disrespect for our lands and ourselves. Now you are in the presence of our braves, and warriors, and women. I told you in regard to these lands things that are unsettled, and we desire you to explain to them (our head men and councillors) how those lands are to be settled. You are the Great Father here before us, and we depend on you to do justice and make everything smooth. You have laid before them a great matter, the treaty. We will be silent on this and let the braves and warriors attend to it.

SPEECH OF HARD ROPE.

You are gentlemen of high standing and have been here several days, and on the business you have come for the chief councillors and headmen have come to no decision.

In the last six years we have treated away the Neosho country and 20 miles from the north side. We are here looking for the pay for that land, and you have come for more land. You are respectable men, and wish you would do right to our people. On the top of the old treaty you ask a new treaty. If you talk straight to our people they will be good. When we see good propositions we accept them, and if we think yours good will accept them. You have arrived just when our nation was in the midst of excitement. We have many matters of our own that we have to study upon. There are many bad red men on the plains. Our young men and warriors are all turned in that direction. When those difficulties are settled our people will act upon your propositions.

SPEECH OF NO-PAH-WAH-LA.

MY FATHER: We, the chiefs of the Osage nation, believe and know you were sent by the Great Father at Washington. It is in your power to conduct all your business in good order with your red children. We have understood you have been with other tribes, and must have treated them well and settled their difficulties. Our forefathers in Missouri used to own that country, but have sold out and diminished it until we are here where they have diminished the country. I am in doubt that we do not get the correct amount of annuities. The Great Father may desire to do well, and do justice, and send all our money, but before it reaches us it shatters out.

SPEECH OF BIG ELK.

Now, my Father, you have been with us many days, but we cannot decide the matter among ourselves. This, I think, is the idea of the chiefs, warriors, and headmen.

SPEECH OF WAH-TI-UM-KA.

GREAT FATHER, COMMISSIONER, SUPERINTENDENT, AND ALL HEADMEN: It was my desire and wish that you would come. Our chiefs have made many treaties, and I think there was something wrong in those treaties. This talk I wish all our young men, women, and children to hear. Our old chiefs sprang up in the east at the rising of the sun. While they were weak they met the white man and made a treaty of peace with him, and the Great Father took the Osages by the hand, and he saw they had land and traded for it. Our forefathers at that time knew not of the difficulties that would occur in the future. Since that time, at Fort Gibson, we made a treaty with the Great Father. At that treaty the Great Father provided annuity goods for 20 years, and the Osages paid \$3,000 for depredations committed, the government promising to reimburse the Osages. That sum we wish to be reimbursed to us. We desire as a free people to locate ourselves as we desire. The plans we have studied upon we think are right. We do not hate the ways of the white man. I have a word with regard to Father Schoenmaker. The government placed him there for 20 years to educate Osage children, but we do not see any benefit from that mission; and we wish him peaceably and friendly to quit. I think there are red men among us who can read and write, who can teach our children, and we want to try them for some years. We agreed to pay him three sections. Two ought to be given back to the Osages. The lands of the 20-mile strip we wish placed direct into our funds, to be expended as we see fit.

You now tell us that the Great Father has something to say about buying our present reservation. We will get together, and give you our views on it at some future day.

SPEECH OF KOU-E-CE-GLA.

I am here to talk in open daylight. We are in council as our fathers met. Our ancestors owned all the country back at the east. You may think I am excited in speaking, but I will tell you the reason why I speak loud. When the white men first had a talk with us my grandfathers met with them. From that time all that met them were allowed to talk to the Great Father. To look at you, you seem to be moderately old like ourselves, and we have, from the time we took the Great Father by the hand been accustomed to have great talks. Our people when they meet men of your standing ask them many things and fail. Five days have gone in consultation, and we are not able to come to any determination in reference to what has been done in the late treaty. At that time the commissioners were present, and I spoke to them after the treaty was concluded. I wanted to know what they done with all the land we give you. Colonel Smith told me the annuity was lasting, like the land, forever; that was the request of the Great Father, and he has been anxious to see that pay come to them here; that pay has been promised. I would like you to witness the payment they have received; some of the payments. I have never seen any man get a sack of flour with the money; they get from one to two dollars. When big man like you comes and says you are a small tribe, and look upon us in that light, while I am here on our own lands. We have witnessed payments to tribes that have no lands; should get so much. You have been here long, but to-day I am prepared to stand and talk to you; heretofore our old fathers have never acted in this way. You have come to us with business, and after we can find out among ourselves we will give you a decision and comply with your requests. I don't want you to get out of patience. Heretofore we owned the Neosho river and this; now the whites have settled up the country. We have our diminished reserve, and you have come to deal with us for that; of course, we have sold a portion of our country east, and want to remain, and money that they promised us in that treaty; here in this treaty made, we want that money brought here and paid to us, and then we could act otherwise in regard to the diminished reserve. We will take time and talk hereafter; that is all.

SPEECH OF WAH-HO-TAH-SHE.

You, commissioners, superintendent, and big men, I consider that you have into a bad council. The talk is discouraging, but I want to say what I have in view. The Osage council here is just like dirt. I think you are a good-hearted man to sit here so long and hear such stuff. We have made our complaints to the Great Father and our agent, but they have not been recognized. My chiefs own all this country to the Spanish land. I have been over it all, and have not seen any good of it.

SPEECH OF DRUM, (Big Hills band.)

Our young men understand what the Great Father has said. Our young men owned a tract of land here, and they are fully aware of it in the last four days. Our young men are aware that this land is in the bounds of a State. You have said the Great Father said I would be happy; his young men say they cannot see why their condition will be better than it is; they have heard the great talk of the Father. Our young men are fully aware that the intention of the Great Father is to make slaves of our children his young men are fully aware and acquainted with the disposition of their chiefs. They fully understand that

they have lost their country. Our chiefs have transacted business unbeknown to our young men; they have a chief to preside over their children. The young men say the chiefs do not study the interest and welfare of our children. We are aware the chiefs study for the welfare of the Great Father. Those chiefs have placed the white children of the Great Father on these lands, and the white children are not suffering. I will say no more.

SPEECH OF WHITE HAIR, (head chief.)

Father, I have heard of you as respectable gentlemen coming across the land to us here. We have decided last evening that we will talk in regard to the land already sold. It has not been five years since we handed that land over to the Great Father. Commissioners, like yourself, told me the money for that land should be expended in farming implements; the commissioners at that time promised that all the promises should be complied with. A few years after the promises have been made smaller. One hundred thousand dollars was promised him to be kept by the government, the money was to be placed in the treasury, and the interest applied in purchasing farming implements. He told the commissioner he would put down the names of all the Osages that wanted to farm, and he would demand the tools they wanted; he requested the commissioners that the proceeds of that land should go in the way of farming, and they intended to settle down on this land and live here. I have understood the same in that way, and that land that I have depended on you have covered over, and you have told us you have a good heart, and if you have, I want you to have those things got for them. (Looking towards the wild buffalo,) that country is getting very narrow. We have a small tract of country belonging to us, and he wants this country cultivated and do well. My forefathers have done a good deal in raising up their children, living, upon the lands they have sold. We have done a great deal for our Great Father—give him great deal of land for his white children. I have told you I have taken a great interest in the Great Father, and I think he ought to do something for our interest; the Great Father ought to take things into consideration and do all he can for his red children. My young men and braves often scold me for neglecting them. My Father, it is true in regard to what they have said; even the pay they get don't do them any good. At the time they made the treaty there was a man like you, and I will tell you what he promised. The commissioner told me I was to get \$1,000 given to me; then the interpreter reported to me that this money was \$1,000 each for the chiefs. When this was told me I considered the chiefs would have a good deal of money to divide with the young chiefs, and the proposition has been denied. There has been great promises made to us. You are here now before us, and it may become the same thing. In regard to any promises you have made, when we come to any agreement, to a point, we have no voice in it, but all from you. I have another trouble on my mind. It is short. I want to tell you at that time when the treaty was made we had Mograu; he was interpreter; they promised him \$500; after that they came together at council, and decided they did not know why this money was given to Conville. I think this money was misplaced, and I want to know where this money is. If it has not been attended to, he wants it put in its right place. There are some of our half-breeds who have been among the whites the last year. Now I want this matter settled and let them come home. Now, my Father, I want you to attend to this matter and see that they have the land. Now, my Father, I want you to take an interest in those half-breeds and see that they have their rights.

SPEECH OF FORKED HORN, (of the Little Osages.)

A fine, beautiful day you and the headmen of our people are seeing. You have met our people face to face. I wish that what you say to each other is

true, and that you talk truth to each other. That gentleman (meaning White Hair) is the man that has sold our country or a portion of it. When White Hair has a half-breed interpreter, for he had him employed for him when they got together in council with the commissioner, they met each other and transacted their business so they understood it. Our people have been talking for several days, and have picked on this day to talk to you. The promises made at that treaty was that the annuities should be forever. The commissioner told him the business they were transacting should be perpetual—same as the water runs in the Neosho river. And the money that was promised for the land, he does not understand, and they are dissatisfied about it. Before these promises have been complied with, why should it be covered over and new promises made to them. His people are here in council, weeping and crying, and wishing to get what is promised them. They do not wish their chiefs to make any such treaty as they have made, and when you hand out the pen he don't want them to touch it.

SPEECH OF NO-KAH-KAH-HE.

MY FATHERS: You are here in this company. They were in council like they are here, and many desired you would come to see them in their own country. The young men, braves, and warriors are ignorant of the business, and for that reason wish you to inform them. Lately there has been a treaty made. The main trouble was this: that there was some money on the treaty before the last that had not been paid, and for that reason they wanted you to come. I would like to have you restore those things; then the young men will talk to you on other subjects. In the treaty, articles first and second, the people are talking on that and wish to get that treaty completed, and after that treaty being completed with them they can take the money and go to work as the Great Father has wished them to do. I desire to see these things executed immediately, and that is all about that subject. They will have to put it off until some other day to speak to you on that subject.

SPEECH OF ———, (did not get the name.)

MY FATHER AND COMMISSIONERS: You have come a long distance through the white people's country to this place. After you have come here, and are men of respectability, I have something to say to you. To-day you see our people are calling up all back claims. You see our young men all around. Here they are not educated; they cannot write, they cannot read, and we wish you to attend to that for them. They are aware that the government is owing them some, and they wish you to explain these things so they can understand it. In regard to the 20-mile strip, and hearing how it was to be disposed of, he says they will not realize the benefit of it for a long time; that the proceeds of that land shall be placed into their annuities and they get the benefit thereon for the benefit of their women and children. They wish that the plans they have made be complied with, and his people will not afterwards study how to dispose of it, and they will study on the proposition you have read before them, and after they have studied you will hear from them.

SPEECH OF COMMISSIONER TAYLOR.

CHIEFS, HEADMEN, AND BRAVES OF THE GREAT AND LITTLE OSAGE TRIBES: Sent by the Great Father, these commissioners and myself have visited your country. We met you several days ago in council. We here take you by the hand in friendship and love. We brought you and delivered to you the message of your Great Father at Washington, and have told you the truth from the beginning. I will tell you the truth to-day. Your Great Father is a man, a man without deceit.

He thinks long and counsels well before he speaks, and when he speaks he means what he says. I delivered you that message faithfully. In the first place I made you a speech and gave you an outline of what the Great Father wanted. I tried to write it plain. Then I wrote the message down and had it interpreted to you. I tried to write it plain, so that everybody could understand it. Then I read you the treaty and had it interpreted word for word, and tried to make you all understand it word for word. I am sorry if I did not make you understand it. I showed it to your interpreters, and you have had it for three or four days, and we have waited patiently until now. You said this morning that you wanted to talk and have some explanation, and we are glad to see you this bright and beautiful day, and have listened to all you had to say, and were glad to hear you speak your mind freely. It is very difficult to take up each one of your speeches and examine it separately, because that you take up more than a day. But I will try and gather up all those speeches in a bunch, and try and speak upon the main points you want to hear me upon. Many of you complain of former treaties. Those treaties have been made, some of them a long time ago. It is not every time that a man makes an equal bargain when he trades. Sometimes he makes a mistake when he gets his wife. If a bad treaty is once made with a tribe, try and rectify it. The nature of a treaty depends much upon the men that make it. But when it is made it is a treaty, and stands as long as the two parties keep it. If the treaties heretofore made were bad your Great Father sees it; and if made wrong, as I believe it was in 1865, part of the business of this council is to make it right. By the treaty by which the 30-mile strip was bought it was agreed that the government should advance \$300,000 to pay for the same, the interest to be paid to the Indians in annuities, \$15,000 per year. What is the basis of your annuities to-day? After the money was invested the lands were to be sold, and from the proceeds the government was to be reimbursed. But if the lands should bring more than the \$300,000 the surplus was to be put on the general civilization fund. If there was any wrong done it was in taking the Osages' money and appropriating it to the general civilization of all the Indians. But that is the treaty as it abounds, and as long as it remains so will the money be expended. But how is that wrong to be righted? The same parties who made it must rectify it—the Osages and the government. If you understand the proposed treaty, we propose to take this money back and put it into the Osage school fund. Some of the speeches object to putting it in the school fund. Your Great Father is a wise man and thinks that is the best use could be made of it. But this commission can agree with you to take a part of it for annuities and part of it for the school fund. So you see that a new treaty is necessary to fix that up. The next point I will examine. By the treaty of 1865 the 20-mile strip was to be sold in trust for the Indians. The expenses of the survey were to be paid out of the funds of the sale. Then the government was to sell to settlers at not less than \$1 25 per acre. But the lands could be sold only as they were settled upon, and consequently the pay to the Indians must come in very slow. Much of this land at the west is very poor, and part of it will not be sold for a hundred years. Consequently we say to you that it is a bad treaty for you. But it is a treaty binding upon both parties. How can it be changed? Only by the parties coming together and making a new bargain. Your Great Father does not want to keep you out of your money, and hence he wants to make a new treaty. If your Great Father wanted to do you wrong he would say you must abide by the old treaty. But he is willing to make a new bargain, so that you may at once have your money.

Some of the speakers have said that the Osages once had a large country, and now the whites want the little they have. You were then great in numbers and wanted more land. Now the whites are many and want more land. When the Osages had 13,000, the whites had 4,000,000; now the Osages have 3,500

and the whites have 40,000,000. Hence the whites have to buy land, because they increase so fast. Some of you say you do not want to sell this land. You say you are a free people, and that is true. So are we. But you have your chiefs and council who govern you, notwithstanding you are free. So it is with us; we are free, but our governor and council govern us, and the President is the great head chief and governor of us all. One of your orators said the Great Father wants to enslave you. He is mistaken, for he has just freed 4,000,000 slaves. He knows and loves his red children too well, and wants to make them prosperous like the whites. But you ask, if he loves you, why does he want to get you off those lands? I will tell you. He sees that your home here is within a State. He sees that the people of this State are governed by the governor of the State. He sees that the governor and the whites want those lands, and if they do not get them by treaty, they go and settle upon them. But why does he not send his warriors and drive them off? If he should they would return, and many more of them. Because he does not want to turn his warriors upon either his red or white children. So he says to you, I will furnish you a better home in the Indian territory, and buy you lands there and pay you interest on the same in annuities forever, so that they may always be comfortable. This is the bargain made you by the old treaties; right; buy you a new home and have your pockets full of money. If you sell, you move down there where you like, if it is not already occupied, say between Arkansas and the Canadian. But if you like the country west of the Seminoles the government will sell you that at what it cost us, 15 cents per acre, or you can take a portion of what was bought of the Creeks. After paying for your new home, expense of removal, &c., you will still have about \$1,400,000 in the treasury, counting the \$300,000 already there. Add to this the loan due for the 30-mile strip, and you have about \$1,500,000, the interest of which, an annuity of \$75,000, to be paid in semi-annual payments forever. But if you fail to make this treaty it will make the heart of your Great Father sad, because he knows it to be for your interest, and he has sent us here to make it. He will think that you believe you can get along without him. Suppose you remain; the settlers would crowd upon and occupy your lands. For all the provisions he has sent you in the last three months he has not charged you one cent. If he desired to make you slaves, would he feed your wives and children? If he gets displeased he might not send you those provisions. Where then do you get your living? From the buffalo on the plains? But you are at war with the Arapahoes, and when you go to him you will save the fight for the buffalo. I told you the truth. I took no advantage of you. Take what I have said to you, consider it well, and ask yourselves if it is not wise to make this treaty as he has offered to you.

If you make this treaty now, you have the choice of the lands in the Indian territory. If you postpone the making of the treaty other tribes will select their homes, and you will be compelled to take up with poorer lands.

REMARKS OF COLONEL THOMAS MURPHY.

MY FRIENDS: I believe you are tired, and I have no desire to make a speech. But as your superintendent I wish to say a few words on these important matters. You claim that injustice has been done you in the late treaties. Then the only way to remedy those injustices is to form a new treaty. If the officers of the government who made them with you did you injustice, you must not lose confidence in all of the officers of the government. You say that the way provided for the sale of the trust lands does not inure to your benefit. Then let us devise another way for their sale, by which you will be immediately benefited. You say that you should be recompensed for the failure of the government to supply you with mills and agricultural implements. If we make the new treaty you will be fully reimbursed. You complain that your annuities

are small. By the new treaty you will get five times as much annuities as you are now receiving. Instead of five wagon loads every six months, you will get twenty-five loads.

You say that you are at war with the plains Indians. But if this treaty is made, we shall go at once to make peace between them and yourselves.

White Hair asked us to do something for his children. This is what we are here for; and if you will come like men and make a treaty, we can help you; but if you do not we can do nothing for you. We have been here too long a while, and you ought now to have your minds made up.

REMARKS OF COLONEL BOONE.

The commissioner and superintendent have explained away all the difficulties as plain as you can see the leaves on the trees. They are good men, and are interested only in your welfare. You now have your choice; you can select from the rich land in the Indian territory, or you can fight the plains Indians.

Commissioner Boone then referred to his long life among the Osages, and urged them to make a treaty so manifestly to their interests. He also urged them to make peace with the plains Indians.

REMARKS OF WHITE HAIR.

We have listened with patience to your good talk. My young men have heard it. It is worthy of our consideration, and we will meet in council to consider it.

The council then adjourned.

A. N. BLACKLIDGE, *Secretary.*

OSAGE COUNCIL GROUND, *May 24, 1868.*

SPEECH OF WAT-TI-NU-KA.

MY FATHER AND COMMISSIONERS: It has been three days since you made a proposition to us. I said to you yesterday that the Osage Indians had resided in Missouri. The Osage tribe of Indians resided in Missouri from that time. The Osages have always transacted business with the Great Father, and have done it honorably and fairly since the time the Great Father had taken them by the hand. They had made treaties, but they did not know what would become of them. In the last few days you told us you had talked with open hearts. To-day our chiefs all of them have desired to give all into the hands of the counsellors and braves. I have told you our forefathers have never taken any interest about themselves.

Now we have a small strip of country, and you have told us our Great Father wished to trade for that. We have told you what our wish was in regard to our land we have ceded in this way. In the old treaty we ceded 20 miles and have come to the conclusion to sell five miles more. You can see why we cede so much land. We hope that the Great Father will do well by us. Here is the final conclusion, for we will ask the Great Father \$1 per acre, and that would be reserving 25 miles, and we wish the Great Father to move that 25 miles over the State line into the Indian territory. This is all.

SPEECH OF HARD ROPE.

We have met the commissioners here for several days in our own country, and it has been several days, but they could not come upon a point until to-day. The council have told you what our conclusion was; of course they will all follow the same conclusion.

SPEECH OF CHE-TO-PAH.

You have been here several days to-day. We have come to a conclusion, and you have heard it. The chiefs have given all into the hands of the counsellors and braves.

SPEECH OF NO-KAH-HE.

You are respectable men; therefore we meet you here in our own country. You have been here several days. They have given all into hands of the braves, and we have told you.

SPEECH OF KONEAGLA.

I have told you that you are respectable and honorable men; that we come here. I have told you the Great Father took the Osages by the hand, and done it with a good intention. I have also told you that the Osages at one time owned most of this island, (meaning the continent of America,) and since that time the Great Father sent men out to transact business with them. I told you also that the old chiefs were careless in regard to their country. It was our desire to come and tell you what we have told you to day; and we rely on you. Your position is high, and we hope you will do something for us. You have heard what we had to say, and that is our opinion.

SPEECH OF WASH-A-TIS-IA.

MY GREAT FATHER AND COMMISSIONERS: For the last four days you have given us the talk of our Great Father. We have agreed that we will give you our talk.

SPEECH OF COMMISSIONER TAYLOR.

I am glad to hear from you. It begins to look like business. When I learned that the chiefs could not agree and had concluded to leave the business to the headmen and counsellors, I thought we would be able to do business.

When our headmen cannot agree we leave it to the people. We have come much closer to an agreement than we were yesterday. On yesterday some of you thought you ought not to sell at all. Some thought you might sell a part. To-day your braves, chiefs, and warriors have agreed to part with all of it. This takes all the questions out of the way except one. We want to buy and you are willing to sell. Now we come to the question of the price to be paid. I am glad that your people have begun to look into this business yourselves. The parties to a trade ought always to look into their interest before making a bargain.

Your fathers have been too apt to let one side do all, and they agree. When a man wants to take your horse, and you tell him to take him at his own price, he will take him at less than his value. But however careless you people have been in the past, I am glad they are beginning to look to their own interest; for this looks like you would take better care of your children than your forefathers done. Of you the only difference is to the price of the land. If we agree on that, the treaty is made; for all other points are small points that we can agree upon.

You say you ought to have \$1 an acre for 25 miles more. Now let us see whether that is right, for right ought to govern. If that land is worth \$1 you ought to have it and we ought to give it. There is about 4,000,000 acres; that would make \$4,000,000 dollars. You know that two-thirds of that land would be dear at five cents per acre. When you get north you come to the sand-

hills and grasshoppers, and for ploughing it is worthless. There is no timber nor water. On the eastern portion, say one-fourth along the streams, there is good land and good water and some good timber; and these good lands along the creeks are valuable, but on the high lands, away from timber and water, they are worthless. When the government buys the lands, the only lands that will sell are the lands along the streams, and the highest price he sells these lands for to his white children is \$1 25 per acre; and he has to sell the good land for \$1 25 to keep from losing so much where he buys so much. It is impossible for us to give \$1 25 per acre for that strip of country; but we have in this treaty proposed to take the trust lands, good and bad, and put them all together. The government, not long ago, bought a tract of land, larger than Missouri, Arkansas, and Kansas, for less than two cents per acre, of a white nation—Russia.

You propose that the Great Father give you as much land in the Indian territory as they give in the 25-mile strip. Now, you see that we cannot make the proposition in swapping this land; you would have no money except what comes from trust lands. What your Great Father wishes is to give you as much land as you will want for all time to come, and put it into this treaty, and show you where it is.

Braves, listen while I ask you one question. What is the land on the west part worth except for hunting ground? What good would all that land do you if all the deer and buffalo were off of it? And ten years from to-day there will not be a buffalo on it. But the Great Father don't propose to prevent you from hunting on that land as long as there is anything to hunt; for all the value is the game, and that the Great Father is willing for you to hunt. If you sell it you get the value of it in annuities forever. While you live by hunting, all you want is a tract to live on while you are not hunting, and when the game is gone you will only want a country large enough to live on. If you sell this land, you will get \$1,500,000, and \$300,000 will buy you as good a home as this. I am not trying to cheat you, and would not if I could. Your Great Father has appointed me, and pays me to do your business; and I advise you that the proposition we have offered you is the best proposition you can get. You are full-grown men; take my proposition and think of it again.

REMARKS OF WAT-I-NU-KA.

My father, the talk we have given you to-day is all we have to say. It is the best we can do. The reasons are that we may have our home.

REMARKS OF BIG ELK.

I understand you have come from the Great Father. I suppose you are like a merchant who puts his pocket full of money and goes to trade. When he goes to buy the merchants put such a price you are afraid to buy. You look at it and if you want it you will buy, but if he thinks it too high he will not take it.

REMARKS OF COLONEL THOMAS MURPHY.

Colonel Murphy made some remarks in regard to the treaty, and the time we had spent in trying to make a good treaty for them; but if they were unwilling to make a treaty they would distribute the annuity goods and then go home.

Council then adjourned.

A. N. BLACKLIDGE,

Secretary.

OSAGE COUNCIL GROUND,
Osage Nation, May 25, 1868.

Commissioners met the Osages in council for the purpose of signing the treaty, as per agreement on last evening.

Commissioner Taylor addressed them as follows:

CHIEFS, HEADMEN, AND WARRIORS OF THE OSAGE NATION: We have been for many days together and have delivered to you more than once the message of the Great Father sent to you, and have heard your leading men speak in reply. You have asked many questions and I have answered them. I have tried to explain everything you did not understand. You have now professed to understand all. At first you thought you would not sign the treaty. Yesterday you said with another bright and beautiful day you would sign the treaty. We have met for that purpose. I hope the future for you and your children will be as bright and prosperous as this day, and that you will now come up and sign this treaty. We will now sign it, and you are expected then to sign it.

REPLY OF WAH-TI-AN-GAH.

For several days you have brought us the talk of the Great Father, and we have consulted on it. Two days ago we agreed to let you have the 25-mile strip at \$1 per acre. You said you could not pay it. You said that with \$300,000 you would buy us a new home in the Indian territory. That home looks to me no larger than those hills around here. But my plans are changed, and I will explain. You know the size of my country; if you will give money as large as the land I will sell it.

SPEECH OF BEAVER.

You have been here many days and I have not said a word. There are chiefs of the five bands of the Osages. They say they could not decide this matter, and gave it over to the warriors. I think the Great Father cares but little about his red children. You see now that our lands are narrow, just like a road. If the Great Father buys all this land, where will we live? The Great Father seems to think his red children can throw away their homes for nothing. We have sold the eastern strip in order to have something to live upon, and farm upon this home, but we have got nothing for it yet. My councillors should have notified me that they would not treat, as I have come to sign the treaty as explained to me by them.

REPLY OF COMMISSIONER TAYLOR.

I am sad for two reasons at your conclusion. The Great Father will be displeased. I look into the future and see that the action of the Osages this day, in refusing to sign the treaty, will not be to your interest. The Great Father at Washington has not wronged you; he does not propose to do it in the treaty. The land he has, which you once owned, he paid for, and he proposes now to pay for your homes in Kansas. He wanted to buy this land for the benefit of both his red and white children. To-day you are poor in everything but land. The Great Father wanted to place you where you would have plenty of land and money. He has offered you the best treaty ever offered to Indians. We have tried to get you to accept it. Yesterday you accepted it. To-day you reject it. As you have rejected the advice of the Great Father you must take care of yourselves. There are some things we wish to talk to the chiefs and councilmen by themselves.

SPEECH OF CHE-TO-PAH.

We have heard of your coming for some time from Washington. We have seen you and have told you what we have decided, and I understand from our

councillor that we had agreed to sign the treaty. You now understand why it is not signed. I am not tired of you, but I am tired of studying for the Osage people.

SPEECH OF HARD ROPE.

Yesterday we agreed to sell the land, and I tried to get our councillors to sell. Now they say they will not sell.

SPEECH OF KONEAEGLA.

When we first got into council I spoke to you, and I suppose you now understand us. In former times our old men had nothing to study about. We owned a strip of country where the sun goes down. The Great Father heretofore has bought only a small strip, and we now have agreed to sell a part of our land. We do not refuse to sell, but we want our pick in the Indian territory.

SPEECH OF TWELVE O'CLOCK.

It is true I heard of your coming from the Great Father. I wondered to myself what you were coming for. After you arrived you said you had come with a good heart, and I told you I was of a good heart. Now, I am going to give you a piece of talk of my own. You told the councillors they were not studying the welfare of their children. That is true. I want them to be prosperous. When I met you I took you by the hand, the arm, and wrist, a token of perpetual friendship. Last fall I met you on the Arkansas with one of my respectable men. I want to say to you no foolish thing.

SPEECH OF JOS-PAH-NE-O-NE-PAH-SHE.

I have a few words to say to you. We heard of your coming and our hearts were glad. We had much unsettled business which we expected you to settle. Our forefathers have always listened to the Great Father, and they have lost a great scope of country, not knowing what money is. Listening to the advice of the Great Father, you see what we have come to; a little narrow strip of country. The Great Father, has agreed to protect us, but he has not done it. The white settlers have crowded upon us and taken our land. The chiefs have never done anything for our benefit. When the white man loses any property I restore it if it comes into my possession. When the Osage lose a horse it is gone forever. When you came I thought you would drive off the settlers from our land; but now you say we will be unprotected. You have come for land, and we have agreed to sell a part. You say the Great Father loves us! Why then does he not protect us? You want our lands, but why should we sell and buy the home, costing us more than what we sell?

SPEECH OF NUMPAWALLAH.

We have been in council now several days, and have been talking to the councillors and braves, and we concluded to give the matter to them. After coming to a conclusion, yesterday, you now see they are divided. I want them to come together and be of one mind.

SPEECH OF WATTINIKA.

A few moments ago I spoke to you. Here is a small reserve, and we of the Big Osages say that we do not want to sell. Yesterday our men agreed to sell, and now we want to know what you will report to the Great Father. To-day the council will end.

SPEECH OF WAH-E-SHE-SHE.

I told you down in the bottom that the Osages were a pack of fools. They are a good-looking people, fine features and handsome, but they are all fools in council. I am willing to treat, and want our people to be of the same mind.

REMARKS OF COLONEL MURPHY.

We have a treaty here that we know is a good treaty, and, if made, your people will live happily under it forever. If you do not sign it you will lose your best chance to make a treaty favorable to you. You agreed to leave the matter to twelve of your councillors and braves. Yesterday we explained it to them, and they agreed to sign it this morning, believing it to be a good treaty. Now, the same men say they have changed their minds. In all my dealings with the Indians, when I promised anything to the Indians, I always tried to fulfil it; and, if I failed, they said I talked with a forked tongue. If you will now come up like men and sign it, your children will be glad of it; if not, I fear they will regret your action.

The council then adjourned, the Indians wishing further time to consult.

A. N. BLACKLIDGE, *Secretary.*

OSAGE COUNCIL GROUND.

May 26, 1868.

The commissioners met; all present.

The president laid before the commission a communication from Charles W. Blair, President of the Missouri, Fort Scott and Santa Fé Railroad Company, which communication was read, ordered to be put on the record, and the president of the commission instructed to answer it.

[Copy of communication.]

SIR: As you stated at your public council with the Indians that all future consultations between the commission and the Indians were to be private, from which all others were to be rigidly excluded, and thus other parties can only reach the Indians through you, I have the honor to request permission to call them together in council with the representatives of the Missouri, Fort Scott and Santa Fé Railroad Company, with a view of submitting to their consideration a treaty with said company on the following basis:

1. A purchase of all their lands for said road at \$2,000,000, \$100,000 to be paid in 90 days from the ratification of the treaty by the Senate of the United States, and the other payments at the rate of \$100,000 per year until the whole purchase money is paid, the whole to bear interest from the ratification and promulgation of the treaty until paid.

2. One hundred and sixty acres of land leased free of cost to every half-breed Osage, male and female, over 21 years of age, who may desire to remain on said land and become citizens of the United States.

3. One hundred and sixty acres secured to each settler who may be on any portion of said lands at the date of said treaty, at \$1 25 per acre, being government price therefor.

4. Every sixteenth section of said land to be donated to the State of Kansas for the endowment of her public schools.

5. The interest of said purchase money to be paid semi-annually, and disposed of by the treaty in a manner satisfactory to the Indians, and so as to promote their best interests.

6. Patents to issue to said company for said land only in proportion to the amount actually paid.

7. Said interest and principal to be paid by said railroad company to the Secretary of the Interior, and the interest disbursed to the Indians by him, through the Commissioner of Indian Affairs.

As this council has now been in session about two weeks, and the Indians have thus far declined to treat, although all other propositions have been withheld from them except that of the Leavenworth, Lawrence and Galveston Railroad Company, it is now but fair that they should have an opportunity of considering another proposition which gives them a

larger sum of money for their lands, protects the settlers on the same, secures a home to the half-breeds, enlarges the State endowment for school purposes, and which is quite as fair to the government as the proposition so long considered and rejected.

If the responsibility of the company is doubted, I again offer, as before, as a guarantee of good faith and ability, the bonds of men worth \$100,000, or the draft of a responsible banking house on New York for \$50,000, to be forfeited in case the company fail to comply with the requirements of the treaty.

I have also the honor to request that this proposition be filed with the papers of the commission for future reference.

Very respectfully, your obedient servant,

CHARLES W. BLAIR,

President Missouri, Fort Scott and Santa Fé R. R. Co.

Hon. N. G. TAYLOR,

Commissioner of Indian Affairs.

Reply of Commissioner Taylor.

OSAGE COUNCIL GROUND,

Osage Nation, May 26, 1868.

SIR: Your communication addressed to me, of yesterday's date, was handed me half an hour since by Colonel Wilson.

I have the honor, in reply, to inform you that having immediately on its receipt submitted your letter to the commission, it instructed me, unanimously, to respond that this commission, having been appointed and commissioned by the President to treat with the Osage Indians, has no power to transfer that authority to others, nor any disposition to do so. We have pleasure in adding that present indications are entirely favorable to a successful termination of our labors.

With sentiments of high regard, I have the honor to be, very truly, your obedient servant,

N. G. TAYLOR,

President Osage Commission and Com'r Indian Affairs.

General CHAS. W. BLAIR,

President Missouri, Fort Scott, and Santa Fé Railroad.

Commission adjourned.

A. N. BLACKLIDGE, *Secretary.*

OSAGE COUNCIL GROUND,

Osage Nation, May 27, 1868.

The commission met the Indians in general council, for the purpose of further explanation of the treaty and the signing of the same.

SPEECH OF WAH-TI-AN-GAH.

I wish to say a few words. There are many little things we wish to say to you, but we now listen to you. We are going to listen to the Great Father. You know as well as we do that there are but five bands of the Osages, and now you say you will put goods into six piles. If the half-breeds want to come back and live with us they must put \$2,000 into the treasury. They are our children, and we will take care of them, but they must not control our affairs. I fear they will make a false report to the Great Father.

SPEECH OF JOE.

I do not thoroughly understand that treaty, and I wish to understand it before I sign it.

Commissioner Murphy then explained it again in detail.

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SPEECH OF BEAVER.

I wish to say a few words. We are letting you have this land upon a promise on your part to pay. Until we get our pay we don't want any white man to come on these lands. When we sold the Neosho country we were promised pay for removal to this reserve, and never received any. When we move to our new home we don't want to move at our expense, but at the expense of our Great Father. After we receive our first payment, then we have no objections to the whites going upon our lands. We have notified our agent of these trespasses, but he had a heap of trouble, and has not been able to keep them off our lands.

SPEECH OF CHE-TO-PAH.

GREAT FATHER: You now have heard all that is to be said. I understand that the chiefs have decided to sign the treaty. But the signing of a treaty is a difficult thing. The Big Osages sign by themselves, and the Little Osages by themselves. The past treaties I have not troubled myself about; but in the future, if the promises made in this treaty are not fulfilled, I shall mind it. The chiefs are now, I suppose, ready to sign.

SPEECH OF WAH-SHE-SHO-SHE.

I wish to put it in a paper that the Osage country is a place for the white people to come and steal.

SPEECH OF JOE PAW-NE-NO-PA-SHE.

To please both parties of the Osages and the government I will sign the treaty, and we expect not a thing in the treaty to fail. We understand that we are to have the privilege of hunting on the western part of the lands sold.

After which the treaty was signed by over 100 of the Indians, including chiefs, headmen, counsellors, braves, and warriors.

Whereupon the council adjourned.

A. N. BLACKLIDGE, *Secretary.*

OTTAWA, KANSAS,
May 30, 1868.

Commission met to consult in regard to the further business of the commission. On motion, Commissioner Murphy was instructed to sell all the provisions, camp equipage, and other articles that had been purchased for the use of said commission and not used.

Commission adjourned.

A. N. BLACKLIDGE, *Secretary.*

DEPARTMENT OF THE INTERIOR,
Washington, D. C., July 18, 1868.

SIR: Since my report to you of yesterday, in reply to resolution of the House of Representatives of the 13th instant, requesting you "to furnish to the House copies of all instructions, records, and correspondence connected with the commission authorized to negotiate the late treaty with the Great and Little Osage Indians, and copies of all propositions made to said commission from railroad corporations or by individuals," I have received from the Commissioner of

Indian Affairs a letter transmitting to the department a letter addressed to him by the Hon. Sidney Clarke, on the 13th day of April last, upon the subject of the treaty with the Great and Little Osage tribes of Indians.

I now lay before you copies of both of said letters, and request that you will transmit them to the House of Representatives, as they constitute a proper and necessary part of the answer to the resolution above referred to.

I am, sir, with great respect, your obedient servant,

O. H. BROWNING,

Secretary.

The PRESIDENT.

HOUSE OF REPRESENTATIVES,

Washington, D. C., April 13, 1868.

SIR: In a conversation, on Friday last, you informed me of the appointment of yourself and other gentlemen as a commission to make a new treaty with the Great and Little Osage Indians, with a view of extinguishing the title to their lands in the State of Kansas and removal to a new reservation in the Indian territory. This result is most ardently desired by the people of my State; is in accordance with the will of Congress, expressed several years since; and is in harmony with the interests of the Indians and of the government.

But there is another question in which Kansas, and the whole country, has a deep interest, and to which I desire to call your attention and the attention of your associates on the commission, before you enter upon the duties assigned you. I refer to the manner of extinguishing the Indian title to the diminished reservation, and the opening of the same to the vast flow of emigration now seeking new homes in southern and southwestern Kansas. The land for which you are to treat comprises about 8,000,000 acres. It is fertile in its soil, situated in a mild climate, is well watered and wooded, and must be, in every way, vastly attractive to the multitude of people now seeking homes on the new lands of the continent.

Sound public policy, as well as the interests of the Indians themselves, demands that this great body of land should be opened up for settlement at once, and placed in a position where the settlers can obtain perfect titles, and at a price not exceeding \$1 25 per acre. It would be far preferable, and but justice to our pioneer settlers, to have this land opened up to homestead entry. But if this cannot be done, then the people of my State, and the public interests generally, unite in the demand that the new treaty shall provide for pre-emption rights at the usual price per acre. It is estimated that 75,000 people are now on their way to, and are making arrangements to settle in, the State of Kansas the present year. Indeed it is not improbable that the increase of our population will be double that number. Most of these people are seeking for new and cheap lands. In behalf of these hardy pioneers, many of whom fought for the defence of the government, whose protection they now ask from all systems of land monopoly, I earnestly appeal. As the only representative of my State in the lower branch of Congress, I shall insist that all future treaties for the acquisition of Indian reserves in Kansas be based upon the principle I have indicated, viz: that the lands be opened up to actual settlers, free from all schemes of speculation and monopoly so disastrous to the prosperity of the new States.

I am advised that propositions will be made by railroad corporations to secure these lands by absolute purchase. To this I have no objection, provided the company making the purchase builds the road through the lands, and they are immediately opened to settlement at government price. There is probably about 2,000,000 acres east of the Arkansas river, and 6,000,000 acres west of

said river. I assume that the purchase can be made from the Indians at a price not exceeding \$1,500,000, and certainly not exceeding \$2,000,000. The profits derived from the sale of the land to actual settlers during the next five years would yield enough money to build the Galveston road to the Arkansas river at Fort Gibson, or run a road west or southwest an equal distance. Thus the interests of railroads, and of the State, and of actual settlers, would be all subserved, and a land policy established which would add greatly to the growth and wealth of the State I represent. I do not indicate the details of this policy, but if railroad companies desire to purchase, the principles I have indicated can be easily incorporated in the detailed provisions of the proposed treaty.

There is another important question to which I earnestly call your attention. The settlers on the land ceded and sold by the treaty, proclaimed January 21, 1867, are yet without titles to their homes. A joint resolution has been passed by the House of Representatives for the relief of these settlers, and is now pending in the Senate. I appeal to your commission to meet the settlers referred to in full and free conference; and, in the treaty you are about to make, provide for the full recognition of their rights, as you have abundant power to do, and thus settle the question, already too long at issue, in the interests of justice. I also recommend that you insert a clause in the new treaty recognizing the full power of Congress to legislate hereafter.

The importance of the questions to which I have referred to the interests of a large portion of my constituents, and the pressing necessities of immediate solution, make no apology on my part necessary in thus earnestly addressing you, and through you the gentlemen of the commission. The title to the land of a country is the first question to be considered in any point of view. Especially is this true in a State like Kansas, where the people are devoted to agricultural and pastoral pursuits. It is for such a people I have the honor to seek for justice at your hands, as well as for the landless millions of the country, now seeking for new homes, where they can add so materially to the wealth and power of the nation.

It is but proper to add that, in my opinion, no treaty that does not open the lands to immediate settlement, essentially in accordance with the views I have suggested, can or ought to receive the approval of the Senate.

I ask you to make my views known to your commission, and to the Secretary of the Interior.

Very respectfully, your obedient servant,

SIDNEY CLARKE.

Hon. N. G. TAYLOR,

Commissioner of Indian Affairs, Washington, D. C.