

University of Oklahoma College of Law

## University of Oklahoma College of Law Digital Commons

---

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

---

2-8-1873

**Letter from the Secretary of the Interior, relative to an appropriation of \$1,240,000 for the removal of the Great and Little Osage Indians from Kansas, in conformity to law and treaty stipulations.**

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



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

---

### Recommended Citation

H.R. Exec. Doc. No. 183, 42nd Congress, 3rd Sess. (1873)

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

REMOVAL OF GREAT AND LITTLE OSAGE INDIANS.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

RELATIVE TO

*An appropriation of \$1,240,000 for the removal of the Great and Little Osage Indians from Kansas, in conformity to law and treaty stipulations.*

FEBRUARY 8, 1873.—Referred to the Committee on Appropriations and ordered to be printed.

DEPARTMENT OF THE INTERIOR,  
*Washington, D. C., February 4, 1873.*

SIR: In conformity to law and treaty stipulations, the Great and Little Osage Indians have been removed from Kansas and located upon lands in the Indian Territory, ceded by the Cherokees, under the treaty of 19th July, 1866, for the settlement of friendly Indians.

The area of country selected for the Osages is, in the absence of plats of survey, estimated to contain 1,650,529 acres; and, in order that the Cherokees may be paid for the land thus occupied by the Osages, it will be necessary that an amount sufficient for the purpose should be transferred from the moneys received from the sale of the Osage lands to the credit of the Cherokees, and the sum be placed at the disposal of the Secretary of the Interior, to be invested as is provided in the twenty-third article of the treaty aforesaid.

I have the honor to transmit herewith a copy of a report, dated the 29th ultimo, from the Acting Commissioner of Indian Affairs, which presents a statement of the facts in the case, together with an amendment to the appropriation bill now pending before Congress—the same to be inserted after line 963 of said bill, as it passed the Senate—which is considered necessary to enable this Department to comply with the provisions of the twenty-third article of the treaty referred to.

I will remark while it is believed the sum of \$1,240,000 will be sufficient for the purpose, the amount named in the amendment submitted by the Acting Commissioner was not changed, as the language, "or so much thereof as may be necessary," will restrict the Department to the specific amount required, when the exact area of the tract and the price to be paid therefor are determined and fixed.

Very respectfully, your obedient servant,

C. DELANO,  
*Secretary.*

To the SPEAKER  
*of the House of Representatives.*

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
Washington, D. C., January 29, 1873.

SIR: I have the honor to state that the Cherokee treaty of 1866, (Stat. at Large, vol. 14, p. 799,) ceded to the United States, for the settlement of friendly Indians, all the lands of the Cherokees west of the 96th meridian. The 12th section of the act of Congress approved June 15, 1870, (Stat. at Large, vol. 16, p. 362,) provided for the sale of the Osage lands in Kansas, the removal of these Indians to homes in the Indian Territory on the Cherokee ceded lands, and the payment out of the proceeds of the sale of the said lands in Kansas for the lands thus to be occupied by the Osages in the Indian Territory. The act of Congress approved June 5, 1872, (Stat. at Large, pamph. ed., p. 228,) confirmed to the Great and Little Osages that portion of the Cherokee lands referred to in said treaty of 1866, lying between 96° west longitude and the Arkansas River.

The number of acres thus confirmed cannot now be definitely ascertained, in the absence of some of the plats of survey, but the area, as nearly as can be, is estimated at 1,650,529.03 acres, which, at the rate of one dollar per acre, (which is probably as high a rate as will be decided upon,) would amount in round numbers to \$1,650,600, a sum that will be sufficient to make payment for the same.

That the Cherokees may receive pay for the lands thus sold to the Osages, it will be necessary that said sum of \$1,650,600, or as much thereof as may be required, should be transferred from the amount received for the sale of the Osage lands, as aforesaid, to the credit of the Cherokees, and this sum placed at the disposal of the Secretary of the Interior, to enable him to invest the sum as provided in the 23d article of said Cherokee treaty of 1866.

I have, therefore, caused to be prepared and inclosed herewith an amendment to the Indian appropriation bill now pending before Congress, the same to be inserted after line 963 of said bill as it passed the Senate, and respectfully recommend that the same be laid before that body for its favorable consideration and action.

Very respectfully, your obedient servant,

H. R. CLUM,  
*Acting Commissioner.*

The Hon. SECRETARY OF THE INTERIOR.

*Provided,* That the Secretary of the Treasury is hereby authorized and directed to transfer from the proceeds of sale of the Osage Indian lands in Kansas, made in accordance with the twelfth section of the act of Congress approved July fifteenth, one thousand eight hundred and seventy, the sum of one million six hundred and fifty thousand six hundred dollars, or so much thereof as may be necessary, and to place the same on the books of his Department to the credit of the Cherokee Indians, in accordance with the act of Congress approved June fifth, one thousand eight hundred and seventy-two, entitled "An act to confirm to the Great and Little Osage Indians a reservation in the Indian Territory," and the acts of Congress and treaties therein mentioned and referred to, whenever the amount to be so transferred shall be certified to the said Secretary of the Treasury by the Secretary of the Interior. And the Secretary of the Interior is hereby authorized to draw from the Treasury, by requisition in due form, the amount so transferred, and invest the same in United States registered stocks, in accordance with the provisions of the twenty-third article of the Cherokee treaty of July nineteenth, one thousand eight hundred and sixty-six.