

4-1-1896

Information in Relation to Sac and Fox Indians

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

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

Recommended Citation

S. Doc. No. 196. 54th Cong., 1st Sess. (1896)

This Senate 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 darinfox@ou.edu.

IN THE SENATE OF THE UNITED STATES.

APRIL 2, 1896.—Referred to the Committee on Indian Affairs and ordered to be printed.

The VICE-PRESIDENT presented the following

LETTER FROM THE SECRETARY OF THE INTERIOR, COMMUNICATING FURTHER INFORMATION IN RELATION TO THE STATEMENT OF ACCOUNT BETWEEN THE OKLAHOMA AND IOWA BRANCHES OF THE SAC AND FOX OF THE MISSISSIPPI TRIBE OF INDIANS, PREPARED UNDER THE PROVISIONS OF THE ACT OF MARCH 2, 1895.

DEPARTMENT OF THE INTERIOR,
Washington, April 1, 1896.

SIR: On the 12th ultimo the Department transmitted to Congress a "Statement of account" between the Oklahoma and the Iowa branches of the Sac and Fox of the Mississippi tribe of Indians, prepared under the provisions of the act of March 2, 1895 (28 Stat. L., 876-903), being a claim of the latter against the former for their share of the tribal annuities, moneys, etc., in which the sum of \$42,893.25 was found in favor of the claimants, payable from tribal funds (Senate Doc., No. 167, Fifty-fourth Congress, first session).

In the letter of transmittal the statement was made that—

The Oklahoma Sacs and Foxes, through their delegates, Mah ko sha toe and Moses Keokuk, also filed protest against the said finding, but have since, orally, through the delegates named, now in this city, withdrawn their objections to the aforesaid "statement of account."

I am now in receipt of a communication, dated the 23d ultimo, from the aforesaid delegates, Mah ko sha toe and Moses Keokuk, wherein they disclaim having withdrawn their protest to the finding against their branch of the tribe, or of their intention to do so, and requesting that Congress be informed of the facts, and that a mistake had been made by the Department in this respect.

In compliance with this request, a copy of their above-named letter is transmitted herewith for the information of Congress.

In regard to what might seem to be a misunderstanding on the part of the Department of the actual expression of the aforesaid delegates as to their desires and intentions relative to the protest referred to, it is proper to state that at several conferences they were understood to waive any further objections to the account in question, but still pressing their complaint that they had not been permitted to employ counsel, which they proposed to do at an expense of \$2,000.

The matters at issue were carefully and fully explained to them; they were informed that the finding in favor of the Iowa branch was a binding and legal claim against their branch of the tribe, arising under the treaty with the tribe of 1867.

They were further advised, in reference to their complaint that they were not allowed to engage counsel to protect their interests before the Department against the claims of the Iowa branch, that the Department was well equipped and willing to perform that service; that the Department had found against the claimants in every instance, except in the claim arising under the treaty of 1867, against which, being an equitable, just, and legal one, requiring only the determination of the amount which was due, counsel, if employed, could have afforded them no protection, and could not have changed the result.

Very respectfully,

JNO. M. REYNOLDS,
Acting Secretary.

THE PRESIDENT OF THE SENATE.

WASHINGTON, D. C., *March 23, 1896.*

SIR: On the 12th instant you transmitted to the President of the Senate a statement of the claim of the Sac and Fox Indians of the Mississippi, now residing in the State of Iowa, which statement was prepared in conformity with the provisions of the act of March 2, 1895. The last clause of your letter of transmittal is as follows:

The Oklahoma Sacs and Foxes, through their delegates, Mah ko sha toe and Moses Keokuk, also filed protest against the said finding, but have since, orally, through the delegates named, now in this city, withdrawn their objections to the aforesaid "statement of account."

We beg to say that we never intended to withdraw our protest. You misunderstood us. We were sent by our people on purpose to protest. We would have no right to withdraw it. We did not mean to tell you that we had withdrawn it. We would not be true to our people if we acted in that way. You gave us but a few minutes to talk. Many others were waiting. We intended to ask you for a chance to be heard against the finding of your Department. We intended to ask you for the privilege of employing a lawyer, as the act provided. You have not allowed us to do so. The Iowa Sacs and Foxes had their lawyers. They had two of them, as we understand. Our people believe that this is wrong. Our people do not believe that we owe the Iowa Indians anything. The Iowa Indians have had all that was due them. They have had \$100,000 more. This the Government gave them to stop their clamor. We can not understand why our people should be punished for trying to obey the laws and be good citizens. We have always been the friends of the whites. We have supported schools and churches. Our children go to Sunday school. All of our people wear the white man's dress. The Iowa Sacs and Foxes ran away from us because we wanted to adopt the white man's ways. They still wear blankets. Not many of them have houses. They refuse to send their children to school. They drink whisky and run horses.

Years ago the Secretary and the Commissioner told us that they should not have their annuities unless they came and lived with us. They were told the same thing. Yet they refused to come. And this was the way we understood the treaty. The same thing is so of Moko-hoko and his band. They refused to go from Kansas to the Indian country with us. Soldiers had to take them, and then they went back. The Commissioner would not pay them their annuities. Now they are seeking to get money from us. They come to Washington with their

blankets on, and paint on their faces, and feathers in their hats. They employ lawyers. They try to get Congress to give them a large part of our money. Our people send us here to protest against both the Iowa claim and the Mokohoko claim. We would wrong our people if we did not protest. We would not dare go home. We must do our duty. We have nobody to speak for us. The Commissioner and the Secretary refuse to allow us to employ counsel. Our enemies have counsel.

We ask you to say to Congress that you made a mistake. That in our talk with you we did not withdraw our protest. That we did not mean to do so. That you did not understand us. We have been long with our people. One of our number (Keokuk) has signed many treaties for his people. They sent us here because they trusted us. They feel hurt and wounded at the treatment they have received. We ask you to do right by us, and to be as kind to us as you are to our enemies. It would not wrong the Iowa Sacs and Foxes if the whole matter waited a few weeks or a few months. You propose to take \$42,000 of our money. It is a great matter. Our people are poor. They are now trying to build houses, get stock, and improve their farms. They need all their money. To take this much of their money without hearing them is wrong. Besides, the law said that we might be heard and that we might employ a lawyer. We look to you to make things right.

Yours, truly,

MAH KO SAH TOE (his x mark).

MOSES KEOKUK (his x mark).

H. C. JONES, *Interpreter.*

Hon. HOKE SMITH,
Secretary of the Interior.

○