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Mary Woodbury and Elizabeth Odell

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MARY WOODBURY AND ELIZABETH ODELL.

[To accompany bill H. R. No. 451.]

JANUARY 29, 1851.

Mr. I. G. HARRIS, from the Committee on Indian Affairs, made the following

REPORT:

The Committee on Indian Affairs, to whom were referred the petitions of Mary Woodbury and Elizabeth Odell, half-breed women of the Sioux tribe of Indians, praying for the payment of money stipulated to be paid them under the treaty of 1837, report:

That in 1837 the government of the United States, by treaty of that date with the Sioux Indians, stipulated to pay to the relations and friends of the chiefs and braves of said Indians having not less than one-fourth Sioux blood, the sum of one hundred and ten thousand dollars, to be distributed by the proper authorities of the tribe, upon principles to be determined by the said chiefs and braves and the War Department.

In 1838 the War Department appointed Messrs. Pease and Ewing commissioners, to carry into execution the above recited clause of said treaty; and in September, 1838, the said commissioners met the chiefs and braves, and it was determined by them that the petitioners, Mary Woodbury (then Mary Taliaferro) and Elizabeth Odell (then Elizabeth Williams,) were entitled to receive, under said treaty, the first the sum of seven hundred and fifty dollars, and the other the sum of five hundred dollars.

The said commissioners, however, ordered the said sums to be paid, and the evidence on file in the case shows that they were paid to Lawrence Taliaferro, as trustee for the said petitioners, and it is not shown by the evidence, or by the record kept of the acts of the said commissioners, that the said chiefs and braves were consulted, or in any manner consented to the appointment of the said trustee, or the payment of said sums of money into his hands.

The evidence in the case shows that but a small portion of the said sums of money was paid or appropriated to the use and benefit of the said petitioners by the said Taliaferro as trustee.

Your committee are of opinion that the payment of said sums of money to the said trustee, without the consent of the chiefs and braves of the said tribe, was not such a performance of the above recited treaty stipulation as releases the government from liability to pay such portion of said sums as the said trustee failed to pay to the petitioners; and therefore they report a bill for that purpose.