

TREATIES AND LAWS

OF THE



OSAGE NATION,

AS PASSED TO

NOVEMBER 26, 1890.

COMPILED BY W. S. FITZPATRICK.

1895.

PRESS OF THE CEDAR VALE COMMERCIAL,
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TERRITORY OF OKLAHOMA, OSAGE NATION, }
OFFICE OF NATIONAL SECRETARY, PAWHUSKA, OK. TER. }

I, Thomas Mosier, National Secretary of the Osage Nation, do hereby certify that the printed Constitution and Laws contained in this volume, are true and correct copies of the Constitution and Laws of the Osage Nation, now in force therein, and published under the authority of the National Council of the Osage Nation.

Witness my hand and seal of the Osage Nation, at my office in Pawhuska, Osage Nation, in the Territory of Oklahoma, this 6th day of February, 1895.

THOMAS MOSIER, *National Secretary.*

OFFICERS OF THE OSAGE NATION.

PRINCIPAL CHIEF, - - JAMES BIG HEART.
ASSISTANT CHIEF, - - - WHITE HORN.

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NATIONAL TREASURER, - ALEX TALL CHIEF.
NATIONAL INTERPRETER, - JOHN MOSIER.
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BIG HILL,

NE-KAH-WAH-SHE-TON-KAH, PETER BIGHEART, TSE-MAH-HA.

BLACK DOG.

BLACK DOG, MAW-SHE-TAH-MOIE, HEH-SCAH-MOIE.

CLAREMORE.

CLAREMORE, O-LO-HAH-WAH-LA, A-SHE-KAH-GRE.

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CLERK SUPREME COURT, - S. H. PERRIER.

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BLACK DOG, " - - RICHAL WEBSTER.

CLAREMORE " - - HENRY PRATT.

EXECUTIVE COMMITTEE INTERPRETER,

EMBREY GIBSON.

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OSAGES—GREAT AND LITTLE.

Articles of a treaty made and concluded at Fort Clark, on the right bank of the Missouri, about five miles above the Fire Prairie in the Territory of Louisiana, the tenth day of November, in the year of our Lord, one thousand eight hundred and eight, between Peter Choteau, esquire, agent for the Osage, and specially commissioned and instructed to enter into the same by his excellency, Meriwether Lewis, governor and superintendent of Indian Affairs for the Territory aforesaid, in behalf of the United States of America, of the one part, and the chiefs and warriors of the Great and Little Osages, for themselves and their nations, on the other part.

ARTICLE 1. The United States being anxious to promote peace, friendship and intercourse with the Osage tribes, to afford them every assistance in their power, and to protect them from the insults and injuries of other tribes of Indians, situated near the settlements of the white people, have thought proper to build a fort on the right bank of the Missouri, a few miles above the Fire Prairie, and do agree to garrison the same with as many regular troops as the President of the United States may, from time to time, deem necessary for the protection of all orderly, friendly and well disposed Indians of the Great and Little Osage Nations, who reside at this place, and who do strictly conform to and pursue the counsels or admonitions of the President of the United States through his subordinate officers.

ART. 2. Abrogated by treaty of August 31, 1822. Proclaimed February 19, 1823.

ART. 3. The United States agree to furnish, at this place, for the use of the Osage Nations, a blacksmith, and

tools to mend their arms, and utensils of husbandry, and engage to build them a horse mill, or water mill; also to furnish them with ploughs, and to build, for the great chief of the Great Osages, and for the great chief of the Little Osages, a strong block-house in each of their towns, which are to be established near this fort.

ART. 4. With a view to quiet the animosities, which at present exist between the inhabitants of the Territory of Louisiana and the Osage Nations, in consequence of the lawless depredation of the latter, the United States do further agree to pay to their own citizens, the full value of such property, as they can legally prove to have been stolen or destroyed by the said Osages, since the acquisition of Louisiana by the United States, provided, the same does not exceed the sum of five thousand dollars.

ART. 5. In consideration of the lands relinquished by the Great and Little Osages to the United States, as stipulated in the sixth article of this treaty, the United States promise to deliver at Fire Prairie, or at St. Louis, yearly, to the Great Osage Nation, merchandise to the amount or value of one thousand dollars, and to the Little Osage Nation, merchandise to the amount or value of five hundred dollars, reckoning the value of said merchandise at the first cost thereof in the city, or place in the United States, where the same shall have been procured.

And in addition to the merchandise aforesaid, the United States have, at and before the signature of these articles, paid to the Great Osage Nation, the sum of eight hundred dollars, and to the Little Osages, the sum of four hundred dollars.

ART. 6. And in consideration of the advantages which we derive from the stipulations contained in the foregoing articles, we, the chiefs and warriors of the Great and Little Osages, for ourselves and our nations, respectively, covenant and agree with the United States, that the boundary line between our nations and the United States, shall be as follows, to-wit: Beginning at Fort Clark on the

Missouri, five miles above Fire Prairie, and running thence a due south course to the river Arkansas, and down the same to the Mississippi; hereby ceding and relinquishing forever to the United States, all the lands which lie east of said line, and north of the southwardly bank of said river Arkansas, and all lands situated northwardly of the river Missouri. And we do further cede and relinquish to the United States forever, a tract of two leagues square, to embrace Fort Clark, and to be laid off in such manner as the President of the United States shall think proper.

ART. 7. And it is mutually agreed by the contracting parties, that the boundary line hereby established, shall be run and marked at the expense of the United States, as soon as circumstances or their convenience will permit; and the Great and Little Osages promise to depute two chiefs from each of their respective Nations, to accompany the commissioner or commissioners, who may be appointed on the part of the United States, to settle and adjust the said boundary line.

ART. 8. And the United States agree that such of the Great and Little Osage Indians, as may think proper to put themselves under the protection of Fort Clark, and who observe the stipulations of this treaty with good faith, shall be permitted to live and to hunt, without molestation, on all that tract of country west of the north and south boundary line, on which they, the said Great and Little Osages have usually hunted or resided: PROVIDED, The same be not the hunting grounds of any other nation or tribe of Indians in amity with the United States; and on any other lands within the Territory of Louisiana, without the limits of the white settlements, until the United States may think proper to assign the same as hunting grounds to other friendly Indians.

ART. 9. Lest the friendship which is now established between the United States and the said Indian nations should be interrupted by the misconduct of individuals, it is hereby agreed that for injuries done by individuals no

private revenge or retaliation shall take place, but instead thereof, complaints shall be made by the party injured, to the other, by the said nations or either of them, to the superintendent or other person appointed by the President to the chiefs of said nation; and it shall be the duty of said chiefs, upon complaints being made as aforesaid, to deliver up the person or persons, against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the State or Territory, where the offense may have been committed; and in like manner, if any robbery, violence, or murder shall be committed on any Indian or Indians belonging to either of said nations, the person or persons so offending shall be tried, and if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed that the chiefs of the Great and Little Osages, shall to the utmost of their power, exert themselves to recover horses or other property which may be stolen from any citizen or citizens of the United States by any individual or individuals of either of their nations; and the property so recovered shall be forthwith delivered to the superintendent or other person authorized to receive it, that it may be restored to the proper owner; and in case where the exertions of the chiefs shall be ineffectual in recovering the property stolen as aforesaid, if sufficient proof can be adduced that such property was actually stolen by any Indian or Indians belonging to the said nations, or either of them, the superintendent, or other proper officer, may deduct from the annuity of the said nations, respectively, a sum equal to the value of the property which has been stolen. And the United States hereby guarantee to any Indian or Indians of the said nation, respectively; a full indemnification for any horses or other property, which may be stolen from them by any of their citizens: PROVIDED, That the property so stolen cannot be recovered, and that sufficient proof is produced, that it was actually stolen by a citizen of the United States. And the said

nations of the Great and Little Osages engage, on the requisition or demand of the President of the United States, or of the superintendent, to deliver up any white man resident among them.

ART. 10. The United States receive the Great and Little Osage nations into their friendship and under their protection; and the said nations, on their part, declare that they will consider themselves under the protection of no other power whatsoever; disclaiming all right to cede, sell or in any manner transfer their lands to any foreign power, or to citizens of the United States, or inhabitants of Louisiana, unless duly authorized by the President of the United States to make the said purchase or accept the said cession on behalf of the Government.

ART. 11. And if any person or persons, for hunting or other purposes, shall pass over the boundary lines, as established by this treaty, into the country reserved for the Great and Little Osage Nations, without the license of the superintendent, or other proper officer, they, the said Great and Little Osages, or either of them, shall be at liberty to apprehend such unlicensed hunters or other persons, and surrender them, together with their property, but without other injury, insult or molestation, to the Superintendent of Indian Affairs, or to the agent nearest the place of arrest, to be dealt with according to law.

ART. 12. And the chiefs and warriors, as aforesaid, promise and engage that neither the Great nor Little Osage Nations, will ever, by sale, exchange, or as presents, supply any nation or tribe of Indians, not in amity with the United States, with guns, amunition or other implements of war.

ART. 13. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the President, by and with the advice and consent of the Senate of the United States.

RATIFIED APRIL 28TH, 1810.

N. B. All claims and interest under this treaty are given up by the treaty proclaimed March 2nd, 1839.

A treaty of peace and friendship made and concluded, between William Clark, Ninian Edwards and Auguste Choteau, commissioned plenipotentiary of the United States of America, on the part and behalf of said States, of one part, and the undersigned king, chiefs and warriors of the Great and Little Osage tribes or nations on the part and behalf of their tribes or nations, of the other part.

The parties being desirous of re-establishing peace and friendship between the United States and said tribes or Nations, and of being placed in all things, and in every respect, on the same footing upon which they stood before the war, have agreed to the following articles:

ARTICLE 1. Every injury, or act of hostility by one or either of the contracting parties, against the other, shall be mutually forgiven and forgot.

ART. 2. There shall be perpetual peace and friendship between all the citizens of the United States of America and all the individuals composing the said Osage tribes or nations.

ART. 3. The contracting parties, in the sincerity of mutual friendship, recognize, re-establish and confirm all and every treaty, contract and agreement heretofore concluded between the United States and the said Osage tribes or nations.

RATIFIED DECEMBER 26TH, 1815.

A treaty made and concluded by and between William Clark, governor of the Missouri Territory, superintendent of Indian Affairs and commissioner in behalf of the United States, of the one part; and a full and complete deputation of considerate men, chiefs and warriors of all the several bands of the Great and Little Osage Nations, assembled in behalf of their said nation, of the other part, have agreed to the following articles:

ARTICLE 1. WHEREAS: The Osage Nations have been

embarrassed by the frequent demands for property taken from the citizens of the United States, by war parties and other thoughtless men of the several bands, (both before and since their war with the Cherokees), and as the exertions of their chiefs have been ineffectual in recovering and delivering such property, conformably with the condition of the ninth article of a treaty entered into with the United States at Fort Clark, the tenth of November, one thousand eight hundred and eight; and as the deductions from their annuities, in conformity to the said article, would deprive them of any for several years, and being destitute of funds to do that justice to the citizens of the United States, which is calculated to promote a friendly intercourse, they have agreed, and do hereby agree, to cede to the United States, and forever quit claim to, the tract of country included within the following bounds, to-wit: Beginning at the Arkansas River, at where the present Osage boundary line strikes the river at Frog Bayou, then up the Arkansas and Virdigris to the falls of the Virdigris River; thence eastwardly to the said Osage boundary line, at a point twenty leagues north from the Arkansas; and with that line, to the place of beginning.

ART. 2. The United States on their part, and in consideration of the above cession, agree, in addition to the amount which the Osages now receive in money and goods, to pay their own citizens the full value of such property as they can legally prove to have been stolen or destroyed by the said Osage, since the year one thousand eight hundred and fourteen: PROVIDED, The same does not exceed the sum of four thousand dollars.

ART. 3. The articles now stipulated will be considered as permanent additions to the treaties now in force, between the contracting parties as soon as they shall have been ratified by the President of the United States of America, by and with the advice and consent of the Senate of the said United States.

PROCLAIMED JANUARY 7TH, 1819.

Articles of a treaty entered into and concluded at the United States' factory, on the M. De Cigne—(Marias Des Cygnes)— Augt., by and between Richard Graham, agent of Indian Affairs, authorized on the part of the United States for that purpose, and the chiefs, warriors and headmen of the tribes of the Great and Little Osage Indians, for themselves and their respective tribes, of the other part

WHEREAS, By the second article of the treaty made and entered into between the United States and the Great and Little Osage Indians, concluded and signed at Fort Clark, on the Missouri, on the tenth day of November, one thousand eight hundred and eight, it is stipulated that the United States shall establish, at that place, and permanently continue, at all seasons of the year, a well-assorted store of goods, for the purpose of bartering with them on moderate terms for their peltries and furs: Now WE, the said chiefs, warriors and headmen, in behalf of our said tribes for, and in the consideration of two thousand, three hundred twenty-nine dollars and forty cents, to us now paid in merchandise, out of the United States factory, by said Richard Graham, on behalf of the United States, the receipt whereof is hereby acknowledged, do exonerate, release and forever discharge the United States from the obligation contained in the said second article above mentioned; and the aforesaid second article is, from the date hereof, abrogated and of no effect.

PROCLAIMED FEBRUARY 19TH, 1823.

Articles of a treaty made and concluded at St. Louis, in the State of Missouri, between Wm. Clark, Superintendent of Indian Affairs, commissioner on the part of the United States, and the undersigned chiefs, warriors and headmen, of the Great and Little Osage tribe of Indians, duly authorized and empowered by their respective tribes or nations.

In order more effectually to extend to said tribes, that protection of the government so much desired by them, it is agreed as follows:

ARTICLE 1. The Great and Little Osage tribes or nations do hereby cede and relinquish to the United States, all their right, title, interest and claims to lands lying within the State of Missouri and Territory of Arkansas, and to all lands lying west of the said State of Missouri and Territory of Arkansas, north and west of the Red River, south of the Kansas River, and east of a line to be drawn from the head sources of the Kansas, southwardly through the Rock Saline, with such reservations for such considerations, and upon such terms as are hereinafter specified, expressed and provided for.

ART. 2. Within the limits of the country above ceded and relinquished, there shall be reserved, to and for the Great and Little Osage tribes or nations, aforesaid, so long as they may choose to occupy the same, the following described tract of land: beginning at a point due east of White Hairs' Village, and twenty-five miles west of the western boundary line of the State of Missouri, fronting on a north and south line, so as to leave ten miles north and forty miles south of the point of said beginning, and extending west with the width of fifty miles, to the western boundary of the lands hereby ceded and relinquished by said tribes or nations; which said reservation shall be surveyed and marked at the expense of the United States.

and upon which the agent for said tribes or nations, and all persons attached to said agency, as also such teachers and instructors as the President may think proper to authorize and permit, shall reside, and shall occupy and cultivate, without interruption or molestation, such lands as may be necessary for them. And the United States do hereby reserve to themselves, forever, the right of navigating freely, all water courses and navigable streams within or running through the tract of country above reserved to said tribes or nations.

ART. 3. In consideration of the cession and relinquishment, aforesaid, the United States do, hereby, agree to pay to the said tribes or nations, yearly and every year for twenty years from date of these presents, the sum of seven thousand dollars, at their village or at St. Louis, as the said tribes or nations may desire, either in money, merchandise, provisions or domestic animals, at their option. And, whenever the said annuity, or any part thereof, shall be paid in merchandise, the same is to be delivered to them at the first cost of the goods at St. Louis, free of transportation.

ART. 4. The United States shall, immediately upon the ratification of this convention, or as soon thereafter as may be, cause to be furnished to the tribes or nations aforesaid, six hundred head of cattle, six hundred hogs, one thousand domestic fowls, ten yoke of oxen and six carts, with such farming utensils as the Superintendent of Indian Affairs may think necessary, and shall employ such persons to aid them in their agricultural pursuits as to the President of the United States may seem expedient, and shall, also provide, furnish and support for them, one blacksmith, that their farming utensils, tools and arms may be seasonably repaired; and shall build for each of the four principal chiefs at their respective villages, a comfortable and commodious dwelling house.

ART. 5. From the above lands ceded and relinquished, the following reservations for the use of the half-breeds,

hereinafter named shall be made, to-wit: One section of six hundred forty acres, for Augustus Clermont, to be located and laid off so as to include Joseph Rivar's residence, on the east side of the Neosho, a short distance above Grand Saline, and not nearer than one mile thereof; one section for each of the following half-breeds: James, Paul, Henry, Rosalie, Anthony and Amelia, the daughter of She-mehunga, and Amelia, the daughter of Mi-hunga, to be located two miles below the Grand Saline, and extending down the Neosho on the east side thereof; and one section for Noel Mongrain, the son of Wa-ta-negriss, and for each of his ten children, Baptisi, Noel, Francis, Joseph, Mongrain, Louis, Victoria, Sophia, Julia and Juliet; and the like quantity for each of the following-named grand-children of the said Noel Mongrain, to-wit: Charles, Frances, Louisson and Wash, to commence on the Marias des Cygnes, where the western boundary line of the State of Missouri crosses it at the fork of the Mine River, and to extend up Mine River, for quantity; one section for Mary Williams and one for Sarah Williams, to be located on the north side of the Marias des Cygnes, at the double creek, above Harmony; one section for Francis T. Chardon; one section for Francis C. Tayon; one section for James G. Chouteau; one section for Alexander Chouteau; one section for Pelagie Antaya; one section for Celeste Antaya; one section for Joseph Antaya; section for Baptiste St. Michelle; Jr.; one section for Louis St. Michelle; one section for Victoria St. Michelle; one section for Julia St. Michelle; one section for Francis St. Michelle; one section for Joseph Para; one section for Susan Larine; one section for Marguerite Reneau; one section for Thomas L. Balio; and one section for Teriese, the daughter of Paul Louise; which said several tracts are to be located on the north side of the Marias des Cygnes, extending up the river above the reservations in favor of Mary and Sarah Williams, in order in which they are herein above named.

ART. 6. And also fifty-four other tracts, of a mile

square each, to be laid off under direction of the President of the United States, and sold, for the purpose of raising a fund to be applied to the support, of schools, for the education of the Osage children in such a manner as the President may deem most advisable to the attainment of that end.

ART. 7. Forasmuch as there is a debt due from sundry individuals of the Osage tribes or nations to the United States trading houses of the Missouri and Osage Rivers, amounting in a whole, to about the sum of four thousand one hundred five dollars and eighty cents, which the United States do, hereby, agree to release in consideration thereof, the said tribes or nations do, hereby release and relinquish their claim upon the United States, for regular troops to be stationed, for their protection, in garrison, at Fort Clark, and also for furnishing a blacksmith at that place, and the delivery of merchandise at Fire Prairie, as is provided for in the first, third and fifth articles of the treaty concluded on the tenth day of November, one thousand eight hundred and eight.

ART. 8. It appearing that the Delaware Nation have various claims against the Osages, which the latter have not had it in their power to adjust, and the United States being desirous to settle, finally and satisfactory, all demands and differences between the Delawares and Osages, do hereby agree to pay to the Delawares, in full satisfaction of all their claims and demands against the Osages, the sum of one thousand dollars.

ART. 9. With a view to quiet the animosities which at present exist between a portion of the citizens of Missouri and Arkansas and the Osage tribes, in consequence of the lawless depredations of the latter, the United States do, furthermore, agree to pay to their own citizens, the full value of such property as they can legally prove to have been stolen or destroyed by the Osages since the year one thousand eight hundred and eight, and for which payment has not been made under former treaties: PROVIDED. The

sum to be paid to the United States does not exceed the sum of five thousand dollars.

ART. 10. It is furthermore agreed on, by and between the parties to these presents, that there shall be reserved two sections of land, to include the Harmony Missionary establishment and their mill, on the Marias de Cygne; and one section to include the missionary establishment above the Lick on the west side of Grand River, to be disposed of as the President of the United States shall direct, for the benefit of said missions and to establish them at the principal villages of the Great and Little Osage Nations, within the limits of the country reserved to them by this treaty, and to be kept up at said villages, so long as said missions shall be usefully employed in teaching, civilizing and improving the said Indians.

ART. 11. To preserve and perpetuate the friendship now happily subsisting between the United States and the said tribes or nations, it is hereby agreed that the provisions contained in the ninth article of the treaty concluded and signed at Fort Clark, on the tenth day of November, one thousand eight hundred and eight, between the United States and the said tribes or nations, shall in every respect, be considered as in full force and applicable to the provisions of this treaty, and that the United States shall take and receive into their friendship and protection the aforesaid tribes or nations, and shall guarantee to them, forever, the right to navigate freely all water courses or navigable streams within the tract of country hereby ceded, upon such terms as the same are or may be navigated by the citizens of the United States.

ART. 12. It is further agreed that there shall be delivered as soon as may be, after the execution of this treaty, at the Osage villages, merchandise to the amount of four thousand dollars, first cost in St. Louis, and two thousand dollars in merchandise before their departure from this place; and horses and equipage to the value of twenty-six hundred dollars; which together with the sum of one

hundred dollars, to be paid to Paul Louise, and the like sum to]Baptiste Mongrain, in money, shall be in addition to the provisions and stipulations hereby above contained, in full satisfaction of the cession hereinbefore agreed on.

ART. 13. WHEREAS, The Great and Little Osage tribes or nations are indebted to Augustus P. Choteau, Paul Balio and William P. Williams, to a large amount, for credits given to them, which they are unable to pay, and have particularly requested to have paid or provided for in the present negotiations; it is therefore agreed on, by and between the parties to these presents, that the United States shall pay to Augustus P. Choteau, one thousand dollars; to Paul Balio, two hundred fifty dollars, and to William P. Williams, two hundred and fifty dollars, towards the liquidations of their respective debts, due from the said tribes or nations.

ART. 14. These articles shall take effect and become obligatory on the contracting parties, so soon as the same shall be ratified by the President, by and with the advice and consent of the Senate of the United States.

PROCLAIMED DECEMBER 30TH, 1825.

N. B.—All claims or interest under this treaty, except the sixth article, are given up by the treaty proclaimed March 2nd, 1839.

TREATY WITH THE GREAT AND LITTLE OSAGES.

Whereas, the Congress of the United States of America being anxious to promote a direct commercial and friendly intercourse between the citizens of the United States and those of the Mexican republic, and to afford protection to the same, did, at their last session, pass an act, which was approved March 3rd, 1825, "to authorize the President of the United States to cause a road to be marked out from the western frontier of Missouri, to the confines of New Mexico," and which authorizes the President of the United States to appoint commissioners to carry said act of Congress into effect, and enjoins on the commissioners so to be appointed that they first obtain the consent of the intervening tribes of Indians, by treaty, to the making of said road, and to the unmolessted use thereof to the citizens of the United States and of the Mexican republic; and Benjamin H. Reeves, Geo. C. Sibley, and Thos. Mather, commissioners duly appointed as aforesaid, being duly and fully authorized, have this day met the chiefs and head men of the Great and Little Osage nations, who being all duly authorized to meet and negotiate with the said commissioners upon the premises, and being specially met for that purpose, by the invitation of said commissioners, at the place called the Council Grove, on the River Ne-o-sho, one hundred sixty miles southwest from Fort Osage, have after due deliberation and consultation, agreed to the following treaty, which is to be considered binding on the said Great and Little Osages, from and after this day.

ARTICLE 1. The chiefs and head men of the Great and Little Osages, for themselves and their nations, respectively, do consent and agree, that the commissioners of the United States shall and may survey and mark out a road, in such manner as they may think proper, through any of the territory owned or claimed by the Great and Little Osage nations.

ART. 2. The chiefs and head men as aforesaid, do further agree, that the road authorized in article one shall, when marked, be forever free for the use of the citizens of the United States and the Mexican republic, who shall at all times pass and repass thereon, without any hindrance or molestation, on the part of said Great and Little Osages.

ART. 3. The chiefs and head men as aforesaid, in consideration of the friendly relations existing between them and the United States, do further promise, for themselves and their people, that they will on all fit occasions, render such friendly aid and assistance as may be in their power, to any of the citizens of the United States, or of the Mexican republic, as they may at any time happen to meet or fall in with on the road aforesaid.

ART. 4. The chiefs and head men as aforesaid, do further, consent and agree, that the road aforesaid shall be considered as extending to a reasonable distance on either side, so that travelers thereon may, at any time, leave the marked track, for the purpose of finding subsistence and proper camping places.

ART. 5. In consideration of the privileges granted by the chiefs of the Great and Little Osages in the three preceding articles, the said commissioners on the part of the United States, have agreed to pay to them, the said chiefs for themselves and their people, the sum of five hundred dollars; which sum is to be paid them as soon as may be, in money or merchandise at their option, at such place as they may desire.

ART. 6. And the said chiefs and head men; as afore-

said, acknowledge to have received from the commissioners aforesaid, at and before the signing of this treaty, articles of merchandise to the value of three hundred dollars; which sum of three hundred dollars, and the payment stipulated to be made to the said Osages in article five, shall be considered and are so considered by said chiefs, as full and complete compensation for every privilege herein granted by said chiefs.

PROCLAIMED MAY 3RD. 1826.

Articles of a treaty made and concluded at Fort Gibson, west of Arkansas, between Brigadier General M. Arbuckle, commissioner on the part of the United States, and the chiefs, head men, and warriors, of the Great and Little Osage Indians, duly authorized by their respective bands.

ART. 1. The Great and Little Osage Indians, make the following cessions to the United States.

FIRST. Of all titles of interest in any reservation heretofore claimed by them, within the limits of any other tribe.

SECOND. Of all claims of interest under the treaties of November 10th. one thousand eight hundred and eight and June 2nd. one thousand eight hundred and twenty-five, except so much of the latter as is contained in the sixth article thereof, and the said Indians bind themselves to remove from the lands of other tribes, and to remain within their own boundaries.

ART. 2. In consideration of the cessions and obligations contained in the preceding article, the United States agree to the following stipulations on their part:

FIRST. To pay to the said Great and Little Osage Indians, for the term of twenty years, an annuity of twenty thousand dollars to be paid in the Osage Nation, twelve thousand in money and eight thousand in goods, stock,

provisions or money, as the President may direct.

SECOND. To furnish the Osage Nation, for the term of twenty years, two blacksmiths and two assistants, the latter to be taken from the Osage Nation, and to receive two hundred and twenty-five dollars each per year; each smith to be furnished with a dwelling house, shop and tools, and five hundred pounds of iron, and sixty pounds of steel annually.

THIRD. To furnish the Osage Nation with a grist and saw mill, a miller to each for fifteen years, and an assistant to each for eleven years, the latter to be taken from the Osage Nation, and receive each two hundred and twenty-five dollars per year; each miller to be furnished with a dwelling house, and the necessary tools.

FOURTH. To supply the said Great and Little Osage Indians within their country with one thousand cows and calves, two thousand breeding hogs, one thousand ploughs; one thousand sets of horse gear; one thousand axes, and one thousand hoes; to be distributed under the direction of their agent and chiefs, as follows, viz: to each family who shall form an agricultural settlement, one cow and calf, two breeding hogs, one plough, one set of horse gear, one axe and one hoe. The stock, tools, &c., to be in readiness for delivery as soon as practicable after the ratification of this treaty, and the Osages shall have complied with the stipulations herein contained.

FIFTH. To furnish the following-named chiefs, viz: Pa-hus-sca, Clermont, Chiga-wa-sa, Ka-he-gais-tanga, Tawan-ga-hais, Wa-cho-chais, Ni-ka-wa-chin-tanga, Tally, Gui-hira-ba-chais, Baptiste Mongrain, each with a house worth two hundred dollars; and the following-named chiefs, viz: Chi-to-ka-sa-bias, Wa-ta-ni-ga, Wa-tier-chi-ga, Chon-ta-sa-bias, Nan-gais-wa-ha-qui-hais, Ka-hi-gais-stier-de-gais, Man-haie-spais-we-te-chis, Chow-gais-mo-non, Gretan-man-sais, Kan-sais-ke-cris, Cho-mi-ka-sais, Man-cho-ki-da-chi-ga, each with a house worth one hundred dollars, and to furnish the above named chiefs with six good wag-

ons, sixteen carts, and twenty-eight yoke of oxen, with a yoke and log-chain to each yoke of oxen, to be delivered to them in their own country, as soon as practicable after the ratification of this treaty.

SIXTH. To pay all claims against said Osages, for depredations committed by them against other Indians or citizens of the United States, to an amount not exceeding thirty thousand dollars, provided, that the said claims shall be previously examined under the direction of the President.

SEVENTH. To purchase the reservations provided for individuals in the fifth article of the treaty of June 2nd, one thousand eight hundred twenty-five, at not exceeding two dollars per acre, to be paid to the respective reservees, excepting, however, from this provision, the tracts that were purchased in the fourth article of the treaty with the Cherokees of December 29th, one thousand eight hundred and thirty-five.

EIGHTH. To re-imburse the sum of three thousand dollars, deducted from their annuity in one thousand eight hundred and twenty-five, to pay for property taken by them which they have since returned.

NINTH. To pay to Clarmonts' band their portion of the annuity for one thousand eight hundred twenty-nine, which was wrongfully withheld from them by the agent of the government, amounting to three thousand dollars.

ART. 3. This treaty shall be binding on both parties when ratified by the United States Senate.

PROCLAIMED MARCH 2ND, 1839.

Treaty between the United States of America and the Great and Little Osage Indians, concluded, September 29th, 1865; ratification advised, with amendments, June 26th, 1866; amendments accepted September 21st, 1866; proclaimed January 21st, 1867.

ANDREW JOHNSON, President of the United States of America, to all and singular to whom these presents shall come, greeting:

Whereas, a treaty was made and concluded at Canville Trading Post, Osage Nation, in the State of Kansas, on the twenty-ninth day of September, in the year of our Lord, one thousand eight hundred and sixty-five, by and between D. N. Cooley and Elizah Sells, commissioners on the part of the United States, and White Hair, Little Bear (Me-tso-shin-ca) and other chiefs of the tribe of Great and Little Osage Indians, on the part of said tribe of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to-wit:

Articles of a treaty and convention made and concluded at Canville Trading Post, Osage Nation, within the boundaries of the State of Kansas, on the twenty ninth day of September, eighteen hundred and sixty-five, by and between D. N. Cooley commissioner of Indian Affairs,

Elijah Sells, superintendent of Indian Affairs for the southern superintendency, commissioners on the part of the United States, and the chiefs of the tribe of Great and Little Osage Indians, the said chiefs being duly authorized to negotiate and treat by said tribes.

ARTICLE. 1. The tribe of the Great and Little Osage Indians, having now more lands than are necessary for their occupation, and all payments from the Government to them under former treaties having ceased, leaving them greatly impoverished, and being desirous of improving their condition by disposing of their surplus lands, do hereby grant and sell to the United States the lands contained within the following boundaries, that is to say:

Beginning at the southeast corner of their present reservation, and running thence north with the eastern boundary thereof fifty miles to the northeast corner; thence west with the northern line thirty miles; thence south fifty miles, to the southern boundary of said reservation and thence east with said southern boundary to place of beginning: PROVIDED, That the western boundary of said land herein ceded shall not extend farther westward than upon a line commencing at a point on the southern boundary of said Osage country one mile east of the place where the Verdigris River crosses the southern boundary of the State of Kansas. And, in consideration of the grant and sale to them of the above described lands, the United States agree to pay the sum of three hundred thousand dollars, which sum shall be placed to the credit of said tribe of Indians in the Treasury of the United States, and interest thereon at the rate of five per centum per annum shall be paid to said tribes semi-annually, in money, clothing, provisions, or such articles of utility as the Secretary of the Interior may, from time to time, direct. Said lands shall be surveyed and sold under the direction of the Secretary of the Interior, on the most advantageous terms, for cash as public lands are surveyed and sold under existing laws, including any act granting lands to the State of Kansas in aid of the construction of a railroad through said lands; but no pre-emption claim or homestead settlement shall be recognized; and after reimbursing the United States the cost of said survey and sale, and the said sum of three hundred thousand dollars placed to the credit of said Indians, the remaining proceeds of sales shall be placed in the Treasury of the United States, to the credit of the "Civilization fund," to be used, under the direction of the Secretary of the Interior, for the education and civilization of Indian tribes residing within the limits of the United States.

ART. 2. The said tribe of Indians also hereby cede to the United States a tract of land twenty miles in width

from north to south, off the north side of the remainder of their present reservation, and extending its entire length from east to west; which land is to be held in trust for said Indians, and to be surveyed and sold for their benefit under the direction of the commissioner of the General Land Office, at a price not less than one dollar and twenty-five cents per acre, as other lands are surveyed and sold, under such rules and regulations as the Secretary of the Interior shall, from time to time, prescribe. The proceeds of such sales, as they accrue, after deducting all expenses incident to the proper execution of the trust, shall be placed in the Treasury of the United States to the credit of said tribe of Indians; and the interest thereon, at the rate of five per centum per annum shall be expended annually for building houses, purchasing agricultural implements and stock animals, and for the employment of a physician and mechanics, and for providing such other necessary aid as will enable said Indians to commence agricultural pursuits under favorable circumstances: **PROVIDED,** That twenty-five per centum of the net proceeds arising from the sale of said trust lands, until said percentage shall amount to the sum of eighty thousand dollars, shall be placed to the credit of the school fund of said Indians, and the interest thereon, at the rate of five per centum per annum, shall be expended semi-annually, for the boarding, clothing and education of the children of said tribe.

ART. 3. The Osage Indians, being sensible of the great benefits they have received from the Catholic Mission, situate in that portion of their reservation herein granted and sold to the United States, do hereby stipulate that one section of said land, to be selected by the Commissioner of Indian Affairs so as to include the improvements of said mission, shall be granted in feesimple to John Schoemaker, in trust, for the use and benefit of the society sustaining said mission, with the privilege to said Schoemaker, on the payment of one dollar and twenty-five cents

per acre, of selecting and purchasing two sections of land adjoining the section above granted; the said selection to be held in trust for said Society and to be selected in legal subdivisions of surveys, and subject to the approval of the Secretary of the Interior.

ART. 4. All loyal persons, being heads of families and citizens of the United States, or members of any tribe at peace with the United States, having made settlements and improvements as provided by the pre-emption laws of the United States and now residing on the lands provided to be sold by the United States, in trust for said tribe, as well as upon the said lands herein granted and sold to the United States, shall have the privilege, at any time within one year after the ratification of this treaty, of buying a quarter section each, at one dollar and twenty-five cents per acre; such quarter section to be selected according to the legal subdivision of surveys, and to include as far as practicable, the improvements of the settler.

ART. 5. The Osages being desirous of paying their just debts to James N. Coffey and A. B. Canville, for advances in provisions, clothing and other necessaries of life, hereby agree that the superintendent of Indian Affairs for the southern superintendency and the agent of the tribe shall examine all claims against said tribe, and submit the same to the tribe for approval or disapproval, and report the same to the Secretary of the Interior, with the proofs in each case, for his concurrence or rejection; and the Secretary may issue to the claimants script for the claims thus allowed, which shall be received as cash in payment for any of the lands sold in trust for said tribe: PROVIDED, The aggregate amount thus allowed by the Secretary of the Interior shall not exceed five thousand dollars.

ART. 6. In consideration of the long and faithful services rendered by Charles Mongrain, one of the Principal Chiefs of the Great Osages, to the people, and in consideration of improvements made and owned by him on the land by this treaty sold by the United States, and in

lieu of the provision made in article fourteen for the half-breed Indians, the heirs of the said Charles Mongrain, deceased, may select one section of land, including his improvements, from the north half of said land, subject to the approval of the Secretary of the Interior, and upon his approval of such selection it shall be patented to the heirs of the said Mongrain, deceased, in feesimple.

ART. 7. It is agreed between the parties hereto, that the sum of five hundred dollars shall be set apart each year from the moneys of said tribe, and paid by the agent to the chief.

ART. 8. The Osage Indians being anxious that a school should be established in their new home, at their request it is agreed and provided that John Schoenmaker may select one section of land within their diminished reservation, and upon the approval of such by the selection by the Secretary of the Interior, such section of land shall be set apart to the said Schoenmaker and his successors, upon condition that the same shall be used, improved and occupied for the support and education of the children of said Indians during the occupancy of said reservation by said tribe: PROVIDED. That said lands shall not be patented, and upon the discontinuance of said school shall revert to said tribe and to the United States as other Indian lands.

ART. 9. It is further agreed that, in consideration of the services of Darius Rogers to the Osage Indians, a patent shall be issued to him for one hundred and sixty acres of land, to include his mill and improvements, on paying one dollar and twenty-five cents per acre and said Rogers shall also have the privilege of purchasing, at the rate of one dollar and twenty-five cents per acre, one quarter section of land adjoining the tract above mentioned, which shall be patented to him in like manner: said lands to be selected subject to the approval of the Secretary of the Interior.

ART. 10. The Osages acknowledge their dependence on

the Government of the United States, and invoke its protection and care; they desire peace, and promise to abstain from war, and commit no depredations on either citizens or Indians; and they further agree to use their best efforts to suppress the introduction and use of ardent spirits in their country.

ART. 11. It is agreed that all roads and highways laid out by the state or general government shall have right of way through the remaining lands of said Indians, on the same terms as are provided by law, when made through lands of citizens of the United States; and railroad companies, when the lines of their roads necessarily pass through the lands of said Indians, shall have right of way upon the payment of fair compensation therefor.

ART. 12. Within six months after the ratification of this treaty the Osage Indians shall remove from the lands sold and ceded in trust, and settle upon their diminished reservation.

ART. 13. The Osage Indians having no annuities from which it is possible for them to pay any of the expenses of carrying this treaty into effect, it is agreed that the United States shall appropriate twenty thousand dollars, or so much thereof as may be necessary, for the purpose of defraying the expense of survey and sale of the lands hereby ceded in trust, which amount so expended shall be reimbursed to the Treasury of the United States from the proceeds of the first sales of said lands.

ART. 14. The half-breeds of the Osage tribe of Indians, not to exceed twenty-five in number, who have implements on the north half of the lands sold to the United States, shall have a patent issued to them, in feesimple for eighty acres each, to include, as far as practicable, their improvements, said half-breeds to be designated by the chiefs and head men of the tribe; and the heirs of Joseph Swiss, a half-breed, and a former interpreter of said tribe, shall, in lieu of the above provision, receive a title, in feesimple, to a half section of land, including his house and improve-

ments, if practicable, and also a half section of the trust land; all of said lands to be selected by the parties, subject to the approval of the Secretary of the Interior.

ART. 15. It is also agreed by the United States, that said Osage Indians may unite with any tribe of Indians at peace with the United States, residing in the said Indian Territory, and thence afterwards receive an equitable proportion, according to their numbers, of all moneys, annuities, or property payable by the United States to said Indian tribe with which the agreement may be made; and in turn granting to said Indians, in proportion to their numbers, an equitable proportion of all moneys, annuities and property payable by the United States to said Osages.

ART. 16. It is also agreed by said contracting parties, that if said Indians should agree to remove from the State of Kansas, and settle on lands to be provided for them by the United States in the Indian Territory on such terms as may be agreed on between the United States and the Indian tribes now residing in said Territory or any of them, then the diminished reservation shall be disposed of by the United States in the same manner and for the same purposes as hereinbefore provided in relation to said trust lands, except that fifty per cent. of the proceeds of the sale of said diminished reserve may be used by the United States in the purchase of lands for a suitable home for said Indians in said Indian Territory.

ART. 17. Should the Senate reject or amend any of the above article, such rejection or amendment shall not affect the other provisions of this treaty, but the same shall go into effect when ratified by the Senate and approved by the President.

PROCLAIMED JANUARY 21ST, 1867

Article Sixteen of a treaty between the United States of America and the Cherokee Nation of Indians, concluded July 19th, 1866: Ratification advised July 27th, 1866: Amendments accepted July 31st, 1866.

ART. 16. The United States may settle friendly Indians in any part of the Cherokee country west of 96 degrees, to be taken in a compact form in quantity not exceeding one hundred and sixty acres for each member of each of said tribes thus to be settled; the boundaries of each of said districts to be distinctly marked, and the land conveyed in fee simple to each of said tribes to be held in common or by their members in severalty as the United States may decide.

Said lands thus disposed of to be paid for to the Cherokee Nation at such price as may be agreed on between the said parties in interest, subject to the approval of the President; and if they should not agree, then the price to be fixed by the President.

The Cherokee Nation to retain the right of possession of and jurisdiction over all of said country west of 96 degrees of longitude until thus sold and occupied, after which their jurisdiction and right of possession to terminate forever as to each of said districts thus sold and occupied.

Articles of a treaty made and concluded at the Osage council ground, on Drum creek, in the Osage Nation, in the State of Kansas, on the 27th day of May, A. D. 1868, by and between the United States, represented by Nathaniel G. Taylor, Commissioner of Indian Affairs, Thomas Murphy, Superintendent of Indian Affairs for the central superintendency, George C. Snow, agent for the Indians of the Neosho agency, and Albert G. Boone, special agent, (commissioners duly appointed by the President of the United States for that purpose,) and the Great and Little Osage tribe of Indians, represented by their chiefs, councilmen, and headmen duly authorized to negotiate and treat in behalf of said tribe, as follows:

ARTICLE 1. The tribe of the Great and Little Osage Indians are desirous of removing from Kansas to a new and permanent home in the Indian territory, and of making an advantageous and absolute sale of their lands in the State of Kansas. They desire, moreover, to dispose of these lands as to aid in the speedy extension of the Leavenworth, Lawrence & Galveston railroad to and through the Indian territory, it being the only road now in process of construction running directly through the said Territory which is to be the future home of themselves and their race, and for the further reason that it will give them in their new home the means of transit and transportation, and will tend to promote among them and their brethren, the arts and habits of civilized life. The government of the United States is willing that the company constructing said railroad may become the purchasers of said lands on terms favorable to the Osages and the settlers, because said railroad has received from the United States no money subsidies, and only an inconsiderable land grant, and because when constructed it will become a great trunk line from the Missouri river to the Gulf of Mexico, and with its branches will open to settlement vast and fertile districts, now too remote from railroads and navigable waters

to be susceptible of advantageous settlement and cultivation. It is, therefore, agreed that the Leavenworth, Lawrence & Galveston Railroad Company, a corporation duly organized under the laws of the State of Kansas, shall have the privilege of purchasing the present reserve of the Osages in Kansas, and also the strip of land lying along the north border of the present reservation, ceded to the United States in trust by article second of the treaty between the United States and the Great and Little Osage Indians, concluded September 29, 1865, on the following terms and conditions: Said company shall, within three months after the ratification and promulgation of this treaty, pay to the Secretary of the Interior \$100,000 in cash, and shall execute and deliver to him its bonds for the further sum of \$1,500,000, bearing interest, payable semi-annually at the rate of 5 per cent. per annum; the interest on said bonds to commence when the Osages remove from their present reservation, which date shall be fixed, and notice thereof given to the company, by the Secretary of the Interior. One hundred thousand dollars of said bonds shall become due and payable each and every year after the date of execution thereof, so that the last \$100,000 of said bonds shall become due and payable in 15 years from the date of execution thereof. And if said company shall pay the said sum of \$100,000, and deliver its said bonds, bearing interest, for \$1,500,000, as above provided, and shall, one year thereafter, pay \$100,000 of said bonds, and interest on the whole of said bonds from the date when said interest shall have begun to accrue, and shall have built and equipped not less than 20 miles of said railroad from Ottawa, Kansas, in a southerly direction, then patents shall be issued to it by the Secretary of the Interior for an amount of said lands to be designated under his direction equal in value to one-fifteenth part of the lands which are herein authorized to be sold to said company, deducting and excepting, however, from said amount of land the lands which shall have been, between the date of the purchase by said company

and that date, purchased by settlers as hereinafter provided. And if said company shall, annually thereafter, pay \$100,000 of said bonds, and interest as thereinbefore provided on all the remaining bonds, and shall, each and every year thereafter, build and equip not less than 20 miles of said road until the same shall have reached the southern boundary of the State of Kansas, it shall, at the date of each of such annual payments, receive patents for a like amount in value of said lands, to be selected under the direction of the Secretary of the Interior, deducting and excepting from said amount the lands which shall have been, between the date of the next preceding payment and that date, pre-empted and paid for as hereinafter provided; and on payment of the last of said bonds and interest, as herein provided, it shall be entitled to receive patents for all the remainder of said lands herein authorized to be sold to it.

The whole of said lands, if purchased by said company, shall be appraised, at its expense, by three disinterested appraisers to be appointed by the Secretary of the Interior, whose compensation shall not exceed \$10 per day in full for services and expenses, and whose appraisal, when approved by the Secretary of the Interior, shall govern in ascertaining the relative value of the amounts of land from time to time selected and paid for, as hereinbefore provided. When said company shall make its first payment and deliver its bonds to the Secretary of the Interior, as above provided, he shall execute and deliver to it a certificate setting forth the fact that it has elected to purchase the lands herein provided to be sold, and is entitled to the possession and use of the same; which certificate shall be evidence of the right of said company to the possession and use of the said lands so long as it shall comply with the conditions of purchase therein prescribed as against all persons except Osages or other persons connected with the Nation as may have authority from the Secretary of the Interior to remain temporarily on said lands. But such certificate shall not authorize the taking of any timber or stone from any of

said lands, except from such as shall have been selected and paid for as herein provided.

None of said lands shall be subject to taxation except such as shall have been patented to said company, or selected and paid for as above provided. And whenever any patent shall issue to said railroad company for any part of said lands, it shall contain the condition that said company shall sell the lands described in said patent, except so much as may be necessary for the operation of said road, within five years from the issuance of said patent. But if the said company shall fail to pay the said sum of \$100,000 first above mentioned, and to deliver its bonds for \$1,500,000, as above provided, within three months from the ratification and promulgation of this treaty, then it shall have no exclusive right of purchasing said lands, but the lands shall then be surveyed under the directions of the Secretary of the Interior, and appraised by three disinterested appraisers, to be by him appointed, and offered for sale to actual settlers for the period of one year from the promulgation of this treaty, at not less than its appraised value, under such rules and regulations as the Secretary of the Interior may, from time to time, prescribe. And at the expiration of said year, should any of said lands remain unsold, the Secretary of the Interior shall cause the same to be sold in a body for cash, at not less than its appraised value. The proceeds of such sales, as they accrue, after deducting the expenses of survey and appraisement, shall be invested by the Secretary of the Interior for the benefit of said Indians, as hereinafter provided.

The Secretary of the Interior may proceed to sell the said lands in a body on the most advantageous terms: PROVIDED, HOWEVER, That the same conditions and terms shall be observed as herein stipulated: AND PROVIDED FURTHER, That said lands shall not be sold for less than the price herein agreed to be paid therefor. In the event that after sufficient notice has been given, no sale can be made of said lands in the manner last aforesaid, and if the company

shall, after paying said sum of \$100,000, and delivering said \$1,500,000 of bonds, fail to make payment of any portion of the principal or interest remaining due within thirty days from the date when the same shall become due and payable, said company shall forfeit all its right to any portion of said lands not heretofore selected and paid for. And all of said lands herein provided to be sold to said company, which shall remain unpaid for, shall thereupon be sold by the Secretary of the Interior in the manner hereinbefore provided. And in case said company shall desire to pay any portion of said bonds before the same shall become due and payable, it shall be permitted to do so, and shall be entitled on such payment to have lands selected and patented to it in like manner as on the payment of the bonds when due. And no patent shall issue to any assignee of said company for any of the lands purchased by it under the provisions hereof.

ART. 2. The right of way is hereby granted to said company through the lands herein authorized to be sold, not exceeding one hundred feet in width, and the right to take from said land such timber, stone, water and other material as may be necessary for the construction and operation of the road, and for the construction of its stations, culverts and bridges: PROVIDED, HOWEVER, That no timber or stone shall be taken by the company or its agents from any of the lands not paid for, except on payment of the fair value of such timber or stone, and under such regulations as the Secretary of the Interior shall prescribe, for which amounts the company shall be entitled to credit on paying, as herein provided, for the lands from which such timber and stone may have been taken.

ART. 3. The proceeds of the sales of the lands herein authorized to be sold shall be invested for the Osage Nation in United States registered stocks, except as hereinafter provided, and the interest thereof shall be applied semi-annually under the direction of the Secretary of the Interior, as follows: (The interest on \$100,000 shall be

paid in support of schools in said nation:) The interest on \$300,000 shall be paid in cash for national purposes. Five thousand two hundred dollars thereof shall be paid as compensation to the chiefs and councilors of the nation. Five thousand shall be expended for the encouragement of agriculture, to be paid *pro rata* to each head of a family in proportion to the number of acres cultivated and improvements made thereon by individual members of the tribe, the object being to encourage real industry among them; and the remaining \$4,800 shall be expended under the direction of the council and agent for the tribe in the payment of such other expenses as may be necessary for the benefit and support of their national government; and the interest on the balance shall be paid to the members of the nation per capita, or to the council for distribution in money, goods, provisions and other articles of necessity as the council of the nation and the agent for the tribe may recommend, under the direction of the Commissioner of Indian Affairs.

ART. 4. All persons being heads of families and citizens of the United States, or members of any tribe at peace with the United States, who have settled on the strip north of the present Osage reservation known as the "Trust Lands," and are at the date of the signing hereof residing thereon as bona fide settlers, shall have the privilege at any time within one year from the date of the ratification of this treaty of purchasing from the United States a quarter section, at one dollar and twenty-five cents per acre, to be selected in one body according to legal divisions, and to include as far as practicable the improvements of each settler: PROVIDED, HOWEVER, That said quarter section shall not consist of or be made up from parts of different quarter sections.

ART. 5. Nothing in this treaty shall be held to impair the rights of half-breed Osages, and of the heirs of Joseph Swiss, under the provisions of article fourteen of the treaty concluded September 29, 1865, and it is hereby de-

clared that the following persons are the heirs, and the only heirs, according to the Osage customs and laws, of the said Joseph Swiss, viz: Phebe Beyette, Julia Ravellette, Julia Ann Delorien and Jacob Swiss; and it is hereby provided that the improvements of said half-breeds now on the lands herein stipulated to be sold shall be appraised by the commissioners appointed to appraise these lands, and the value thereof shall be paid to the owners of said improvements by the parties purchasing them within six months after the ratification of this treaty.

They shall have an equal right, in proportion to their number, with the full-blood Indians in all the benefits to be derived from this and all former treaties with the Osage Indians, and shall select from their number one of their people who shall represent them in the councils of the nation, upon an equal footing with the other members of said council.

ART. 6. As a compensation to the Osages for the stock and farming utensils which the United States agreed to furnish them by the second article of the treaty of January 11, 1839, and which were only in part furnished, the United States agrees to pay the said nation twenty thousand dollars; and as compensation for the saw and grist mill which the United States agreed by said treaty to maintain for them for fifteen years, and which were only maintained five years, the United States agrees to pay said nation ten thousand dollars—which sums shall be expended, under the direction of the Commissioner of Indian Affairs, in the following manner: twelve thousand dollars in erection of agency buildings, a warehouse, and blacksmiths' dwellings, and a blacksmith shop, and the remaining eighteen thousand dollars in the erection of a school house and church and the purchase of a saw and grist mill, which mill is to be managed and controlled by the society in charge of the Catholic mission, for the benefit of said Indians.

ART. 7. The reservation herein authorized to be sold

shall be surveyed as other public lands are surveyed, under the direction of the Secretary of the Interior, and the expenses of survey paid by the said Leavenworth, Lawrence & Galveston Railroad Company.

ART. 8. If the proceeds of the sale of the lands ceded to the United States by the first article of the treaty of January 21, 1867, shall exceed the amount of purchase money paid therefor by the United States and expenses incident to the survey and sale thereof, then the remaining proceeds shall be invested by the Osages in United States registered stocks, and the interest thereon applied semi-annually as other annuities.

ART. 9. The Osage Indians being sensible of the great benefits they have received from the Catholic mission, and being desirous to have said mission go with them to their new homes, it is hereby stipulated that two sections of land, to be selected by said society at or near the agency, shall be granted in fee simple to John Shoenmaker in trust for the use and benefit of the society sustaining said mission, and it shall have the free use of such timber and firewood as may be necessary for the use of said mission and school, on condition that said society shall establish and maintain a mission and school for the education and civilization of the Osages. But if the said society shall fail to avail itself of the provisions of this treaty within twelve months after the removal of said Indians to their new home, it shall forfeit all the rights, privileges and immunities herein conferred upon it, including said lands, in which contingency these same rights, privileges and benefits so forfeited shall inure to any other Christian society willing to assume the duties and responsibilities and comply with the conditions herein enjoined on said mission: PROVIDED, HOWEVER, That in the event no Christian society should avail themselves of the benefits herein provided within two years from the removal of said Indians to their new homes, then all funds herein set apart for said school and missionary purposes shall be applied, un-

der the direction of the Commissioner of Indian Affairs, to such purposes as in his judgment will best promote the moral, intellectual and industrial interests of the Osage Nation; PROVIDED, That the annual expenditure for school purposes may be increased at the discretion of the Commissioner of Indian Affairs to an amount not to exceed five thousand dollars, as in his judgment the educational necessities of the Osages may require, to be deducted from the annuities.

ART. 10. The Great and Little Osage Nation of Indians being anxious to relieve themselves from the burden of their present liabilities, and it being essential to their best interests that they should be allowed to commence their new mode of life free from the embarrassment of debt, it is hereby stipulated and agreed that all just and valid debts which may be due and unpaid at the date of the signing of this treaty, either to whites or Indians, by said Osages, shall be liquidated and paid out of the funds arising from the sale of the lands herein stipulated to be sold, so far as the same shall be found just and valid on an examination thereof, to be made by the agent of the tribe and the superintendent of Indian Affairs for the central superintendency, whose duty it shall be to examine all claims presented to them within one year from the promulgation of this treaty, and to take in writing the evidence in favor of and against said claims, and after having made such examination they shall submit said claims to the national council of the Osage Nation for their approval or rejection, and report their proceedings thereon with the evidence and decision of the council, and their opinions in each individual case, to the Commissioner of Indian Affairs, whose decision, subject to the revision of the Secretary of the Interior, shall be final: PROVIDED, That the amount so allowed and paid shall not exceed forty thousand dollars: AND PROVIDED FURTHER, That if the amount of just claims shall exceed the sum of forty thousand dollars, the said amount of forty thousand dollars shall be divided

pro rata among the different claimants whose claims shall have been established and allowed.

ART. 11. The United States agrees that the agent for said Indians in the future shall make his home at the agency buildings; that he shall reside among them and keep an office open at all times for the purpose of prompt and diligent inquiry into such matters of complaint, by and against the Indians, as may be presented for investigation under the provisions of their treaty stipulations, as also for the faithful discharge of other duties enjoined on him by law. In all cases of depredations on person or property, he shall cause the evidence to be taken in writing and forwarded, together with his finding, to the Commissioner of Indian Affairs, whose decision, subject to the revision of the Secretary of the Interior, shall be binding on the parties to this treaty.

ART. 12. If any individual belonging to said tribe of Indians, or legally incorporated with them, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within said reservation, not exceeding 320 acres in extent, which tract when so selected, certified, and recorded in the land book, as herein directed, shall cease to be held in common; but the same may be occupied and held in the exclusive possession of the person selecting it, and of his family so long as he or they may continue to cultivate it. Any person over 18 years of age, not being the head of a family, may in like manner select and cause to be certified to him or her for purposes of cultivation a quantity of land not exceeding 80 acres in extent, and thereupon be entitled to the exclusive possession of the same, as above directed. For each tract of land so selected, a certificate containing a description thereof, and the name of the person selecting it, with a certificate endorsed thereon that the same has been recorded, shall be delivered to the party entitled to it, by the agent, after the same shall have been

recorded by him in a book to be kept in his office subject to inspection, which said book shall be known as the "Osage Land Book." The President may at any time order a survey of the reservation, and when so surveyed Congress shall provide for protecting the rights of said settlers in their improvements, and may fix the title held by each. The United States may pass such laws on the subject of alienation and descent of property, and on all subjects connected with the government of the Indians on said reservation, and the internal police thereof, as may be thought proper.

ART. 13. It is hereby agreed that the first article of the treaty made at Canville trading post, Osage Nation, in the State of Kansas, on the 29th day of September, A.D., 1865, by and between the United States and the Osage tribe of Indians, shall be and hereby is so amended as to strike out in the second line of the fourth page, (printed copy,) after the word "interior," the words "*on the most advantageous terms,*" and in the third and fourth lines, after the word "laws" strike out the words "*no pre-emption claim,*" so as to make the clause, of which the words stricken out are members, read as follows: "Said lands shall be surveyed and sold under the direction of the Secretary of the Interior for cash, as public lands are surveyed and sold under existing laws, but no homestead settlement shall be recognized." It is also agreed to add after the last word in the amended clause, viz., "recognized": PROVIDED, That nothing in this amendment shall be so construed as to diminish in any way the funds derivable to the Indians under said treaty, or construed so as to interfere with vested rights under said treaty.

ART. 14. The United States hereby agrees to sell to the Great and Little Osage tribe of Indians, for their future home, at a price not to exceed twenty-five cents per acre, the following described district of country, viz: Commencing at a point where the 96th meridian west from Greenwich crosses the south line of the State of

Kansas; thence south on said meridian to the north line of the Creek country; thence west on said north line to a point where said line crosses the Arkansas river; thence up said Arkansas river in the middle of the main channel thereof, to a point where the south line of the State of Kansas crosses said Arkansas river; thence east on said State line to the place of beginning. It is hereby agreed that the United States shall, at its own expense, cause the boundary lines of said country to be surveyed and marked by permanent and conspicuous monuments. Said survey to be made under the direction of the Commissioner of Indian Affairs. And it is hereby stipulated and agreed that when the United States has secured a title to the above described lands, the Osages shall be required to remove and reside thereon; but nothing in this treaty shall be so construed as to compel the said Indians to remove from their present reservation until the government has secured said title, and notice thereof given by the Commissioner of Indian Affairs to the agent of said Indians.

ART. 15. The Osage tribe of Indians hereby assent to any alterations or amendments which the Senate of the United States may make to this treaty: PROVIDED, That such alterations or amendments do not affect the rights and interests of said Osage Indians, as defined and secured in this and former treaties.

ART. 16. The Osages acknowledge their dependence on the government of the United States, and invoke its protection and care. They desire peace and promise to abstain from war, and commit no depredations on either white citizens or Indians; and they further agree to use their best efforts to suppress the introduction and use of ardent spirits in their country.

ART. 17. The United States hereby agree to pay to the Great and Little Osage tribe of Indians a just and fair compensation for stock stolen from them by whites since the ratification of the treaty of September 29, 1865, and it is made the duty of the agent for the said tribe to investi-

gate all claims of this character and report the same with the proofs in each case to the Commissioner of Indian Affairs within three months from the ratification of this treaty.

ART. 18. It is hereby agreed that the Commissioner of Indian Affairs shall make an examination of the accounts of the Osage tribe of Indians, and if he finds that the sum of \$3,000 due Clairmont, a chief of said tribe, under the ninth article of the treaty of 1839, has never been paid to said chief, he shall cause the said sum to be paid to the said Clairmont for the sole use and benefit of the band of which he is chief.

In testimony whereof the undersigned, the said Nathaniel G. Taylor, Thomas Murphy, George C. Snow and Albert G. Boone, commissioners as aforesaid, on behalf of the United States, and the undersigned chiefs and headmen of the Great and Little Osage tribe of Indians, have hereunto set their hands and seals, at the place, day and year first above written.

N. G. TAYLOR, [SEAL.]
President of Commission.

THOMAS MURPHY, [SEAL.]

GEORGE C. SNOW, [SEAL.]

ALBERT G. BOONE, [SEAL.]

Commissioners

A. N. BLACKLIDGE,
Secretary of Commission

JOSEPH PAW-NE-NO PASHE,
or White Hair, his X mark,
Principal Chief.

Gah-he-gah-ton-gah. (chief Clamor's band,) his X mark.

Black Dog, (chief of Black Dog's band,) his X mark.

Dog Thief, (2nd chief Big Hill band,) his X mark.

Mon-shon-o-lar-ka. (2nd chief Young Clairmont's band,) his X mark.

William Penn, (2d chief Black Dog's band,) his X mark.

Big Heart, his X mark.

Kan-sa-gah-ne, (1st coun. to Big Hill band,) his X mark.

Che-sha-la-sha, (3d chief Big Hill's) his X mark.

Wa-che-wa-he, (3d chief Clamont's band,)	his X mark.
Major Broke-arm.(3d chief Black Dog's band.)	his X mark.
Ma-i-ka-ha,(4th chief Black Dog's band.)	his X mark.
Clar-mont. (chief of Carmont band,)	his X mark.
Tan-non-ge-he. (chief Big Hill band,)	his X mark.
Little Beaver, (2d chief White Hair's band,)	his X mark.
No-pa-wala, (1st chief Little Osage.)	his X mark.
Strike Axe. (2d chief Little Osage.)	his X mark.
Tallers, (2d chief Clannor's band.)	his X mark.
Wah-ho-pa-wah-no-sha.	his X mark.
Wa-sho-pi-wat-tanka,(4th chief Little Osages.)	his X mark.
Wa-ti-sanka. (4th chief Little Osages,)	his X mark.
Thes-a-watanga. (3d chief To-nan-sha-hees.)	his X mark.
Wy-o-ha-ke, (3d chief Little Osages,)	his X mark.
Tall Chief. (4th chief Big Hill's.)	his X mark.
Mo-en-e-she.	his X mark.
Ho-wa-sa-pa. (Big Chief's band.)	his X mark.
Wa-ta-an-ka.(prin. coun. Big Chief's band.)	his X mark.
Ne-ka-ka-honey,(prin. coun. Black Dog's band.)	his X mark.
Black Bird, (Joe's band,)	his X mark.
Non-se-an-ka. (Black Dog's band.)	his X mark.
Wa-ko-e-wa-sha. (Big Hill brave,)	his X mark.
Sa-pe-ke-sa. (2d councillor to Big Camer.)	his X mark.
Was-come-ma-neh. (Clarmont brave,)	his X mark.
To-tan-ka-she, (Clarmont Brave,)	his X mark.
Sa-pa-ko-a. (Clarmont brave,)	his X mark.
Wa-sha-she-wat-ian-ker, (Clarmont brave.)	his X mark.
Mo-sha-o-ker-shan. (Big Hill brave,)	his X mark.
Che-wa-te, (Little Osages,)	his X mark.
Wa-ho-pa-inka. (Little Osages.)	his X mark.
Mathew. (Little Osages.)	his X mark.
Hard Chief. (Little Osages,)	his X mark.
Wa-ka-le-sha, (Little Osages.)	his X mark.
Skinka-wa-ti, (Little Osages.)	his X mark.
Wa-sho-she, (Little Osages.)	his X mark.
Pa-ne-no-pa-sha, (Little Osages.)	his X mark.
Che-to-pah,(principal councilor Little Osages.)	his X mark.

Hard Rope, (White Hair's prin. coun.)	his X mark.
We-pi-she-way-lap, (Beaver's councillor,)	his X mark.
Ke-no-e-nen-ke, (2d coun. to White Hair,)	his X mark.
Wa-la-ho-na, (councillor White Hair's band,)	his X mark.
Ka-ke-k-wa-ti-anka, (little chief White Hair's hand,)	his X mark.
Ta-pi-gua-la, (little chief White Hair's band,)	his X mark.
Yellow Horse, (Big Hill brave.)	his X mark.
Go-she-seer, (brave Big Hill band,)	his X mark.
No-son-ta-she, (Big Hill brave.)	his X mark.
Ne-ko-con-see, (Big Hill brave.)	his X mark.
Wa-pe-sum-see.	his X mark.
Ne-ko-leverla.	his X mark.
Va-ha-su-she, (3d chief Big Hills,)	his X mark.
Joseph Paw-ne-no-pashe's braves,	
Or-le-he-non-she.	his X mark.
Cho-she-mon-nee,	his X mark.
Him-sha-ga-cire,	his X mark.
Wa-kon-ta-okee,	his X mark.
Wa-shin-pe-she,	his X mark.
Gron-na-ta-ne-gah,	his X mark.
Ha-gha-nee,	his X mark.
Ne-char-you-law,	his X mark.
Paw-nee-way-na-taw,	his X mark.
Wa-hon-ga-ta-gon-she,	his X mark.
War Eagle.	his X mark.
Ne-cha-na-shon-tow-ga,	his X mark.
Ka-ke-ga-wa-ta-ghe,	his X mark.
Non-son-do-she,	his X mark.
Wa-mou-cha-na-che,	his X mark.
Pa-hon-do-gra-he,	his X mark.
Strike Ax.	his X mark.
Ka-tum-mo-ne, (White Hair brave,)	his X mark.
Pe-she-o-la-ha, (White Hair brave.)	his X mark.
Wa-she-ti-in-gah, (White Hair brave,)	his X mark.
Big Elk, (White Hair brave,)	his X mark.
Ki-he-di-na-she-p-she. (Beaver's little chief.)	his X mark.

Ka-he-ga-sta-ka, (little chief Beaver's band,)	his X mark.
Ve-ne-ka-ka, (little chief Beaver's band,)	his X mark.
Wolfe, (little chief Beaver's band,)	his X mark.
Wa-no-pa-she,	his X mark.
Ne-ko-le-bra,	his X mark.
Shin-ko-wa-sah, (Beaver's councillor,)	his X mark.
Men-ti-anka, (brave,)	his X mark.
O-pon-to-ga, (3d chief Clarmont's band,)	his X mark.
Wa-he-sa-he. (principal councillor old Lamor,)	his X mark.
Ho-ne-ka-she,	his X mark.
Night,	his X mark.
Wolfe, (4th chief Clarmore's band,)	his X mark.
Kob-ka-she,	his X mark.
Wa-sha-tun-ka,	his X mark.
Her-la-she,	his X mark.
Le-he-pie,	his X mark.
Pa-hungra-ha-hie,	his X mark.
Ne-ka-gone,	his X mark.
Ma-ke-o-ti-ke,	his X mark.
Me-lo-tu-mu-ni, (12 o'clock,)	his X mark.
O-cunse-wa-skun,	his X mark.
No-pa-wa-hre,	his X mark.
Ka-la-wa-sho-she,	his X mark.
Me-kas-ko-a-la-quah,	his X mark.
Kon-sa-ka-a-ree,	his X mark.
O-kee-pa-lo,	his X mark.

Signed in our presence this 27th day of May, anno Domini, 1868.

ALEX'R R. BANKS, Special United States Indian Agent.

GEORGE W. YATES, Captain 7th United States Cavalry.

J. S. KALLOCH.

M. W. REYNOLDS, Reporter for Commission.

MOSES NEAL.

CHARLES ROBINSON.

W. P. MURPHY.

WILLIAM BABCOCK.

The undersigned interpreters of the said nation, do hereby certify that the foregoing treaty was read and interpreted by us to the above-named chiefs and headmen of the Osage Nation, and that they declared themselves satisfied therewith, and signed the same in our presence.

ALEXANDER BEYETT,
United States Interpreter.

LEWIS P. CHOUTEAU,
Special Interpreter.

AUGUSTUS CANTAIRE,
Special Interpreter.

DEED FROM THE CHEROKEE NATION, THROUGH ITS
DELEGATES, TO THE UNITED STATES IN TRUST
FOR THE USE AND BENEFIT OF THE
OSAGE AND KANSAS INDIANS.

THIS INDENTURE, made and entered into this fourteenth day of June, A. D., eighteen hundred and eighty-three, between the Cherokee Nation, by Dennis W. Bushyhead, principal chief, Richard M. Wolfe and Robert B. Ross, delegates of said Cherokee Nation, for and in behalf of said Nation, of the first part, and the United States of America, in trust for the use and benefit of the Osage and Kansas Indians, of the second part, WITNESSETH that

WHEREAS, by the sixteenth article of the treaty concluded July nineteenth, A. D., eighteen hundred and sixty-six, between said Cherokee Nation and the United States, the said United States acquired the right "to settle friendly Indians on any part of the Cherokee country west of the ninety-six degree" of west longitude, under certain limitations therein mentioned, and

WHEREAS, under authority of an act of Congress, approved June fifth, A. D., eighteen hundred and seventy-two, a certain tract of said country was set apart for the Great and Little Osage tribe of Indians, with a proviso that said Great and Little Osage tribe shall permit the settlement within the limits of said tract of the Kansas tribes of Indians; and

WHEREAS, by virtue of a provision in the act of Congress of March third, eighteen hundred and seventy-three, there has been transferred from the proceeds of sale of

Osage lands in Kansas, and placed to the credit of said Cherokee Nation, the sum of one million, ninety-nine thousand, one hundred and thirty-seven and forty-one hundredths dollars, (\$1,099,137.41,) in payment for said tract of land; and

WHEREAS, by an act of Congress, approved March third, A. D., eighteen hundred and eighty-three, three hundred thousand dollars, (\$300,000.) was appropriated "to be paid into the treasury of the Cherokee Nation out of funds due under appraisement for Cherokee lands west of the Arkansas river:" PROVIDED, "That the Cherokee Nation, through its proper authorities, shall execute conveyances satisfactory to the Secretary of the Interior, to the United States in trust only for the benefit of the Pawnees, Poncas, Nez Perces, Otoes and Missouriias and Osages now occupying said tract as they respectively occupy the same, before the payment of said sum of money;" now

THEREFORE, by authority of an act of the National Council of the Cherokee Nation aforesaid, approved May eighth, eighteen hundred and eighty-three, which recites: "That Dennis W. Bushyhead, principal chief, Richard M. Wolfe and Robert B. Ross, delegates of the Cherokee Nation, are hereby authorized and empowered, in the name of the Cherokee Nation, to execute deeds of conveyance as required by said act, March third, eighteen hundred and eighty-three, for the tracts of Cherokee land for the benefit of the Pawnees, Poncas, Nez Perces, Otoes and Missouriias and Osages, as they respectively occupy the same, "said party of the first part, by the aforesaid principal chief, and delegates, and in consideration of the payment of the sum of money mentioned in the act of March third, eighteen hundred and eighty-three, aforesaid, as due under appraisement for Cherokee lands west of the Arkansas river, and of the further sum paid under the act of March third, eighteen hundred and seventy-three, as aforesaid, does by these presents bargain, sell, remise, release, relinquish and confirm unto the said party of the second part,

forever, in trust nevertheless and for the use and benefit of the said Osage and Kansas Indians, all those certain tracts of land lying and being in the Indian Territory, embracing the following townships, and fractional townships, north and east of the Indian meridian—the fractional townships being on the left bank of the Arkansas river:

Fractional township twenty-four, (24,) twenty-five, (25,) and twenty-six, (26,) range two, (2,) east; fractional townships twenty-three, (23,) twenty-four, (24,) twenty-five, (25,) twenty-six, (26,) twenty-seven, (27,) twenty-eight, (28,) twenty-nine, (29,) range three, (3,) east; fractional townships twenty-three, (23,) twenty-four, (24,) twenty-five, (25,) twenty-six, (26,) and twenty-seven, (27,) township twenty-eight, (28,) and fractional township twenty-nine, (29,) range four, (4,) east; fractional townships twenty-three, (23,) and twenty-four, (24,) townships twenty-five, (25,) twenty-six, (26,) twenty-seven, (27,) twenty-eight, (28,) and fractional township twenty-nine, (29,) range five, (5,) east; fractional townships twenty-two, (22,) and twenty-three, (23,) townships twenty-four, (24,) twenty-five, (25,) twenty-six, (26,) twenty-seven, (27,) twenty-eight, (28,) and fractional township twenty-nine, (29,) range six, (6,) east; fractional townships twenty-one, (21,) and twenty-two, (22,) townships twenty-three, (23,) twenty-four, (24,) twenty-five, (25,) twenty-six, (26,) twenty-seven, (27,) twenty-eight, (28,) and fractional township twenty-nine, (29,) range seven, (7,) east; fractional townships twenty-one, (21,) and twenty-two, (22,) townships twenty-three, (23,) twenty-four, (24,) twenty-five, (25,) twenty-six, (26,) twenty-seven, (27,) twenty-eight, (28,) and fractional township twenty-nine, (29,) range eight, (8,) east; fractional townships twenty, (20,) and twenty-one, (21,) townships twenty-two, (22,) twenty-three, (23,) twenty-four, (24,) twenty-five, (25,) twenty-six, (26,) twenty-seven, (27,) twenty-eight, (28,) and fractional township twenty-nine, (29,) range nine, (9,) east; fractional township twenty, (20,) townships twenty-one, (21,) twenty-

two. (22,) twenty-three, (23,) twenty-four, (24,) twenty-five. (25,) twenty-six. (26,) twenty-seven, (27,) twenty-eight, (28) and fractional township twenty-nine, (29,) range ten, (10,) east; fractional township twenty, (20,) townships twenty-one, (21,) twenty-two, (22,) twenty-three, (23,) twenty-four, (24,) twenty-five, (25,) twenty-six, (26,) twenty-seven, (27,) twenty-eight, (28,) and fractional township twenty-nine, (29,) range eleven, (11,) east; fractional townships twenty, (20,) twenty-one, (21,) twenty-two, (22,) twenty-three, (23,) twenty-four, (24,) twenty-five, (25,) twenty-six, (26,) twenty-seven, (27,) twenty-eight, (28,) and twenty-nine, (29,) range twelve, (12,) east; according to a plat of lands annexed hereto, marked "A," and made a part of this conveyance; containing in all one million, five hundred and seventy thousand, one hundred and ninety-six and thirty hundredths acres, (1,570,196.30,) hereby granted. Under the act aforesaid, there has been set apart for the • Kansas Indians, as provided by said act, the following numbered townships and fractional townships, being a part of the lands above described and indicated upon the before-mentioned plat:

Fractional townships twenty-seven, (27,) twenty-eight, (28,) and twenty-nine, (29,) range three, (3,) east; fractional township twenty-seven, (27,) township twenty eight, (28,) and fractional township twenty-nine, (29,) range four, (4,) east; the west half of section three, (3,) ten, (10,) fifteen, (15,) twenty-two, (22,) twenty-seven, (27,) and thirty-two, (32,) and sections four, (4,) five, (5,) six, (6,) seven, (7,) eight, (8,) nine, (9,) sixteen, (16,) seventeen, (17,) eighteen, (18,) nineteen, (19,) twenty, (20,) twenty-one, (21,) twenty-eight, (28,) twenty-nine, (29,) thirty, (30,) and and thirty-one, (31,) of township twenty-seven, (27,) north, range five, (5,) east; the west half of sections three, (3,) ten, (10,) fifteen, (15,) twenty-two, (22,) twenty-seven, (27,) and thirty-four, (34,) and sections four, (4,) five, (5,) six, (6,) seven (7,) eight, (8,) nine, (9,) sixteen, (16,) seventeen, (17,) eighteen, (18,) nineteen, (19,) twenty, (20,) twenty-one, (21.)

twenty-eight, (28,) twenty-nine. (29,) thirty. (30,) thirty-one (31,) thirty-two, (32,) and thirty-three, (33,) of township twenty-eight, (28,) north, range five (5,) east; the west half of sections fifteen. (15,) twenty-two, (22,) twenty-seven. (27,) and thirty-four, (34,) and sections sixteen. (16,) seventeen, (17,) eighteen. (18,) nineteen. (19,) twenty, (20,) twenty-one. (21,) twenty-eight. (28,) twenty-nine. (29,) thirty. (30,) thirty-one. (31,) thirty-two. (32,) and thirty-three, (33,) of township twenty-nine. (29,) north, range five, (5,) east; containing an area of one hundred thousand, one hundred and thirty-seven and thirty-two hundredths acres. (100,137.32,) which aforesaid lands were paid for by the Osages to the Cherokees, and the Kansas Indians have paid for that portion assigned to them by proper transfer of the funds arising from the sale of their lands in Kansas; together with all and singular the hereditaments and appurtenances belonging or in any wise appertaining to the lands hereby granted.

To Have and To Hold the said premises as above described with the appurtenances unto the said party of the second part, for the use and purposes aforesaid.

IN WITNESS WHEREOF, the party of the first part hath subscribed this conveyance by the said principal chief and delegates aforesaid, who have also hereunto set their hands and seals this fourteenth day of June, A. D., eighteen hundred and eighty-three.

[CHEROKEE SEAL.] THE CHEROKEE NATION.

BY DENNIS W. BUSHYHEAD. [L. s.]

Principal Chief.

RICHARD M. WOLFE. [L. s.]

ROBERT B. ROSS. [L. s.]

Delegates of the said Cherokee Nation.

Signed, sealed and delivered in the presence of Jos. K. McCammon, N. P. Loveridge, Wm. A. Phillips.

DISTRICT OF COLUMBIA, }
 COUNTY OF WASHINGTON, } ss.

On this fourteenth day of June, A. D., eighteen hundred and eighty-three, before me, a Notary Public, in and for the district aforesaid, personally came Dennis W. Bushyhead, Richard M. Wolfe and Robert B. Ross, to me known to be the persons who executed the foregoing instrument, and acknowledged the same to be their free act and deed, for the purposes and under the authority therein mentioned.

[SEAL.]

GEO. M. LOCKWOOD,

Notary Public

DEPARTMENT OF THE INTERIOR, }
 OFFICE OF INDIAN AFFAIRS, }
 WASHINGTON, D. C., March 16th, 1892. }

I, T. J. Morgan, Commissioner of Indian Affairs, do hereby certify that the paper hereto attached is a true and literal copy of a deed dated June 14th, 1883, from the Cherokee Nation, through its delegates, to the United States, in trust for the use and benefit of the Osage and Kansas Indians, conveying the tract of country in Indian Territory, known as the Osage Reservation and the Kansas Reservation, as the same appears on record in this office.

T. J. MORGAN,

Commissioner.

DEPARTMENT OF THE INTERIOR, }
 WASHINGTON, D. C., March 21st, 1892. }

I, John W. Noble, Secretary for the Department of the Interior of the United States of America, do hereby certify that T. J. Morgan, whose name appears signed to the foregoing certificate, is now, and was at the time of signing the same, Commissioner of Indian Affairs, and that full faith and credit are due to his official acts as such.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the seal of said Department to be affixed on the day and year above written.

[SEAL.]

JOHN W. NOBLE,

Secretary.

CONSTITUTION OF THE OSAGE NATION.

The Constitution of the Osage Nation, prepared by the authorized committee and adopted by the National Council.

The Great and Little Osages having united and become one body politic, under the style and title of the Osage Nation; therefore,

We, the people of the Osage Nation, in National Council assembled, in order to establish justice, insure tranquility, promote the common welfare, and to secure to ourselves and our posterity the blessing of freedom—acknowledging with humility and gratitude the goodness of the Sovereign Ruler of the universe in permitting us so to do, and imploring his aid and guidance in its accomplishment—do ordain and establish this Constitution for the government of the Osage Nation.

ARTICLE I.

SECTION 1. The boundary of the Osage Nation shall be that described in the treaty of 1876 between the United States and the Great and Little Osages, except that portion purchased by the Kaws.

SEC. 2. The lands of the Osage Nation shall remain common property, until the National Council shall request an allotment of the same, but the improvements made thereon and in possession of the citizens of this Nation are the exclusive and indefeasible property of the citizens respectively who made or may rightfully be in possession of them. PROVIDED, That the citizen of this Nation

possessing exclusive and indefeasible right to their improvements, as expressed in this article, shall possess no right or power to dispose of their improvements, in any manner whatever, to the United States, individual States, or to individual citizens thereof; and that, whenever any citizen shall remove with his effects out of the limits of this Nation, and become a citizen of any other government, all his rights and privileges as a citizen of this Nation shall cease: PROVIDED, NEVERTHELESS, That the National Council shall have power to re-admit by law, to all the rights of citizenship any such persons who may at any time desire to return to the Nation, on memorializing the National Council for such re-admission.

Moreover, the National Council shall have power to adopt such laws and regulations as it may deem expedient and proper to prevent citizens from monopolizing improvements with the view of speculation.

ARTICLE II.

SECTION 1. The power of this government shall be divided into three distinct departments, the Legislative, the Executive, and the Judicial.

SEC. 2. No person or persons belonging to one of these departments shall exercise any of the powers properly belonging to either of the others, except in the cases hereinafter expressly directed or permitted.

ARTICLE III.

SECTION. 1. The legislative power shall be vested in a National Council, and the style of their acts shall be:—**BE IT ENACTED BY THE NATIONAL COUNCIL.**

SEC. 2. The National Council shall make provision, by law, for laying off the Osage Nation into five districts, and, if subsequently it should be deemed expedient, one or two may be added thereto.

SEC. 3. The National Council shall consist of three members from each district, to be chosen by the qualified electors in their respective district, for two years, the elections to be held in the respective districts every two years,

at such times and places as may be directed by law.

The National Council shall, after the present year, be held annually, to be convened on the first Monday in November, at such place as may be designated by the National Council, or, in case of emergency, by the Principal Chief.

SEC. 4. Before the districts shall be laid off, any election which may take place, shall be by general vote of the electors throughout the Nation, for all officers to be elected.

The first election for all officers of the government—Chiefs, Executive Council, members of the National Council, Judges and Sheriffs—shall be held at Pawhuska, before the rising of this council; and the term of service of all officers elected previous to the first Monday in November, 1882, shall be extended to embrace, in addition to the regular constitutional term, the time intervening from their election to the first Monday in November, 1882.

SEC. 5. No person shall be eligible to a seat in the National Council, but an Osage male citizen, who shall have attained to the age of twenty-five years.

SEC. 6. The members of the National Council shall in all cases, except those of felony or breach of the peace, be privileged from arrest, during their attendance at the National Council, in going to, and returning.

SEC. 7. In all elections by the people the electors shall vote *viva voce*. All male citizens, who shall have attained to the age of eighteen years, shall be equally entitled to vote at all public elections.

SEC. 8. The National Council shall judge of the qualifications and returns of its own members, determine the rules of its proceedings, punish a member for disorderly behavior, and with the concurrence of two-third, expel a member; but not a second time for the same offense.

SEC. 9. The National Council, when assembled, shall choose its own officers; a majority shall constitute a quorum to do business, but a smaller number may adjourn from

day to day and compel the attendance of absent members, in such manner, and under such penalty as the council may prescribe.

SEC. 10. The members of the National Council shall each receive a compensation for their services, which shall be one hundred dollars per annum: PROVIDED, That the same may be increased or diminished by law; but no alteration shall take effect during the period of services of the members of the National Council by whom such alteration may have been made.

SEC. 11. The National Council shall regulate by law, by whom, and in what manner, writs of elections shall be issued to fill the vacancies which may happen in the Council thereof.

SEC. 12. Each member of the National Council, before he takes his seat, shall take the following oath or affirmation:

“I, A. B., do solemnly swear (or affirm, as the case may be) that I have not obtained my election by bribery, treat, or any undue and unlawful means, used by myself, or others, by my desire or approbation for that purpose; that I consider myself constitutionally qualified as a member of—————, and that on all questions and measures which may come before me, I will so give my vote, and so conduct myself, as, in my judgment, shall appear most conducive to the interest and prosperity of this Nation, and that I will bear true faith and allegiance to the same, and to the utmost of my ability and power, observe, conform to, support, and defend the constitution thereof.”

SEC. 13. No person who may be convicted of felony shall be eligible to any office or appointment of honor, profit or trust, within this Nation.

SEC. 14. The National Council shall have power to make all laws and regulations which they shall deem necessary and proper for the good of the Nation, which shall not be contrary to this constitution.

SEC. 15. It shall be the duty of the National Council to pass such laws as may be necessary and proper to decide differences by arbitration, to be appointed by the parties who may choose that summary mode of adjustment.

SEC. 16. No power of suspending the laws of this Na-

tion shall be exercised, unless by the National Council or its authority.

SEC. 17. No retrospective law, nor any law impairing the obligations of contracts, shall be passed.

SEC. 18. The National Council shall have power to make laws for laying and collecting taxes for the purpose of raising a revenue.

SEC. 19. All acknowledged treaties shall be the supreme law of the land, and the National Council shall have the sole power of deciding on the constructions of all treaty stipulations.

SEC. 20. The Council shall have the sole power of impeaching. All impeachments shall be tried by the National Council, when sitting for that purpose; the members shall be upon oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the members present.

SEC. 21. The Principal Chief, Assistant Principal Chief, and all civil officers shall be liable to impeachment for misdemeanor in office; but judgment in such cases shall not extend further than removal from office, and disqualification to hold any office of honor, trust, or profit under the government of this Nation. The party, whether convicted or acquitted, shall, nevertheless, be liable to indictment, trial, judgment, and punishment according to law.

ARTICLE IV.

SECTION 1. The supreme executive power of this Nation shall be vested in a Principal Chief, who shall be styled "The Principal Chief of the Osage Nation." The Principal Chief shall hold his office for the term of two years, and shall be elected by the qualified electors on the same day; and at the place where they shall respectively vote for members to the National Council. The returns of the elections for Principal Chief shall be sealed up and directed to the President of the National Council, who shall open and publish them in the presence of the Coun-

cil assembled. The person having the highest number of votes shall be Principal Chief, but if two or more shall be equal and highest in votes, one of them shall be chosen by vote of the National Council; the manner of determining contested elections shall be directed by law.

SEC. 2. No person, except a natural born citizen, shall be eligible to the office of Principal Chief; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years.

SEC. 3. There shall also be chosen, at the same time, by the qualified electors, in the same manner, for two years, an Assistant Principal Chief, who shall have attained to the age of thirty-five years.

SEC. 4. In case of the removal of the Principal Chief from office, or of his death, or resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Assistant Principal Chief.

SEC. 5. The National Council may, by law, provide for the case of removal, death, resignation, or disability of both the Principal and Assistant Principal Chief, declaring what officer shall then act as Principal Chief until the disability be removed or a Principal Chief shall be elected.

SEC. 6. The Principal Chief and the Assistant Principal Chief shall, at stated times, receive for their services a compensation which shall neither be increased nor diminished during the period for which they shall have been elected, and they shall not receive within that period any other emolument from the Osage Nation or any other government.

SEC. 7. Before the Principal Chief enters on the execution of his office, he shall take the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the duties of Principal Chief of the Osage Nation, and will, to the best of my ability, preserve, protect, and defend the Constitution of the Osage Nation."

SEC. 8. He may, on extraordinary occasions, convene

the National Council at the seat of government.

SEC. 9. He shall, from time to time, give to the Council information of the state of the government, and recommend to their consideration, such measures as he may deem expedient.

SEC. 10. He shall take care that the laws be faithfully executed.

SEC. 11. It shall be his duty to visit the different districts at least once in two years, to inform himself of the general condition of the country.

SEC. 12. The Assistant Principal Chief shall by virtue of his office, aid and advise the Principal Chief in the administration of the government at all times during his continuance in office.

SEC. 13. Vacancies that may occur in offices, the appointment of which is vested in the National Council shall be filled by the Principal Chief during the recess of the National Council, by granting commissions, which shall expire at the end of the next session thereof.

SEC. 14. Every bill, which shall pass the National Council, shall, before it becomes a law, be presented to the Principal Chief; if he approves, he shall sign it, but if not, he shall return it with his objections to the Council, who shall enter the objections at large on their journals, and proceed to reconsider it.

If, after such consideration, two-thirds of the Council shall agree to pass the bill, it becomes a law, if any bill shall not be returned by the Principal Chief within five days (Sunday excepted) after the same has been presented to him, it shall become law, in like manner as if he had signed it; unless the National Council, by their adjournment, prevent its return, in which case it shall be a law, unless sent back within three days after their next meeting.

SEC. 15. Members of the National Council and all officers, executive and judicial, shall be bound by oath, to support the Constitution of their Nation; and to perform

the duties of their respective offices with fidelity.

SEC. 16. The Principal Chief shall, during the session of the National Council, attend at the seat of government.

SEC. 17. The Principal Chief shall recommend three persons, to be appointed by the National Council, whom the Principal Chief shall have full power at his discretion to assemble; he, together with the Assistant Principal Chief and the Counsellors, or a majority of them, may, from time to time, hold and keep a Council for ordering and directing the affairs of the Nation according to law.

SEC. 18. The members of the Executive Council shall be chosen for the term of two years.

SEC. 19. The Treasurer of the Osage Nation shall be chosen by the National Council for the term of two years.

SEC. 20. The Treasurer shall, before entering on the duties of his office, give bond to the Nation with sureties to the satisfaction of the National Council, for the faithful discharge of his trust.

SEC. 21. No money shall be drawn from the treasury, but by warrant from the Principal Chief, and in consequence of appropriations made by law.

SEC. 22. It shall be the duty of the Treasurer to receive all public moneys, and to make a regular statement and account of the receipts and expenditures of all public moneys at the annual session of the National Council.

SEC. 23. The "Fiscal Year" of the Osage Nation shall begin on the 1st day of October, and close on the 30th day of September of each year; and all books and accounts of the Treasurer, shall be kept, and duties of his office performed with regard to the beginning and ending of the fiscal year. The National Treasurer shall receive for his services ten (10) per cent. of all moneys that may pass through his hands as provided by law.

ARTICLE V.

SECTION 1. The judicial powers shall be vested in a supreme court, and such circuits and inferior courts as the National Council may, from time to time, ordain and es-

tablish.

SEC. 2. The judges of the Supreme and Circuit courts shall hold their commission for the term of two years, but any of them may be removed from office on the address of two-thirds of the National Council to the Principal Chief, for that purpose.

SEC. 3. The judges of the Supreme court and Circuit courts, shall at stated times receive a compensation which shall not be diminished during their continuance in office, but they shall receive no fees or perquisites of office, nor hold any other office of profit or trust under the government of this Nation or any other power.

SEC. 4. No person shall be appointed a judge of any of the courts, until he shall have attained the age of thirty years.

SEC. 5. The judges of the Supreme courts and Circuit courts shall be elected by the National Council.

SEC. 6. The judges of the Supreme courts and of the Circuit courts shall have complete criminal jurisdiction in such cases and in such manner as may be pointed out by law.

SEC. 7. No judge shall sit on trial of any cause when the parties are connected (with him) by affinity or consanguinity except by consent of the parties. In case all the judges of the Supreme court shall be interested in the issue of any court or related to all or either of the parties, the National Council may provide by law for the selection of a suitable number of persons of good character and knowledge for the determination thereof, and who shall be specially commissioned for the adjudication of such case by the Principal Chief.

SEC. 8. All writs and other process shall run "in the name of the Osage Nation" and bear test and be signed by the respective clerks.

SEC. 9. Indictments shall conclude against the peace and dignity of the Osage Nation.

SEC. 10. The supreme court shall, after the present year, hold its session three times a year, at the seat of government, to be convened on the first Monday in October, February and June of each year.

SEC. 11. In all criminal prosecutions the accused shall have the right of being heard; of demanding the nature of accusation; of meeting the witnesses face to face; of having compulsory process for obtaining witnesses in his or their favor, and in prosecutions by indictment or information a speedy public trial; nor shall the accused be compelled to give evidence against himself.

SEC. 12. All persons shall be bailable by sufficient securities, unless for capital offences when the proof is evident or presumption great.

ARTICLE VI.

SECTION 1. No person who denies the being of a God or a future state of reward and punishment, shall hold any office in the civil department in this Nation.

SEC. 2. When the National Council shall determine the expediency of appointing delegates, or other public agents for the purpose of transacting business with the Government of the United States, the Principal Chief shall recommend, and by the advice and consent of the National Council appoint and commission such delegates or public agents accordingly on all matters of interest touching the rights of the citizens of this Nation which may require the attention of the United States Government.

SEC. 3. All commissions shall be in the name and by the authority of the Osage Nation, and signed by the Principal Chief. The Principal Chief shall make use of his private seal until a national one shall be provided.

SEC. 4. A sheriff shall be elected in each district by the qualified electors thereof, who shall hold his office two years unless sooner removed. Should a vacancy occur subsequent to election, it shall be filled by the Principal Chief as in other cases, and the person so appointed shall

continue in office until the next regular election.

SEC. 5. The appointment of all officers not otherwise directed by this constitution shall be elected by the National Council.

SEC. 6. The National Council may propose such amendments to this Constitution as two-thirds of the Council may deem expedient, and the Principal Chief shall issue a proclamation directing all officers of the several districts to promulgate the same as extensively as possible within their respective districts at least six months previous to the next general election, and if at the first session of Council after such general election, two-thirds of the Council shall by ayes and noes ratify such proposed amendments, they shall be valid to all extent and purposes as part of this constitution, PROVIDED, That such proposed amendments shall be read on three several days in Council, as well as when the same are proposed as when they are ratified.

Done in convention at Pawhuska, Osage Nation, this thirty-first day of December, A. D., 1881.

JAMES BIGHEART

President of the National Convention.

Ne-kah-ke-pon-ah.

Wah-ti-an-kah.

Saucy Chief.

Tah-wah-che-he.

William Penn.

Clamore.

Two-giver.

Tall Chief.

Sa-pah-ke-ah.

Black Dog.

Thomas Big-chief.

Ne-kah-wah-she-ton-kah.

Joseph Pawnee-no-pah-she.

White Hair.
Cyprian Tayrian.

PAUL AKIN,

Interpreter.

E. M. MATTHEWS,

Secretary.

ARTICLE I.

An Act relating to the Judiciary.

(1) SECTION 1. That the seat of the Osage Government is hereby established at Pawhuska.

(2) SEC. 2. The court established under the Government of this Nation, shall have jurisdiction of all suits rising under the constitution and laws of the Osage Nation.

(3) SEC. 3. There shall be established a Supreme Court which shall consist of one Chief Justice and two Associate Judges, who shall decide all civil cases

(4) SEC. 4. It shall be the duty of the three judges to choose two persons of good character and knowledge, who shall, in conjunction with them, constitute a court for the purpose of hearing and deciding all criminal cases. The compensation of persons chosen shall be one dollar and fifty cents per day while in actual service.

(5) SEC. 5. No citizen of the Osage Nation who may be employed by the United States Government, as police, shall be chosen to sit as judge in the court of the Osage Nation.

(6) SEC. 6. The commencement of all suits shall be by summons obtained from the clerk of the court, and which summons shall state the nature of the case upon which proceedings are founded, and be served by some lawful officer at least twenty days before the holding of said court, and such summons shall be returnable to the clerk with a certificate of service, and the court shall give judgment as the right of the cause, and the matter in law, shall appear under them without regarding any imperfection, defect or want of form in such summons or process.

ARTICLE II.

An Act relating to Estates and Administrators.

(7) SECTION. 1. All written or verbal wills of deceased persons, when proved to the satisfaction of one of the judges of the court, shall be valid, and if by such will, any person or persons are designated to manage the business of any estate so left, such person shall receive from one of the judges of the court a written appointment for that purpose, and be required to enter into bond with sufficient security, for the faithful management of such business, in accordance with the provisions of said will, and for the careful preservation of all property and effects so left, all such wills shall be registered by the clerk of the court. All persons so appointed shall furnish, on oath, a schedule and description of all property and effects belonging to such estate, and which shall likewise be registered by the said clerk.

(8) SEC. 2. Executors of wills and administrators on estate of deceased persons shall report annually to the judges of the court at the June term of the Supreme Court, the condition of, and all that may have been done by them in reference to the business, property and effects of such estate, as such persons may have in charge.

(9) SEC. 3. Executors of wills and administrators shall be entitled to a compensation of eight per cent. upon the amount of property and effects belonging to an estate, for their services, which shall be appraised by two or more persons to be appointed by the Chief Justice under oath.

(10) SEC. 4. When a person dies without having made a will, one of the judges shall grant letters of administration to some competent and responsible person, to be selected from among the relatives of the deceased, if the

safety of such property as may be left seems to warrant, and who shall be required to enter into bond, as provided above. And the property and effects shall belong equally to the children; the widow, also, of such deceased person shall be entitled to an equal share with the children, to be apportioned to her whenever she requires it, and the settlement of the business will safely permit, and the residue to the children as they become of age, to-wit: males at eighteen years, and females at fifteen years, and in case such widow shall again marry and hold her property separately from her husband, and shall die without issue from her second marriage, such property shall be divided among the aforesaid children, and in all cases where the wife dies holding property as above, and has children, and the husband survives, such property shall likewise be equally apportioned among the children and the husband; and if such husband should again marry and die without issue from such second marriage, his property shall be divided equally among his children. Any administrator, who may have charge of an estate, shall settle all just debts due out of its effects, and collect all outstanding claims in its favor. He shall cause public notice to be given, by written advertisements, for all persons having demands against such estate to bring them forward for settlement within twelve months, otherwise they shall be void and not recoverable by law.

ARTICLE III.

Attorneys.

(11) SEC. 1. Before any person shall be allowed to appear before the court of this Nation for the purpose of practicing at law, he shall obtain a license from the clerk thereof, and pay in advance annually the sum of five dollars to practice before the court, and be required to take an

oath that he will to the best of his knowledge and ability support and defend all cases that may be entrusted to his care.

(12) SEC. 2. Any person engaged in the practice of law agreeable to the provisions of this act, who shall be convicted before the court of bribing or otherwise influencing any person to keep them from appearing at court, or proving unfaithful to their duties and oaths, shall be subject to a fine of twenty-five dollars, and the revocation of their license. All fines collected under the provision of this act shall be paid into the treasury.

ARTICLE IV.

An Act relating to Crimes and Punishments.

(13) SECTION 1. That in all cases of willful murder, the offender, upon trial and conviction by the authorized court of this Nation, shall suffer death, and when sentence of death shall have been passed, the court shall grant a respite of five days before such criminal shall be executed.

(14) SEC. 2. If any person shall, with a dangerous weapon, or with intent to kill, rob, steal or to commit a mayhem or rape, or to perpetrate any other felony, commit an assault on another, such person shall, on conviction thereof, be deemed guilty of a felony and punished by a fine not exceeding one thousand (\$1,000) dollars and be imprisoned in the Osage National prison, not less than one (1) year, nor more than five (5) years, according to the aggravation of the offense.

(15) SEC. 3. Every person who shall aid or abet any person, in violating the provisions of the preceding section, his or her councellers, aiders and abettors, shall be deemed guilty of felony; and shall, upon conviction thereof, be punished by a fine not exceeding one thousand (\$1,000) dollars and imprisonment in the Osage National prison

not less than one (1) year, nor more than five (5) years, according to the aggravation of the offense.

(16) SEC. 4. Any person who shall unlawfully assault, or beat, or wound another, under such circumstances as not to constitute any other offense hereinbefore defined, shall upon conviction thereof, be deemed guilty of a misdemeanor and fined in a sum not exceeding five hundred (\$500), or by imprisonment not exceeding one (1) year.

(17) SEC. 5. Every person who shall felonously steal, take and carry, lead or drive away the personal goods or property of another, of the value of twenty (\$20) dollars or upwards, shall be deemed guilty of grand larceny, and upon conviction be fined not exceeding double the value of goods stolen, and be imprisoned in the Osage National prison not less than three (3) months, nor more than five (5) years, and be disfranchised and rendered incapable of holding any office of trust or profit for any determinate period.

(18) SEC. 6. Every person who shall steal, take and carry, lead or drive away any personal property or goods of another, of the value of any sum not exceeding twelve (12) dollars, shall be deemed guilty of petty larceny, and upon being convicted, shall be fined not less than twenty-five (25) dollars, nor more than one hundred (\$100) dollars, and be imprisoned not less than one (1) year, nor more than twelve (12) months, and rendered incapable of holding any office for any determinate period: PROVIDED HOWEVER, That any person, shall, on a second conviction of petty larceny, suffer the punishment prescribed for grand larceny.

(19) SEC. 7. Any person who shall willfully and knowingly destroy or attempt to destroy, or with intent to steal or destroy, shall take and carry away any record, paper or proceeding of a court of justice, filed or deposited with any clerk or officer of such court, or any paper or document or record filed or deposited in any public office, or with any judicial or public officer, shall without refer-

ence to the value of the record, paper, document or proceeding, so taken, be deemed guilty of a felony, and on conviction thereof, shall pay a fine not exceeding two thousand (\$2,000) dollars, or suffer imprisonment not exceeding two (2) years, or both, as the court in its discretion shall adjudge.

(20) SEC. 8. Any officer having the custody of any record, document, paper or proceeding, specified in the last preceding section of this act, who shall fraudulently take away or withdraw or destroy any record, document, paper or proceeding filed in his office, or deposited with him or in his custody, shall be deemed guilty of felony, and on conviction thereof, shall pay a fine not exceeding two thousand (\$2,000) dollars, or suffer imprisonment not exceeding two (2) years, or both, as the court in its discretion shall adjudge; and shall forfeit his office and be forever afterwards disqualified from holding any office.

(21) SEC. 9. Any person who shall purchase, receive, harbor or help in the harboring of any stolen article or property, knowing the same to have been stolen, shall, upon being found guilty thereof, suffer the punishment prescribed in case of larceny.

(22) SEC. 10. If any person shall willfully and maliciously break or enter into any public building belonging to the Osage Nation, or to any town or district thereof, or to any corporation, association or society, or into any church, dwelling house, meeting house, smoke house or into any other house or outhouse with intent to steal or commit any other felony whatever, shall be deemed guilty of burglary, and upon conviction be imprisoned in the Osage National prison not less than one (1) year, nor more than five (5) years, at the discretion of the court.

(23) SEC. 11. If any person being armed with an offensive weapon or instrument, shall, by intimidation, force or violence, take the personal property of another in his presence or from his person, shall be deemed guilty of robbery, and shall be imprisoned and kept at hard labor

not exceeding five (5) years, nor less than one (1) year.

(24) SEC. 12. Every person who shall falsely make or assist to make, deface or destroy, alter, forge or counterfeit or cause to be falsely made, defaced, destroyed, altered, forged or counterfeited any record, deed, will, obligatory bill of exchange, promissary note, receipt for the payment of money or property, power of attorney, certificate of judge or other public officer, council order, acceptance or indorsement of any bill of exchange, promissory note, draft order or assignment of any bond writing or obligatory or promissory note for money or property, or any other instrument in writing, or any person who shall utter or publish as true, any such instrument, knowing the same to be false, defaced, altered, forged and counterfeited with intent to defraud any person, body politic or corporate, shall be deemed guilty of forgery, and upon conviction, shall be imprisoned in the Osage National prison not less than six (6) months nor more than five (5) years.

(25) SEC. 13. Any high sheriff, clerk of the supreme court, treasurer, or any officer or agent of the Osage Nation, or any sheriff, clerk of a court, treasurer, or any officer of any district or township, or any constable, or marshal, or justice of the peace, or other officer of any incorporated town or city, who fraudulently fails or refuses, at the expiration of the term for which he was elected or appointed, or at any time during such term when legally required, by the proper person or authority, to account for and pay over to such person or persons as may be lawfully entitled to receive the same, all moneys which may have come into his hands by virtue of his said office, shall, upon conviction, be imprisoned in the Osage National prison not less than one (1) year, nor more than five (5) years, and be fined not exceeding one thousand (\$1,000) dollars, and rendered incapable of holding any office of trust or profit.

(26) SEC. 14. It shall be the duty of each sheriff, clerk and treasurer of the Osage Nation, or of the several

districts of the Osage Nation, or of any township, incorporated town or city, and all other officers and agents receiving money in their official capacity, at the expiration of his term of office, to pay over to his successor in office all moneys to whomsoever due: of every description remaining in his hands at the expiration of such term and take the receipt of such successor and therefore, on his official bond, as if the same had been originally collected by him, and any clerk, sheriff, treasurer, or other officer or agent so failing to pay over any moneys to parties entitled to receive the same when called on to do so, shall be deemed guilty of embezzlement, and fined not exceeding one thousand (\$1,000) dollars, and be imprisoned in the Osage National prison not less than one (1) year, nor more than five (5) years.

(27) SEC. 15. Every president, director, cashier, secretary, treasurer, teller, clerk, book-keeper, agent or other employee of any bank, banking company, corporation or association, and every president, director, secretary, cashier, treasurer, conductor, book-keeper, clerk, agent or other employee of any company, corporation or association or of any merchant trader or person or persons engaged in any business whatever, who, while in such employment as aforesaid, shall purloin, secrete, or in any way whatever fraudulently appropriate to his or her use or the use of others any of the moneys, coins, bills, notes, credits, choses in action, or other property or article of value belonging to or deposited with any such bank, banking company, corporation, association or other company to any such, merchant, trader, manufacturer, person or persons engaged in business aforesaid, in whose employment he or she may be, shall be deemed guilty of embezzlement, and upon conviction, shall be imprisoned in the Osage National prison not less than one (1) year, nor more than five (5) years, and fined not exceeding one thousand (\$1,000) dollars.

This statute is intended only to punish acts that are not punishable by the statute concerning larceny

(28) SEC. 16. Any member of the Osage National Council, any Judge or Justice of the Osage Nation, or any person acting for or on behalf of the Osage Nation in any capacity under or by virtue of the authority of any branch or office of the government thereof, or any officer or person acting for or on behalf of the Osage National Council or of any committee thereof, either before or after he has been qualified or has taken his seat as such member, judge, officer or person who asks, accepts or receives any money or any promise, contract or undertaking, obligation, gratuity or security for the payment of money, or for the delivery or conveyance of anything of value, with intent to have his vote, decision or action on any question, matter or proceeding, which may at any time be pending or which may by law be brought before him in his official capacity, or in his place of trust or profit, influenced thereby, shall be punished by a fine not exceeding three times the amount asked, accepted or received, or by imprisonment in the Osage National prison not more than three (3) years.

(29) SEC. 17. Every person who promises, offers, gives or causes or procures to be promised, offered or given any money, or other thing of value, or makes or tenders any contract, undertaking, obligation, gratuity or security for the payment or for the delivery or conveyance of anything of value to any member of the Osage National Council or to any Judge or Justice of the Osage Nation in any official capacity, or to any person acting for or on behalf of the Osage Nation in any official capacity, either before or after such member, judge, justice, officer or person has been qualified or has taken his seat, with intent to influence his vote, decision opinion or action on any question, matter, cause or proceeding, which may at any time be pending, or which may by law be brought before such member, judge, justice, officer or person in his official capacity, shall be fined not more than three (3) times the amount of money or value of the thing so offered, made,

given or tendered or caused or procured to be so offered, promised, given, made or tendered, and shall be moreover imprisoned not more than three(3) years.

(30) SEC. 18. Every person who corruptly or by threats or force, endeavors to influence, intimidate or impede any witness or official in any court of the Osage Nation in the discharge of his duty, or corruptly or by threats or force, obstruct or impedes the due administration of justice therein, shall be punished by a fine of not more than five hundred (\$500) dollars, or by imprisonment of not more than six (6) months, or both.

(31) SEC. 19. Every member, judge, justice, officer or person convicted under the provisions of the two (2) preceding sections, who holds any place of trust or profit, shall forfeit his office or place; and shall thereafter be forever disqualified from holding any office of honor, trust or profit under the Osage Nation.

(32) SEC. 20. Every person who having taken an oath, before a competent tribunal, officer or person in any case in which the law of the Osage Nation authorized an oath to be administered that he will testify, declare, depose or certify truly or that any written testimony, declaration, deposition or certificate by him subscribed is true, willfully and contrary to such oaths states or subscribes any material matter, which he does not believe to be true, is guilty of perjury and shall be punished by a fine of not more than one thousand (\$1,000) dollars, and by imprisonment at hard labor not more than three (3) years, and shall moreover hereafter be incapable of giving testimony in any court of the Osage Nation until such time as the judgement against him is reversed.

(33) SEC. 21. Every person who procures another to commit any perjury is guilty of subornation of perjury, and punishable as in the preceding section prescribed.

(34) SEC. 22. Any person who shall willfully and maliciously burn or set fire to any dwelling house, out-house, church, meeting house, school house, ware house,

smoke house, shop, office, barn, stable, shed or crib; or to any cord-wood in piles or ricks, or stacks or shocks of hay, grain or straw or growing grain, or to any building or structure, whether finished or unfinished, or to any wares, merchandise or goods. or to any property to the value of twenty (20) dollars or more. whether such person be the owner of the property or not, such person so offending shall be deemed guilty of arson, and, upon conviction shall be punished by a fine not exceeding twice the value of the property destroyed, and imprisoned in the Osage National prison not less than two (2) years, nor more than five (5) years.

(35) SEC. 23. If any person shall ravish or carnally know any female of the age of twelve (12) years or more by force and against her will, or who being of the age of fifteen (15) years and upwards, shall unlawfully and carnally know and abuse any female child under the age of twelve (12) years with or without her consent, such person shall be deemed guilty of rape, and upon conviction shall be imprisoned in the Osage National prison not less than five (5) years.

(36) SEC. 24 If any person shall have carnal knowledge of a female without her consent, by force or by administering to her any substance or liquid which shall produce such stupor or such imbecility of the mind or weakness of body as to deprive her of her natural power of resistance, shall be deemed guilty of a felony, and upon conviction, shall be imprisoned in the Osage National prison not less than five (5) years.

(37) SEC. 25. Every person who shall live in a state of open and notorious adultery, and every man and woman (one or both of whom are married and not to each other) who shall lewdly and lasciviously abide and cohabit with each other, and every person married or unmarried, who shall be guilty of open, gross lewdness or lascivious behavior, or of any open and notorious act of public indecency, grossly scandalous, shall on conviction, be adjudged

guilty of a misdemeanor, and be punished by imprisonment in a National prison not exceeding six (6) months, or by a fine not exceeding five hundred (\$500) dollars, or by both such fine and imprisonment.

(38) SEC. 26. If any person having a living husband or wife, shall marry again, no legal presumption of death having arisen, such person so offending shall be deemed guilty of bigamy and upon conviction thereof, shall be imprisoned in the National prison not less than one (1) year, nor exceeding three (3) years.

(39) SEC. 27. Every person who shall live in open and notorious fornication or adultery, shall be fined in any sum not exceeding five hundred (\$500) dollars, and imprisonment not exceeding six (6) months.

(40) SEC. 28. If any step-father shall have sexual intercourse with his step-daughter, knowing her to be such, or if any step-mother and her step-son shall have sexual intercourse together, knowing of their relationship, or if any parent shall have sexual intercourse with his or her child, knowing him or her to be such, or if any brother and sister, being of the age of fourteen (14) years and upwards, shall have sexual intercourse together, knowing of their consanguinity, the person so offending shall be deemed guilty of incest, and on conviction be imprisoned in the National prison not less than one (1) year, nor more than five (5) years.

(41) SEC. 29. If any person; under promise of marriage, have unlawful, carnal intercourse with any female under twenty-one (21) years of age of good and virtuous repute, he shall be deemed guilty of seduction, and be imprisoned in the National prison not less than six (6) months, nor more than two (2) years, and fined not less than one hundred (\$100) dollars, nor more than five hundred (\$500) dollars.

(42) SEC. 30. That any physician or other person, who shall willfully administer to any pregnant woman any medicine, drug, substance or thing whatever, or shall use

any instrument or any means whatever, with intent to procure thereby the miscarriage of any such woman, unless the same shall have been necessary to preserve the life of such woman, or shall have been advised by two (2) physicians to be necessary for that purpose, shall, upon conviction, be punished by imprisonment not more than one (1) year, or by a fine not exceeding five hundred (\$500) dollars, or by both such imprisonment and fine.

(43) SEC. 31. That any physician or other person who shall administer to any woman pregnant with a quick child, any medicine, drug or substance whatever, or shall use or employ any instrument or other means, with intent thereby to destroy such child, unless, the same shall have been necessary to preserve the life of such woman or shall have been advised by two (2) physicians to be necessary for such purpose, shall, in case of the death of such child or woman in consequence thereof, be deemed guilty of a high misdemeanor, and upon conviction shall be imprisoned in the Osage National prison not less than one (1) year, nor more than seven (7) years.

(44) SEC. 32. Every woman who shall procure any medicine, drug or substance, or thing whatever, and shall take the same, with the intent thereby to procure a miscarriage shall be deemed guilty of a misdemeanor, and shall upon conviction thereof, be punished by imprisonment not less than three (3) months, nor more than one (1) year, or by a fine not exceeding five hundred (\$500) dollars or both.

(45) SEC. 33. If any male person fifteen (15) years of age and upwards, shall have carnal knowledge of any person other than his wife, such woman being insane, he knowing her to be such, shall be deemed guilty of a felony, and upon conviction thereof, be imprisoned in the Osage National prison not less than three (3) years, nor more than ten (10) years.

APPROVED NOVEMBER 27TH, 1890.

(46) SEC. 34. BE IT ENACTED BY THE NATIONAL COUN-

CIL OF THE OSAGE NATION: That every person a citizen of the Osage Nation, who shall take away any female child, a citizen of the Osage Nation, under the age of sixteen years, from her father, mother, guardian or other person having legal charge of her person, either for the purpose of prostitution, concubinage or marriage, shall upon conviction thereof, be punished by imprisonment not exceeding three (3) years, or by a fine not exceeding one thousand (\$1,000) dollars, or both.

APPROVED NOVEMBER 21ST, 1890.

(47) SEC. 35. Every person who shall take any woman unlawfully, against her will, and by force, menace or duress, compel her to marry him, or to marry any other person, or to be defiled and shall be duly convicted thereof shall be punished by imprisonment in the Osage National prison not less than six (6) years.

(48) SEC. 36. Every person who shall take any woman unlawfully, against her will, with the intent to compel her by force, menace or duress, to marry him, or to marry any other person, or to be defiled, shall upon conviction thereof, be punished by imprisonment in the Osage National prison not less than five (5) years.

(49) SEC. 37. Every person who shall be an accessory after the fact to any kidnapping or confinement hereinbefore prohibited, shall, upon conviction thereof be punished by imprisonment in the Osage National prison not exceeding five (5) years, or by fine of not more than five hundred (\$500) dollars, or by both such fine and imprisonment.

(50) SEC. 38. If the father or mother of any child under the age of eight (8) years, or any other person to whom such child shall have been confided, shall expose such child to any highway, street, field, house or outhouse with intent to abandon it, he or she shall upon conviction be punished by imprisonment, not exceeding five (5) years.

(51) SEC. 39. Every person who shall enveigle,

entice, or take away any unmarried female of previously chaste character, under the age of twenty-five (25) years, from her father's house or wherever else she may be, for the purpose of prostitution at a house of ill-fame, assignation, or elsewhere, and every person who shall aid or assist in such abduction for such purpose shall, upon conviction, be punished by imprisonment not exceeding two (2) years: PROVIDED, that no conviction shall be had under the provisions of this act on the testimony of the female inveigled or enticed away, unsupported by other evidence, nor unless an indictment shall be found within one (1) year after the commission of the offense.

(52) SEC. 40. Any woman who shall endeavor privately either by herself or the procurement of others, to conceal the death of any issue of her body, which if born alive, would be by law a bastard, whether it was born dead or alive, or whether it was murdered or not, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by imprisonment not exceeding one (1) year.

(53) SEC. 41. Any person who shall by force of arms, attempt to subvert the government of the Osage Nation, or who shall in like manner resist the enforcement of its laws, and every person, who shall, contrary to the will and consent of the National Council, enter into a treaty with any other government or with any department or officers thereof, and agree to cede, sell, exchange or dispose of in any manner the lands belonging to the Osage Nation, or any part or portion thereof, shall be deemed guilty of treason, and on conviction thereof, shall be imprisoned in the National prison, not less than five (5) years nor exceeding twenty (20) years.

(54) SEC. 42. Every person who shall without the authority of the National Council, enter into and make a treaty with any government, or with any department or officer thereof, for any purpose other than the cession of lands, shall be deemed guilty of treason, and on conviction

thereof, shall be imprisoned not less than two (2) years nor more than ten (10) years.

(55) SEC. 43. Every person who shall conspire to subvert the government of this Nation, or shall combine to resist the enforcement of the laws thereof, shall be deemed guilty of a felony, and on conviction, be imprisoned not less than two (2) years nor more than five (5) years.

(56) SEC. 44. No treaty or contract shall be binding upon the Osage Nation, which shall not be ratified by the Osage National Council, and approved by the Principal Chief.

APPROVED NOVEMBER 27TH, 1890.

(57) SEC. 45. If any citizen shall fraudulently or maliciously tear, burn, or in any other way destroy any deed, lease, will, bond or any bill or note, check, draft or other security for the payment of money, or the delivery of goods or any certificate of loan or other public security of this commonwealth, or of the Osage Nation, or either of them, or any certificate of the stock or debt of any bank, corporation or society either of this commonwealth or the Osage Nation, or either of them, or of any foreign country, or any receipt acquittance, release or discharge, of any debt, suit or other demand, or any transfer or assurance of money, stock, goods, chattels, or other property or any letter of attorney or other power, or any day book or other book of accounts, or any agreement or contract whatever with intent to defraud, perjure or injure any person, bank, body, corporate society or association, the person so offending shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding four hundred dollars, and to undergo an imprisonment not exceeding two (2) years, or either or both, at the discretion of the court.

(58) SEC. 46. Any person who shall remove any of his property out of this country, with intent to prevent the same from being levied upon by any execution, or who

shall secrete, assign, convey or otherwise dispose of any of his property, with intent to defraud any creditor, or to prevent such property being made liable for the payments of his debts or any person who shall receive such property with such intent to assist or aid any debtor in the concealment of any part of his estate or effects, or the giving of false color thereto, or shall conceal any grant, lease, sale, bond or other instrument or obligation either in writing or by parole, or shall become a grantee, purchaser, lessee, or other like party in any such instrument or obligation, with like fraudulent intent or shall act as broker, agent or witness in regard to such instrument or proceeding, with the like intent, such person or persons, on conviction thereof, shall be guilty of a misdemeanor and be sentenced to pay a fine not exceeding four hundred (\$400) dollars, and undergo an imprisonment not exceeding one (1) year.

(59) SEC. 47. That if any person shall intentionally (except in the month of May, June and July) set on fire or shall be the cause of setting on fire any public range, prairies, or other grounds, within the limits of the Osage Nation other than his own, or shall willfully permit fire to pass from his own prairie or grounds to the injury of another person or persons, every person so offending shall, on conviction thereof for every such offense, be fined in a sum not exceeding one hundred (\$100) dollars, at the discretion of the court, and stand committed until the sentence of the court has been complied with and shall be liable to an action by the party injured for the damages which he or she or they, may have sustained in effect of such fire.

(60) SEC. 48. If any person or persons shall willfully and maliciously administer poison* of any sort whatever to any horse, mare, foal, filly, jack, mule, ass, sheep, goat, cow, ox, steer, bull, heifer, dog or swine, the property of another, with intent to injure or destroy any such animals as aforesaid, the person or persons so offending shall be guilty of a misdemeanor and upon conviction thereof, be

fined the sum of one hundred (\$100) dollars or imprisoned and fed on bread and water only, for a period not exceeding thirty (30) days, at the discretion of the court.

(61) SEC. 49. BE IT ENACTED BY THE NATIONAL COUNCIL, That every person who shall willfully annoy by word or deed, or in any manner disturb any school, religious, political or social public meeting, lawfully assembled, shall be deemed guilty of a misdemeanor, and upon conviction, be fined not less than twenty-five (25) dollars nor exceeding one hundred (100) dollars, and in default of payment of such fine, be imprisoned not less than thirty (30) days nor more than ninety (90) days, PROVIDED, if the offender be at the time in a state of intoxication or be armed with a dangerous weapon, he shall be imprisoned not less than six (6) months or more than one (1) year, at the discretion of the court, PROVIDED FURTHER, that the members of every religious, political and social public meeting when lawfully assembled, be authorized to adopt such measures for the peace and harmony of their meetings by the suppression of the sale and in the indulgence in the use of intoxicating drinks, and for the preservation of the peace, as may seem to them most proper and best suited to that purpose, and said assembly or the individual members thereof shall not be responsible for any damages suffered by persons in the exercise of the right herein granted.

(62) SEC. 50. Every person who shall, during the holding of any camp or field meeting for religious purposes, and within one mile of the place of holding such meeting, peddle or sell any goods, wares or merchandise, provisions or refreshments without permission of the persons having charge of such meeting, or shall practice or engage in any kind of gambling, or horse racing, or exhibit any show or play, shall be deemed guilty of a misdemeanor, and upon conviction, be fined not less than twenty-five (25) dollars nor exceeding one hundred (\$100) dollars, and in default of payment, be imprisoned not less

than ten (10) days nor exceeding thirty (30) days, PROVIDED, that any person having his regular and usual place of business within, such limits, shall not be required to suspend his business.

(63) SEC. 51. Any person who shall falsely charge or wantonly or maliciously speak, write, print, disseminate or otherwise give publicity to any word, matter or thing for the purpose of injuring the family or friends of such person, shall upon conviction thereof before the Supreme Court of the Osage Nation, be deemed guilty of willful and malicious slander, and suffer punishment by fine in any sum not exceeding one hundred (\$100) dollars, for the benefit of the person injured, or by imprisonment for any term not exceeding one (1) year, or by both fine and imprisonment at the discretion of the court.

(64) SEC. 52. The repetition or utterance of any charge or accusation, whereof the person accused has been tried and honorably acquitted by any legal tribunal of this Nation, may be deemed libelous or not, according to the term and circumstances attending such utterance.

(65) SEC. 53. The seventh portion of time, beginning and ending with Sunday, the first day of the week shall be a day of rest within the limits of the Osage Nation, and every merchant and mechanic, artist or other person who shall keep open his store, warehouse, shop, workhouse or any other place of business, or shall engage on Sunday in any manner of work, labor or business, except, only works of necessity and charity, shall be deemed guilty of a misdemeanor, and upon conviction thereof, before the Supreme Court, be fined in any sum not exceeding fifty (50) dollars, for each and every offense at the discretion of the court.

(66) SEC. 54. One half ($\frac{1}{2}$) of all fines collected under this act shall be paid into the National Treasury of the Osage Nation, and the other half to be paid to the prosecuting attorney and sheriff, prosecuting and collect-

ing the same equally; PROVIDED, that the keeping of apothecary and the preparation and sale of medicine on Sundays for immediate use, shall not be deemed a violation of the provisions of this act.

(67) SEC. 55. Every person who shall willfully and knowingly mark or brand any animal, the property of another, with a mark or brand, not that of the owner without the consent of the owner, or authority of law; or shall knowingly alter or deface the mark or brand of any animal, the property of another, without his consent, shall be deemed guilty of a felony, and upon conviction be imprisoned not less than one (1) year, nor exceeding three (3) years: PROVIDED, any person found a second time guilty of a violation of the provisions of this section, shall be imprisoned not less than three (3) years nor more than seven (7) years.

(68) SEC. 56. If any person shall knowingly or willfully abstract, resist or oppose any officer of the Osage Nation in serving or attempting to serve or execute any legal process or warrant, or any rule or order of any of the courts of the Osage Nation, or any legal or judicial writ or process whatsoever, or shall assault, beat or wound any officer or other person duly authorized in serving or executing any writ, rule, order, process or warrant aforesaid, such person shall, on conviction, be imprisoned not more than twelve (12) months and fined not exceeding three hundred (\$300) dollars.

(69) SEC. 57. That whenever any citizen of the Osage Nation, is found in a state of drunkenness, and it shall be the duty of the officers of the nation to bring such person before the Supreme Judge to answer for said charge and if it be proven that he has been drunk, it shall be the duty of the Supreme Judge to impose a fine on him of not less than ten (\$10) dollars nor more than twenty-five (\$25) dollars for each and every offense, and in default of said payment, such person be made to serve his time in the National prison at one (1) dollar per day.

or be put to work on public work at one dollar and fifty cents (\$1.50) per day.

(70) SEC. 58. That all fines collected under the provision of this act shall be turned over to the Clerk of the Court, and by him paid into the National Treasury.

(71) SEC. 59. All laws and parts of laws conflicting with the above act are hereby repealed.

(72) SEC. 60. That any person or persons who shall be found guilty of selling or stealing timber in the Osage Nation shall be fined not less than two hundred and fifty (\$250) dollars, nor more than five hundred (\$500) dollars, and not less than six (6) months, nor more than one (1) year's imprisonment in the National prison. Any part or parts of laws conflicting with this act, are hereby repealed.

APPROVED MARCH 25TH, 1891.

(73) SEC. 61. If any person shall maliciously or without probable cause, attempt to cause an indictment to be instituted for any crime or misdemeanor, against any person; or, if two (2) or more persons shall conspire together for such purpose, the person so sought to be indicted or prosecuted being innocent, such person or persons so offending shall be fined not exceeding one thousand dollars (\$1,000) and imprisonment not exceeding six (6) months.

ARTICLE V.

An Act relating to Claims.

BE IT ENACTED BY THE NATIONAL COUNCIL:

(74) SECTION 1. That any citizen of the Osage Nation wishing to make a claim on the public domain must make fifty dollars (\$50.00) worth of improvements thereon to make such claim lawful.

(75) SEC. 2. That four (4) pole claims or a few furrows of land broken, will not hold a claim longer than

thirty (30) days.

(76) SEC. 3. That it will be unlawful for any citizen to open up a tract of land for farming purposes, to exceed One hundred sixty (160) acres, in any pasture, nor they will not be permitted to fence pastures, in any lease already leased, by the Council, under the penalty of forfeiting such improvements to the use of former leasee. No citizen taking a farm of One hundred sixty (160) acres, will be allowed to fence any of the water in said lease.

APPROVED APRIL 5TH, 1892.

(77) SEC. 4. That wherever any citizen of the Osage Nation is found with having more pasture land fenced than the law allows them, it shall be the duty of the sheriffs of the Osage Nation to give such citizen fifteen (15) days to take down said fence; and if in that time, he shall fail to comply with said order, it shall be the duty of the sheriffs to cut down said fence.

(78) SEC. 5. That each family citizen of the Osage Nation is entitled to fence in one mile square (640 acres) for grazing purposes, and that not more than three families be allowed to fence together.

All acts conflicting with the foregoing are hereby repealed.

ARTICLE VI.

An Act regulating Inclosures.

BE IT ENACTED BY THE OSAGE NATIONAL COUNCIL:

(79) SECTION 1. All fields and inclosures shall be inclosed with a fence, composed of posts and rails, posts and pailings, posts and planks or palisades, rails alone, laid up in the manner commonly called a worm fence or a hedge composed either of thorn or Osage orange.

(80) SEC. 2. All such fences composed of posts and

rails, posts and pailings, posts and planks or palisades, shall be at least four (4) feet high, the lower rail shall not be more than four (4) inches from the ground, and what is commonly called a worm fence, shall be at least five (5) feet to the top rail, and the corners shall be locked with strong rails, poles or stakes, and a fence composed of hedge shall be of such height and thickness as will be sufficient to protect such field or inclosure.

(81) SEC. 3. If any horse, cattle or other stock shall break into any inclosure, the fence being of the height and sufficiency aforesaid, the owner of such animal shall make reparation to the party injured, for the true value of the damages he shall sustain; and be allowed to take into possession, the animals so trespassing and be entitled to keep the same until damages, with reasonable charges for keeping and feeding and all costs of suit be paid, to be recovered before the court having jurisdiction thereof.

(82) SEC. 4. If any person, damaged in his crops for want of sufficient fence, shall hurt, wound, kill, lame or destroy, or cause the same to be done by shooting, worrying with dogs or otherwise, any of the animals mentioned in this act, such person shall satisfy the owner of such animal or animals, in damages with costs.

(83) SEC. 5. That all fences composed of posts and wires shall be at least four (4) feet high.. The posts shall be of the ordinary size for fencing purposes, and set in the ground two (2) feet deep, and not over eight (8) feet apart, the lower wire shall not be more than four (4) inches from the ground, and the top wire shall be at least four (4) feet from the ground.

ARTICLE VII

An Act relating to the Officers of the Osage Nation.

BE IT ENACTED BY THE NATIONAL COUNCIL:

(84) SECTION 1. That the Prosecuting Attorney shall be elected by the National Council, and his term of office shall be that of the National Council; and such Prosecuting Attorney, before he enters upon his duties, shall be commissioned by the Principal Chief.

(85) SEC. 2. That it shall be the duty of the Prosecuting Attorney to prosecute in behalf of the Nation, all persons charged with criminal offenses, that may be brought before the courts of the Nation, and be required to take the following oath: "I do solemnly swear that I, as Prosecuting Attorney, for and in behalf of the Nation, will, to the best of my skill and ability, prosecute all persons charged with criminal offenses, that may be brought before the court; and that I will not take or receive any remuneration of any person, charged with any criminal offense, but will be faithful to the Osage Nation in all prosecutions, to the best of my ability." So help me God.

(86) SEC. 3. Whenever he shall receive information of the commission of any felony or misdemeanor, he shall cause process to issue from a court having jurisdiction to issue the same to the proper officers, directing him to subpoena the person therein named, likely to be acquainted with the commission of such offense and shall examine any person so subpoenaed before such court touching such offense, and if the facts thus elicited, are sufficient to establish a reasonable presumption of guilt against the party charged, said court shall cause so much of the

testimony as amounts to a charge of felony or misdemeanor to be reduced to writing, and subscribed and sworn to by such witness. Whereupon the court shall cause process to issue for the apprehension of the accused as in other cases.

(87) SEC. 4. He shall prosecute the pleas of the Osage Nation, conduct all prosecutions for felony or misdemeanor, and all suits on forfeited recognizances, protect the interests of all persons of unsound mind, and superintend in behalf of the Nation, any suit in which the same may be interested or involved, and perform all other duties required by law.

(88) SEC. 5. The Prosecuting Attorney shall be paid as compensation for his services, a salary of three hundred dollars (\$300.00) per annum.

AMENDED AND ADOPTED NOVEMBER 26TH, 1890.

(89) SEC. 6. From and after the passage of this act, the Treasurer of this Nation shall be required to keep his office and books at the Agency for the transaction of public business at all times, either in person or by authorized deputies.

(90) SEC. 7. That it shall be the duty of the Supreme Judge of the Osage Nation to appoint a guardian for any person that is not competent to take care of his or her own business.

High Sheriff.

(91) SEC. 8. The office of High Sheriff is hereby created. He shall be elected by the National Council for the term of two years.

(92) SEC. 9. It shall be the duty of the High Sheriff to keep the Capitol, the furniture and other property therein and thereto belonging, in a State of cleanliness

and the keys and fastening of the door of the Capitol during the session of the National Council and the sitting of the court.

(93) SEC. 10. The Sheriff shall at all times keep the room of the Capitol clean and properly ventilated, and during the session of the National Council and Court, well warmed and supplied with pure water. It shall be his especial duty to cause to be prosecuted every person who shall be accused of violating the laws.

(94) SEC. 11. The High Sheriff shall be a conservator of the peace with such general powers as are exercised by Sheriffs, besides such special or extraordinary powers as may be conferred upon him by law. He shall wait upon, open and adjourn the session of the Court and execute its mandates. He shall also wait upon and execute all orders of the National Council, he shall have full authority during the session of the Council, and at all other times, to suppress within the vicinity of the Capitol, all riotous broils, obscene, or other improper conduct, and to enforce obedience to the law, and may, whenever necessary, summons any extra adequate force to his assistance; he may summarily arrest, imprison, and hold until duly sober, any person acting improperly, while under the influence of intoxicating drinks, and arrest and imprison, all persons who may be guilty of a breach of the peace at or about the seat of government.

(95) SEC. 12. The High Sheriff shall have general supervision of the lower sheriffs, and see that they properly execute the laws in their respective districts, and he shall see that all taxes are collected as provided by law.

Duties of District Sheriffs.

(96) SEC. 13. There shall be one Sheriff in each District, who shall enter into bonds with security to the

amount of three hundred dollars (\$300.00) for the faithful execution of the duties of his office, and take the following oath: "I. A. B." having been elected to the office of Sheriff of ——— District, do solemnly swear, that I will, well and truly execute the duties of said office, according to the best of my ability, without fraud or partiality. It shall be the duty of the Sheriffs to attend the court to serve all summons or other process, which may be placed in their hands, and to take all necessary and proper measures in the execution of the judgments of the court, and also to arrest and cause to be tried, all persons who may be charged with criminal offenses, and in case of resistance or strong apprehensions of resistance, the Sheriff shall summons such number of citizens as may be necessary to arrest any person or persons against whom criminal charges may be alleged, and to confine in jail until convicted or acquitted; should any person charged with criminal violation of law resist any lawful officer, or person authorized to cause arrest, while in the discharge of his or their duty, and such persons should be killed on account of unlawful resistance, such officer or other person shall not be held guilty of murder.

ARTICLE VIII.

Relating to Public Domain.

(97) SECTION 1. No person or persons shall be permitted to settle on or erect any improvements within one-fourth of a mile of the house, field or other improvements of another citizen, without their consent, under the penalty of forfeiting such improvements and labor for the benefit of the original settler; provided it may be lawful, however, where there may be a stream of running water for another citizen to improve one hundred yards from such field so situated.

(98) SEC. 2. All improvements which may be left by

any person or persons removing to another place, and the improvements so left remaining unoccupied for the term of two years, such improvements shall be considered abandoned, and other person or persons whosoever may take and go in possession of such improvements in the same manner as if there were no improvements.

ARTICLE IX.

To Legalize Intermarriage with White Men.

(99) SECTION 1. Whereas the peace and prosperity of the Osage people require that, in the enforcement of the laws, jurisdiction of the civil laws should be exercised over all persons whatever, who may, from time to time, be privileged to reside within the limits of the Osage Nation; therefore, any white man or citizen of the United States, who may hereafter come into the country to marry an Osage woman, shall first be required to make known his intentions to the National Council by applying for a license, and such license may, under the authority of the National Council, be issued by the clerk thereof; any person so obtaining a license shall pay to the clerk, the sum of twenty dollars (\$20.00) for such license, and take an oath to support the Constitution and abide by the laws of the Osage Nation; which oath may be administered by the President of the National Council, or the Clerk of the body, authorized for that purpose, and it shall be the duty of the Clerk to record the same in the Journals of the National Council. But if any such white man, or citizen of the United States, shall refuse to subscribe to the oath, he shall not be entitled to the rights of citizenship, and shall forthwith be removed without the limits of the Osage Nation as an intruder.

ARTICLE X.

Respecting Stray Property.

(100) SECTION 1. It shall be the duty of each of the sheriffs of the several districts to receive and advertise for public sale to the highest bidder all stray property that may be found or reported to them in their respective districts—such as horses, mules, asses, cows, hogs, sheep and goats—giving a description of color, brands, ear or flesh marks, age and sex, and such property shall be sold for prompt payment in cash, national warrants, or certificates, at the regular term of court, and on the first day thereof, and not before the hour of ten in the morning.

(101) SEC. 2. All stray property, before being sold, shall be advertised at least sixty days by written advertisements, and posted at the court house, and in like manner in the register book, which shall be kept by the clerk of the court; and any person having property advertised under the provision of this act, shall have the right of reclaiming such property by proving the same, on or before the day of sale, before one of the judges of the court; and the judge, if satisfied of the proof, after recording the same, and making his decision thereon, shall issue an order directing the sheriff posting the property to deliver it to the owner.

(102) SEC. 3. If any person having property advertised under this act shall fail to prove the same, before the sale of the same, he shall forfeit his right to such property, except as hereinafter provided; but any person who shall prove such property in the manner thereinbefore provided for, within nine months after the sale of the same, shall be entitled to receive from the Treasurer, on the certificate of

the judge before whom the proof is made, the proceeds in kind of the sale of the same, deducting therefrom the sheriff's fees.

(103) SEC. 4. Any person who may take up stray property, shall, within ten days thereafter, be required to have the same posted; and any person failing to comply with this provision shall be liable to a fine of not less than ten (\$10.00) nor more than twenty-five dollars (\$25.00).

(104) SEC. 5. Any person who shall dispose of any stray property, or shall willfully kill or maim any such property, either before or after such property is posted, shall be deemed guilty of the same offence as if the act was committed upon the property of a citizen, and shall, upon conviction, be punished accordingly.

(105) SEC. 6. It shall be the duty of the several sheriffs to have, if possible, all property that may be posted by them at the court house on the day of sale, and to place the purchaser there in possession of the same when sold, or within a reasonable time, if required to do so; the sheriff may retain ten per cent. in kind of all proceeds of sales of stray property, and be required to turn over the residue to the treasurer. The clerk of the court shall be present at all sales of stray property, and shall make and keep on record in his office, a register of all sales by the sheriff, to whom made, amount in kind paid, date of sale and kind of property sold, and make therefrom a quarterly report to treasurer as he may direct.

ARTICLE XI.

An Act in relation to Procedure Civil.

(106) SECTION 1. That all lawful contracts shall be binding, and any person upon failure to comply with the terms of such contracts shall be liable to a suit at law, in the Court having jurisdiction in the matter, to be institut-

ed by the creditor, and if upon trial, the law and testimony shall justify, judgment shall be rendered in favor of such creditor for the amount which may be due by the defendant.

(107) SEC. 2. That in all cases where a debt may be contracted, and it is agreed that property or trade shall be taken in payment of such debt, judgment shall be rendered accordingly; and the officer shall proceed to levy on the property of such debtor, and to summons two disinterested citizens, who shall be sworn by him, to aid in the valuation of such property, fairly and impartially, and when such property is so valued by the sheriff and such other persons, the creditor shall receive the same at such valuation as may be fixed by them.

(108) SEC. 3 Whenever final judgment is rendered in any case by a Court, the clerk thereof shall, within five days after the adjournment of the Court issue an execution, directed to any proper officer, to proceed forthwith and make collection from such party to the amount of such judgment, and costs; and such execution shall be returnable at the next session of said Court, with a certificate of the proceedings had thereon, which shall be recorded by the clerk of said Court.

(109) SEC. 4. Property levied upon by virtue of an execution, shall be advertised by the sheriff at three of the most public places in the district, to be sold to the highest bidder; and for all sums not exceeding fifty dollars (\$50.00) such sale shall be advertised ten (10) days, and for all sums over fifty dollars (\$50.00) twenty (20) days notice shall be given; and the sheriff shall be allowed a fee of six (6) per centum on all collections of money which may be made by him, under an execution to be deducted from the account collected: PROVIDED it shall be unlawful except in cases otherwise expressly provided for by law, for any officer to levy upon, and sell to satisfy an execution the following property, which is hereby exempted and reserved for the use and benefit of the owners

thereof, viz: The house, farm and other improvements, mechanical tools, manufacturing and farming implements, one span of horses or mules, or in lieu thereof, one yoke of oxen, one wagon, one pair of harness, one saddle and bridle, wearing apparel, fire arms, library, household and kitchen furniture, two hundred and fifty (250) bushels of corn or other grain, one thousand (1,000) pounds of pork or bacon, twenty (20) head of stock hogs, five (5) cows and calves and all domestic fowls: **AND PROVIDED FURTHER,** that all exemptions except so far as improvements are concerned, shall not apply to any case wherein a person shall be required by law to give bond and who shall give bond for the maintenance, security or preservation of national or individual interests; and this proviso shall extend to the sureties of such bond in like manner as the principal; but all the property and effects of any such principal or surety with the above exceptions, shall be liable to be levied upon to satisfy any execution which may be issued upon any final judgment of the Court, declaring a forfeiture of such bond.

(110) **SEC. 5.** Any execution remaining unsatisfied in whole or in part at the next term of the Court after its issuance, may at the request of the party in whose favor it has been issued, be delivered to him by the clerk who shall make record of such delivery and any lawful officer shall be authorized upon the application of the party holding such execution at any time, to serve in whole or in part, such execution upon any property of the debtor subject to levy until the execution shall be fully satisfied when it shall be returned as provided above to the Clerk of the Court from whence it issued, for a record of the proceedings had therein and any officer serving such execution at any time in part shall endorse upon it a certificate of the amount of such services for record.

(111) **SEC. 6.** When judgment is rendered, and the officer in whose hands an execution may be placed shall fail to find any property or effects belonging to the

debtor to satisfy the same, and has cause to believe that some other person has in hands property or effects belonging to such debtor, the officer shall proceed to make inquiry of such person; and if such property or effects shall be pointed out, he shall proceed to make levy; but if such person shall refuse to give such information as may be satisfactory, the officer shall summon him before the Clerk of the Court, who shall require of him on oath to answer the charges of holding in his possession the property or effects of such debtor.

(112) SEC. 7. It shall not be lawful for any officer to levy on the house, farm, or any other improvements, of any person or persons.

(113) SEC. 8. Whenever any person, a citizen of the Osage Nation is injured in property by the unlawful act of another, he shall, within ten (10) days after he is apprised of such injury, report the same to the Supreme Judge, who shall thereupon immediately appoint and qualify three (3) suitable persons to assess the amount of damages sustained by the party injured and the amount so assessed, certified to, and signed by the persons so appointed, shall be final as to the damages sustained when judgment may be given thereupon according to law.

ARTICLE XII.

An Act relating to Negroes.

BE IT ENACTED BY THE NATIONAL COUNCIL:

(114) SECTION 1. That from and after the passage of this act, the negroes residing within the Osage Nation shall be ordered to get out.

(115) SEC. 2. Any citizen of the Osage Nation shall be subject to a fine of fifty dollars (\$50.00), for the employment of any negro upon this reservation.

(116) SEC. 3. The United States Indian Agent, is

hereby requested to take such action as is necessary to have all negroes put out of the Osage Nation.

ARTICLE XIII.

An Act relating to Roads.

BE IT ENACTED BY THE NATIONAL COUNCIL:

(117) SECTION 1. That there be established a public road from the Osage Agency by way of Doc Kennedy's crossing on Sand creek, by way of Gus Strikaxe's springs, keeping the divide to the head of Little Mission to the Adams farm at the southeast corner, thence north to Big Caney river and up said river on the south bank to No-pa-wal-la ford, thence north and east between the Fugate and Canville farms, thence north and east to a point intersecting with the east line of the Osage Nation, near what is known as the Joe Jones' farm so as to intersect with a road running from there to the city of Caney, Kansas, by way of Enisville ford on Little Cana.

(118) SEC. 2. That the road law be enforced and that every citizen of the Osage Nation between twenty-one and forty-five years of age, be compelled to work the roads at least two days out of each year. And it shall be the duty of each sheriff in their respective districts to see that the citizens thereof perform such road work.

(119) SEC. 3. Every citizen refusing to work on said roads, after being notified by the sheriff, will be fined not less than five dollars (\$5.00), nor more than ten dollars (\$10.00), at the discretion of the Court, and upon default of payment shall be imprisoned not less than five (5) days nor more than ten (10) days, in the National prison.

ARTICLE XIV.

An Act relating to Schools.

BE IT ENACTED BY THE NATIONAL COUNCIL:

(120) SECTION 1. That every child of school age who has not been in school four months out of the six months preceding an annuity payment, shall be enrolled and payment withheld, unless said child was sick and unable to attend school, which fact shall be certified to by the Agency Physician in which case they shall be paid the regular annuity.

(121) SEC. 2. That if a child runs away or leaves school without permission and is returned by the parents or guardian within five days of leaving, the absence shall not be counted, but if not returned within five days the absence shall be counted from date of leaving.

(122) SEC. 3. That children of school age shall include all Osage children over seven years of age and under fourteen years.

APPROVED JANUARY 12, 1884.

ARTICLE XV.

An Act relating to Southern Stock.

BE IT ENACTED BY THE NATIONAL COUNCIL:

(123) SECTION 1. That no citizen of this Nation, or other person shall bring upon this reservation and hold for the purpose of feeding and grazing any Texas, Southern or other foreign cattle, unless such cattle are confined within some duly authorized pasture, fenced according to

law. Any person violating the foregoing provision, shall be subject to a fine of one dollar (\$1.00) for each animal so held, and the officers of this Nation are hereby authorized, to hold such cattle for payment of such fine.

(124) SEC. 2. Any citizen or family of this Nation desiring to purchase Texas, Southern or other foreign cattle in an amount exceeding five hundred (500) head, with a view to feeding or grazing the same on public domain, must first satisfy the Osage National Council that such purchase is actual and bona fide, and obtain written permission from the officers of the Council to hold such cattle, and pay into the Treasurer of this Nation, the sum of five (5) cents per head per month or fraction of a month that said cattle are held in the Osage Nation.

(125) SEC. 3. Such cattle must be brought into the Osage Nation prior to the 1st day of May. Any person violating the foregoing provisions shall be subject to a fine of one dollar (\$1.00) for each animal so held, and the officers are hereby authorized to hold such cattle for payment of such fine after giving sixty (60) days notice to the parties owning such cattle and the owner fails to make payment, then the cattle or enough of them to satisfy the fine shall be sold. All acts conflicting with the above are hereby repealed.

ARTICLE XVI.

An Act providing for the Levy and Collection of Taxes.

BE IT ENACTED BY THE OSAGE NATIONAL COUNCIL:

(126) SECTION 1. Every person not a citizen of this Nation, driving stock into this Nation for the purpose of grazing or feeding the same shall be liable to a tax at the rate of five (5) cents a head per month.

(127) SEC. 2. It shall not be lawful for any citizen of this Nation to hold within the limits of the Osage

Nation, for the purpose of grazing or feeding, any stock belonging to a citizen of the United States, until first procuring a permit from the National Council for that purpose, and paying a tax as provided by law. Any citizen of this Nation violating the provisions of this act shall be liable to a fine of one hundred dollars (\$100.00), and in default of payment be imprisoned not less than thirty (30) days nor more than fifty (50) days.

(128) SEC. 3. In all cases where a sheriff or other person acting under lawful authority, has reason to believe that efforts are being made to evade the provisions of this Act by collusion of some citizen of this Nation, with the owner of stock, such citizen claiming to be the owner, such sheriff or other person shall require the claimant to exhibit his bill of purchase of the stock in question; if deemed necessary to arrive at the facts, he may put such claimant or any other person supposed to be cognizant of the facts in the premises, upon oath, and question him or them as to the bona fide ownership of such stock, and in all such cases, if it appears that there has been fraud attempted for the purpose of evading the revenue laws of this Nation, then and in that case there shall be levied double the amount of tax which would otherwise have been made.

(129) SEC. 4. That from and after the first day of April, 1885, every citizen of the Osage Nation, or every person residing within the limits of the Osage Nation by rights of marriage with an Osage citizen by blood, owning horses, cattle, sheep or hogs over and above five hundred (500) head shall pay to the Treasurer of the Osage Nation on or before the first day of May of each year, a tax of sixty (60) cents per head per annum for all stock in excess of the above number.

(130) SEC. 5. That if any person or persons shall refuse or fail to comply with the provisions of the above section, the Treasurer shall report such person or persons

to the High Sheriff, who shall immediately proceed to seize or cause to be seized, the property of such person so reported, and sell the same to the highest bidder for cash in hand or so much of such property so seized as will satisfy the taxes due the Osage Nation, as provided in the first section of this act, and the cost of such sale. Said sale shall be held at Pawhuska by giving ten days public notice prior to the day of sale.

(131) SEC. 6. That all moneys collected under this act shall be turned over to the Treasurer.

(132) SEC. 7. That all laws or parts of laws conflicting with the above sections are repealed.

APPROVED MARCH 5TH, 1885.

ARTICLE XVII.

An Act relating to Sureties or Bondsmen

(133) SECTION 1. Any person or persons before being accepted as surety or sureties on the bond of the Treasurer of the Osage Nation, the Clerk of the Supreme Court of the Osage Nation or any and all other officers of the Osage Nation, that are required by law to give bond, shall be required to make oath that he or they are worth the sum or amount for which he or they are surety or sureties, over and above his or her exemptions, liabilities or indebtedness.

(134) SEC. 2. That all such bonds shall be substantially of the following form, to-wit:

Know all men by these presents: That we.....as principal and.....as sureties, all of the Osage Nation are held and firmly bound unto the Osage Nation in the sum of.....dollars, lawful money of the United States, to be paid into the Osage Nation, for which payment well and truly to be made, we jointly and severally bind ourselves, our heirs, executors, assignees and administrators firmly

by these presents. The condition of this obligation is such that whereas the above named.....has been chosen by the Osage Nation as.....and as such.....he will receive into his hands and possession divers sums of moneys, goods and chattels and other things, the property of the Osage Nation; and is bound to keep true and accurate account of said property and of his receipts and disbursements for and on account of the Osage Nation.

Now therefore, if the said.....shall well and truly perform all the duties of the office of.....of the Osage Nation for and during his official term of office, and he shall deliver all the money and property which he may receive into his hands as such.....of the Osage Nation to his successor in said office or to such other person as the Osage Nation, or its authorized officers may direct according to the provisions of the constitution and laws of the Osage Nation, and shall keep just and true accounts of all property belonging to the Osage Nation that may come to his hands by virtue of said office of.....of the Osage Nation, and shall exhibit and submit to the Osage Nation or to the persons by the Osage Nation thereunto appointed, his said accounts, and the vouchers therefor whenever the same shall be properly requested; and shall, at the expiration of his term of office, by any cause whatever, deliver up to his successor in office, all the money and property of the Osage Nation, that may be found to remain in his hands and his books of accounts and the vouchers thereunto belonging, then this obligation shall be null and void, otherwise to remain in full force and effect.

In witness whereof, we, the undersigned, set our hands and affix our name this....day of.....A. D., one thousand eight hundred and.....

ARTICLE XVIII.

An Act fixing Salaries of National Officers.

BE IT ENACTED BY THE NATIONAL COUNCIL:

(135) SECTION 1. That the act relating to Salaries of National Officers of the Osage Nation, which was approved November 10th, 1883, be and the same is hereby amended so as to read as follows: The Principal Chief shall be allowed a salary of four hundred fifty dollars (\$450.00) per annum; the Assistant Chief shall be allowed a salary of three hundred fifty dollars (\$350.00) per annum; the Chief Justice of the Supreme Court shall be allowed a salary of two hundred fifty dollars (\$250.00) per annum; each Associate Justice of the Supreme Court shall be allowed a salary of two hundred fifty dollars (\$250.00) per annum; the Clerk of the Supreme Court shall be allowed, in addition to the fees provided by law, a salary of one hundred fifty dollars (\$150.00) per annum; the Prosecuting Attorney shall be allowed a salary of three hundred dollars (\$300.00) per annum; the National Secretary shall be allowed a salary of three hundred fifty dollars (\$350.00) per annum; each member of the National Council shall be allowed a salary of two hundred fifty dollars (\$250.00) per annum; the National Interpreter shall be allowed a salary of two hundred fifty dollars (\$250.00) per annum; the High Sheriff shall be allowed a salary of two hundred fifty dollars (\$250.00) per annum; each District Sheriff shall be allowed a salary of two hundred dollars (\$200.00) per annum; each member of the Executive Council shall be allowed a salary of one hundred dollars (\$100.00) per annum; the Private Secretary of the Principal Chief shall receive a salary of one hundred fifty dollars (\$150.00) per

annum and the Private Interpreter for the Principal Chief shall be allowed a salary of one hundred fifty dollars (\$150.00) per annum.

(136) SEC. 2. All acts or parts of acts in conflict herewith are hereby repealed.