THE OSAGE REMOVAL TO OKLAHOMA

By James Thomas*

During the Civil War the Osage Indian reservation in southern Kansas was a buffer zone between Union forces in Kansas and Confederate forces in Indian Territory. Although a few Osage did fight for both sides during the conflict, a majority of the tribe remained neutral. Both Union and Confederate troops took advantage of the Osages' position by stealing their horses, taking their store of corn and plundering their villages. The Osage were at peace with the United States in accordance with a treaty signed in 1825; therefore, they had received little attention from Washington, D.C. In the years before the war the Osage repeatedly had requested that the Federal government purchase their land in Kansas. With this sale the tribe would have been able to buy land in Indian Territory and avoid contacts with white settlers. However, the Osage had to wait until after the Civil War when the Federal government, intent on punishing Indians that had allied with the Confederacy, forced the Cherokee Nation to sell land to the Osage.

Prior to the arrival west of the Mississippi River of large numbers of whites, the Osage had been a warlike nation, exerting control over a vast area. Afterward, with each new treaty, the United States acquired more of their land, and the Osage became more docile. In a treaty signed on December 30, 1825, the Osage had relinquished their large holdings for a smaller tract of land "in order more effectually to extend to said tribes, that protection of the government so much desired by them..." The Osage reserve was a fifty-mile-wide, one-hundred-mile-long section of land in present-day Kansas. This rectangular section was bounded on the south by Indian Territory, on the west by the one-hundredth meridian and the east by a line drawn twenty-five miles from and parallel to Missouri's western boundary.1

This concentration of the Osage population on a smaller reservation promised to prevent continued white and red conflict and to give the tribe annuities for the next twenty years. Each year the tribe was to receive $7,000 in money or in merchandise of equal value. On signing this treaty, the Osage were to receive 600 head of cattle, 600 hogs, 1,000 domestic fowls, 10 yoke of oxen and 6 carts. The Indians were satisfied with the settlement, and the

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treaty remained in effect until it was replaced by a new agreement on March 2, 1839.\(^2\)

This new treaty was more favorable to the Osage. The annuities were raised to $20,000 per year, and new provisions were made to change the Osage from reliance on a semi-nomadic economy to a farm economy. The services of two blacksmiths were to be available to the Osage for a period of twenty years. Two thousand hogs, one thousand cows, sets of horse gear, axes and hoes were promised to the tribe in the hope that they would become efficient farmers. The acculturation process might have taken place, but the government did not provide the aid it had promised, and the white population soon spread from Missouri once again to come into conflict with the Osage.\(^3\)

On the eve of the Civil War the Osage were struggling to subsist. Each spring members of the tribe would plant corn, beans and pumpkins and then would move their lodges to western Kansas to hunt buffalo. If the hunt was successful, they would return in the fall with large quantities of jerked buffalo meat, tallow and hides. The hides would be traded for coffee, sugar, salt and trinkets, and in October the unattended crops would be harvested. After the corn and beans were shelled and the pumpkins dried, they were packed in skin-sacks. Pole cribs, chinked with mud and roofed with bark and skins, provided ample storage for the crops. After the harvest was completed the tribe would journey to the plains for the fall and winter hunt, returning in the spring so the women and children could plant the new crop.\(^4\)

The spring of 1858 was wet and cold. Planting was delayed, and when an unusually dry summer followed, the crops withered and failed to mature. The problem was compounded when the summer buffalo hunt was unsuccessful. Moreover, the Osage had lost more than 200 horses to white thieves during the preceding eighteen months. Without their hunting ponies, they not only were hard pressed for transportation to the plains, but also their bows and arrows were not effective weapons when hunting buffalo on foot. Finally, when the Osage did reach the plains, the Comanches attacked. The Osage retaliated, killing four Comanches, and for the remainder of the hunt the braves had to guard against a surprise attack, thereby decreasing the number available to participate in the hunt.\(^5\)

In the fall the Osage looked forward to a bleak winter. Without annuities

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\(^2\) Ibid., pp. 9–10.
\(^3\) Ibid., pp. 17–18.
In the mid-1850s the Osage controlled approximately 7,564,000 acres in present-day Kansas.
from the government, buffalo meat or corn, the Osage had to sell the remainder of their ponies to buy food. Indian agent Andrew J. Dorn reported that the time was ripe for the United States government to purchase additional land from the Osage. The Indians could use the money to buy food, and the reduction in their land holdings again would provide a barrier between the Osage and white settlers; however, the government failed to act.6

The drought continued into the next year, and the Osage asked the government to purchase part of their reservation and give them military protection. They needed money to buy food, and troops were necessary to stop whites from cutting Osage timber, squatting on Osage land and stealing Osage ponies; nevertheless, their request was unanswered. However, the tribe did receive some help from the government during the winter, when Dorn delivered the balance of cows and calves that had been promised with the signing of the treaty of 1839. In his annual report, Dorn related that the Indians were anxious to receive the remaining stock and agricultural implements that were nineteen years past due.7

When the Civil War began, the Osage lost the scant protection they were receiving from the military, for Union forces were ordered to the eastern war zone. The majority of Indian agents in the Southern Superintendency remained loyal to the South and persuaded the Indians to sign treaties with the Confederacy. These agents told the Indians that the United States government had been overthrown, and that their only hope for security was allegiance to the Confederacy.8

The Osage received this advice, and at the beginning of the war, nearly 1,000 of them—men, women and children—journeyed south to join the Confederate forces. However, most of them returned before the war was over and did not engage in any hostile action against the federal army. More than 200 braves responded to the Union call, and for three months served in the Indian Brigade. For the most part the Osage neither cared for the organized warfare of whites, nor did they understand the conflict.9

Armed warfare was limited on the Osage reservation, but the tribe was affected by the movement of whites across their land. "Roving bands of guerillas, vagabonds, and thieves" moving through Osage lands seized

6 Ibid.
horses and provisions at will. Moreover, teamsters and soldiers replenished their stock and supplies while using the reserve as a stopping place between Kansas and Indian Territory. Great herds of Cherokee and Creek cattle illegally were driven out of Indian Territory and across the Osage reservation to be sold to whites in Kansas. Frequently unscrupulous military officers would ask the Osage to join in stealing and driving these large herds. Indian agent P. P. Elder was hard pressed to stop the Osage from engaging in this illegal practice. In his annual report he stated his dilemma: "White men are allowed to steal, and why not Indians?"\(^{10}\)

The Osage asked the agent for annuities, for military protection and for reduction of their land by government purchase. Again, as in previous years, Elder responded that he "could give them no information on that branch of business." His letter to the Commissioner of Indian Affairs, suggesting that the Osage requests be granted, was not answered. The Osage waited until September, 1865, before taking action. At that time the tribe signed two treaties that promised to end their long wait.\(^{11}\)

A special commission was sent to Fort Smith, Arkansas, to make new treaties with the tribes of Indian Territory and Kansas. The commissioners told the Indians that new treaties were necessary because, "by their own acts, by making treaties with the enemies of the United States, [they] forfeited all right to annuities, lands and protection by the United States." In addition, the tribes of Indian Territory were to make a united effort to maintain peaceful relations with the Indians of the plains. Moreover, the commission proclaimed that sections of Indian Territory land were to be set aside "for the friendly tribes now in Kansas, and elsewhere, on such terms as may be agreed upon by the government, or such as may be fixed by the government." The opportunity for Osage relocation came with the treaty negotiated between the United States and the Cherokee Nation. Article XVI stipulated that the government could settle friendly Indians on the Cherokee Nation reserve. However, the total number of acres allotted for settlement was not to exceed 160 acres for each member of the tribe, and land east of the ninety-sixth meridian could not be settled. The price of the land was to be agreed upon by both parties, subject to approval by the President of the United States.\(^{12}\)

The Osage could move south when treaties were signed with the United States and arrangements were made with the Cherokee for the purchase of

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\(^{11}\) Ibid.

the land; however, these agreements were slowly ratified by all parties. Meanwhile the Osage had become impatient as conditions on their reserve deteriorated. The newly appointed Indian agent, G. C. Snow, reported the destitute conditions of the Osage in his first annual report dated September 25, 1865. He declared that the tribe had just returned from an unsuccessful hunt and was hoping to receive annuities from the government. With neither federal aid nor buffalo meat, Snow believed that the Osage “must starve or steal.” Moreover, as a result of their condition, they would “commit many depredations on their white neighbors and other Indian tribes, in killing cattle and stealing horses to trade for provisions.”

Again the agent suggested that the Osage be allowed to move to Indian Territory, for the “tide of white emigration” was making it difficult for the Indians to secure a peaceful existence. He argued that relocation would open 4,000,000 acres of agricultural land in Kansas to settlement and that the country to the south would be better suited for the Indians.

Agent Snow’s recommendations were incorporated in a treaty concluded at Canville Trading Post in the Osage Nation on September 29, 1865. The main purpose of the treaty was contained in article one:

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 [following] lands...

The Osage ceded one tract of land on their eastern border, measuring thirty miles from east to west and fifty miles from north to south. The profit from this sale was to be placed in a civilization fund to be used by all Indians. Another strip of land measuring twenty miles in width and extending along the entire northern edge of the reservation was to be sold, and the proceeds allocated for building houses and purchasing agricultural implements and stock animals. The Federal government agreed to Osage settlement in Indian Territory if the tribal council would approve the sale of the remaining diminished reserve.

The Osage signed the treaty and waited for approval from Washington. However, the United States Senate postponed ratification of the treaty until 1870—meanwhile the Osage suffered. In 1866, D. W. Cooley, Commissioner

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14 Ibid.
of Indian Affairs, wrote of the depredations committed by the whites on the Osage:

An Indian has no rights that a white man is bound to respect; they are injured and annoyed in many ways. Their stock are stolen, their fences broken down, their timber destroyed, their young men plied with whiskey, and their women debauched, so that while the less civilized are kept in a worse than savage state, having the crimes of civilization forced upon them, those further advanced, and disposed to honest industry, are discouraged beyond endurance.

The commissioner believed that there was no alternative other than removal to Indian Territory.¹⁶

For the next four years the plight of the Osage became worse. The news of the Osage treaty, promising to open new lands to white settlement, caused a new wave of immigration to sweep across Kansas. On September 5, 1867, Agent Snow wrote that the white settlers were “like the tornado which meets nothing to check it.” When Snow ordered fifty squatters to leave Osage lands, they agreed to go when he could provide “sufficient force to drive them off.” The agent lamented the governor of Kansas was determined to “protect them at all hazards” and was appalled at the organization of four companies of state militia who threatened “the Indians with extermination.”¹⁷

The state militia did not attack the Osage, but white settlers did form clubs for mutual protection to defend their illegal claims and to steal Indian ponies. Village stores were looted, and Indian houses were dismantled for building materials. Nothing the Indians owned was sacred; settlers even plundered Indian graves in the hope of finding the treasure that the Osages often buried with their dead.¹⁸

Finally the bill allowing the sale of the diminished reserve passed Congress on July 15, 1870. The Osage council found the treaty satisfactory and signed it on September 10. The tribe was eager to acquire new homes to the south, and the new Indian agent, Isaac T. Gibson, was optimistic. He reported that some of the Osage frequently expressed the desire “to possess the comforts of civilization, such as a house, wood-stoves, tables, chairs, etc.” Continuing, Gibson declared that, “this desire will become general when they learn that such things are really within their reach.”¹⁹

¹⁷ Ibid.
¹⁹ Ibid.
Once fierce warriors and hunters, the Osage were forced to either "starve or steal" when it became impossible for them to hunt buffalo.
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In October the principal chiefs of the tribe selected a tract of land that formerly had been a favorite camping ground of the Osage; however, they learned that this was east of the ninety-sixth meridian and that the Cherokee Nation refused to sell the tract. The chiefs then accepted another section of land to the west. When the majority of the Osage returned in March from their winter hunt, they found that the land had not been surveyed. As a result they refused to make improvements or plant crops on it and returned to the plains.20

Agent Gibson spent most of 1871 transporting the agency and Osage belongings to Indian Territory. In addition he found time to erect a sawmill; plan for the erection of schools and agency buildings; and purchase oxen, wagons and farming implements. In the spring of 1871, he planted fifty acres of corn, but before it matured livestock belonging to Cherokees destroyed the crop. Undaunted by his failure, Gibson, with help from a few braves, sawed 150,000 feet of lumber, enclosed 100 acres of prairie land and cut 1,000 tons of hay. The agent believed these improvements demonstrated the Osage ability and willingness to work.21

When official survey of the new reservation was made in 1872, many of the improvements were east of the ninety-sixth meridian, and again the Osage had to move west. Many tribal members therefore refused to plant new crops or make improvements until they obtained a deed. However, in the spring of 1872, the Beaver and part of the White Hair bands planted crops and made improvements instead of participating in the spring hunt. When the remainder of the tribe returned from an unsuccessful hunt, they had to rely on crops planted by these bands for subsistence.22

The long trek to the plains, without adequate food supplies, had been futile. When the tribal members had reached their hunting grounds they had come into conflict with their most recent enemy—white buffalo hunters. These professional hunters slaughtered buffalo for hides, leaving the meat for scavengers. The Osage believed that by this wanton destruction of the bison the white hunters were “stealing and wasting the subsistence the Great Spirit [had] provided for them and other Indians.” Moreover, this added pressure not only reduced the great herds, but also drove the shaggy beasts west. As buffalo became scarce, the Osage raided droves of Texas cattle. Indian agent Gibson therefore concluded that conflict between Indians and whites would increase. The drovers would retaliate for the theft of their cattle, and the Indian would attack the white hunters. Not only did hunters destroy the Indians’ main source of food, but also they often interrupted

20 Ibid.
21 Ibid.
22 Ibid.
their monotonous task of killing buffalo with their long range rifles to participate in the "sport" of shooting at Indians. To stop this seemingly unavoidable conflict, Gibson requested that farm implements be purchased so the Osage could farm instead of hunt.\textsuperscript{23}

Against great odds the Osage managed to plant 2,000 acres of crops in 1872. However, the tribe found the 1,000,000 acres contained in their new reservation had few fertile valleys suitable for farming. This tract of land, lying between the ninety-sixth meridian on the east, the Arkansas River on the west, the Kansas state line to the north and the Creek lands to the south, abounded with sandstone bluffs and ridges. The large sandy valleys along the Arkansas River were fertile, but in the spring the land flooded, thereby destroying any chance of farming. The abundance of "knotty post-oak" and grass hid many rocky hills and was "very beautiful and deceptive in the summer."\textsuperscript{24}

A once powerful and heroic race that ruled from the Mississippi River to the Rocky Mountains and from the Gulf of Mexico to the Missouri River had given up its land and for sixty years had made good a pledge to remain at peace with the whites. After years of struggle and hardship, of promise and hope and of courage and restraint, the Osage at last had found a permanent home. The Federal government gave promises of annuities, farm implements and civilization. The economic stability the tribe so desperately needed finally came, not from the government but from the hard labor on marginal farm land. Years later, when oil was discovered under this land and brought prosperity to them, these proud and noble people achieved a slight measure of justice.

\textsuperscript{23} Ibid.
\textsuperscript{24} Ibid.