

SETTLERS ON THE OSAGE LANDS.

RESOLUTION

OF

THE LEGISLATURE OF KANSAS,

IN REFERENCE TO

The rights of settlers on the Osage lands.

FEBRUARY 16, 1874.—Referred to the Committee on the Public Lands and ordered to be printed.

Resolved by the senate of the State of Kansas, (the house of representatives concurring therein,) That whereas numerous persons in Osage, Morris, Wabaunsee, Lyon, Chase, Marion, Butler, Harvey, Reno, Sedgwick, Linn, Miami, Anderson, Allen, Dickinson, Greenwood, and Cherokee Counties, in the State of Kansas, were permitted to homestead divers tracts of land under and in pursuance of the homestead acts of Congress, giving each one hundred and sixty acres of Government land to actual settlers, in said counties, and the persons so homesteading having received a certificate of entry from the officers of the local land-office, at Junction City, Topeka, Humboldt, and Augusta, Kansas; and whereas the officers of the said local land-offices acted in good faith, as did also the persons taking such homesteads, neither of them having any notice from the Government that any other party or parties had any claim upon such lands, homesteaded as aforesaid, each believing that such lands were Government lands, and subject to homestead entries under the act of Congress; and whereas the United States Government, by the action of its officers at the local land-offices above named, suffered the said settlers to homestead the said lands and expend their money and labor in making valuable improvements on such homesteads in good faith, trusting in the justice and fidelity of the Government to comply strictly with its pledge to give each actual settler one hundred and sixty acres of land by the settlers complying with certain requirements; and whereas, after such persons were permitted by the Government officers to enter said lands and use their means in improving the same, through no fault of such homestead settlers, but by neglect of the Government in failing to notify the officers at said local land-offices that there were other claims on said lands, and that they were not subject to entry under the homestead laws; and whereas said homesteaders have been notified by said officials from said local land-offices as aforesaid, that their homestead entries were canceled by

order of the Secretary of the Interior, on account of the claims of the A. T. & S. F. R. R. Co., the M. K. & P. R. R. Co., the L. L. & G. R. R. Co., M. R., Ft. S. & G. R. R. Co. and the K. P. R. R. Co., having a claim on the same; and whereas said persons, if they are forced to leave said lands, will be left penniless and robbed of the benefits of their hard labor in improving the same, and by no fault upon their part;

Therefore be it resolved by the senate, (the house concurring therein:)

SECTION 1. That the Congress of the United States is hereby earnestly requested to take immediate steps for the relief of said homesteaders; that justice and right demand that these poor settlers should not be permitted to suffer on account of the negligence of the Government; that Congress should make satisfactory arrangements with said railroad companies whereby the said settlers will be enabled to retain their homesteads and enjoy the blessings of their labor and their money expended in improving the same.

SEC. 2. That our Senators and Representatives in Congress are hereby instructed to use all honorable means to secure such legislation as will relieve said homestead settlers.

SEC. 3. That the secretary of state is hereby directed to transmit, forthwith, to our Senators and Representatives in Congress, and to the President of the United States Senate and Speaker of the House of Representatives, certified copies of the foregoing preambles and resolutions.

Introduced, read, and adopted, January 24, 1874.

TOM. H. CAVANAUGH,
Secretary.

Concurred in by the house, January 27, 1874.

A. R. BANKS,
Chief Clerk, House Representatives.

I, W. H. Smallwood, secretary of state of the State of Kansas, do hereby certify that the foregoing is a true and correct copy of the original resolution on file in my office.

In testimony whereof I have hereunto subscribed my name and affixed the great seal of State.

Done at Topeka this 8th day of February, A. D. 1874.

[SEAL.]

W. H. SMALLWOOD,
Secretary of State.