

RESOLUTION
OF
THE LEGISLATURE OF KANSAS,

IN FAVOR OF

An appropriation out of the Indian-civilization fund to pay attorneys' fees and expenses incurred by settlers on the Osage ceded lands in that State in defending their titles, and for the prosecution of certain suits against certain railroad companies in the United States courts.

JANUARY 26, 1877.—Referred to the Committee on Indian Affairs and ordered to be printed.

Whereas the United States Government did unlawfully issue patents to the Leavenworth, Lawrence and Galveston, and the Missouri, Kansas and Texas Railway Companies for public lands, known as the Osage ceded lands, in the State of Kansas, whereby it became necessary for the settlers upon said lands to employ attorneys and incur other expenses for the purpose of instituting suits to contest the title of said railway companies and secure their homes; and whereas the Supreme Court of the United States has decided that said railway companies have no title to said lands, and that said patents were unlawfully issued; and whereas the Congress of the United States did, on the eleventh day of August, eighteen hundred and seventy-six, pass an act authorizing the sale of said lands to actual settlers, at one dollar and twenty-five cents per acre, the proceeds to go to the credit of the Indian civilization fund; and whereas, had it not been for the persistent and untiring efforts of the settlers upon said lands, the large sum of money (over one million dollars) which will be realized from the sale of said lands would have been entirely lost to the Indians; and whereas the settlers upon said lands, by reason of the long legal contest for their homes, (which they have been compelled to make on account of the wrongful act of the Government in issuing patents illegally,) and by reason of the grasshopper scourge and other untoward events and vicissitudes incident to settlers in all newly-settled sections of the State, are actually unable to bear the expenses of said suits and pay their attorneys' fees: Therefore

Be it resolved by the senate, (the house of representatives concurring therein,) That the Congress of the United States be requested to pass an act appropriating sufficient moneys out of the Indian-civilization fund to pay the attorneys' fees and expenses incurred by the settlers upon the Osage ceded lands in Kansas in defending the title to their homes, and in the prosecution of two suits brought in the name of the United States against the Leavenworth, Lawrence and Galveston, and the Missouri,

Kansas and Texas Railway Companies, in the circuit and Supreme courts of the United States, to test the title of said lands.

Resolved, That the secretary of state be, and is hereby, instructed to forward certified copies of this preamble and resolutions to our Senators and Representatives in Congress.

I certify that the above concurrent resolution originated in the senate, and was adopted in their body on the 11th day of January, 1877.

HENRY BRANDLEY,
Secretary.

Concurred in by the house January 12, 1877.

WIRT W. WALTON,
Chief Clerk.

I, Thomas H. Cavanaugh, 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 12th day of January, A. D. 1877.

[SEAL.]

THOS. H. CAVANAUGH,
Secretary of State.

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