

## P E T I T I O N

OF THE

### OTTAWA INDIANS OF THE UNITED BANDS OF BLANCHARD'S FORK AND ROCHE DE BOEUF,

PRAYING

*An investigation of the disposition made of lands granted them by treaty of June 24, 1862, for the education of their children.*

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MARCH 7, 1871.—Ordered to lie on the table and be printed.

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The Ottawa Indians of the United Bands of Blanchard's Fork and Roche de Boeuf, represented by the undersigned, the chief councilmen and other members of said bands, would respectfully state that in the year 1862, while they were residing in Franklin County, Kansas, not then contemplating removal from that locality, but presuming it would be their permanent home, they made provision in a treaty concluded on the 24th of June, 1862, (Stat. at Large, vol. 12, p. 1237, art. 6,) for setting apart twenty thousand six hundred and forty acres of land for the purpose of educating their children; one section for the school site, five thousand acres to be sold and the proceeds used in the erection of buildings, the residue to be sold and the proceeds invested as provided in said treaty, the interest to be applied for the support of said school.

Your petitioners would further represent that soon after the ratification of the treaty, certain white men took possession of this property, and that ever since it has been under the supervision and control of white men, who have disposed of the same in a manner not authorized by the treaty, as far as your petitioners are advised; but that there has been no accountability to any one, and your petitioners are unable to say what disposition has been made of the proceeds, except that it is apparent that a large amount has been expended in the construction of a costly stone building, and in other improvements.

We have never received any benefits from the lands so set apart in any manner whatsoever.

By the treaty of 1867, (Stat. at Large, vol. 15, p. 517,) a new home was purchased for our tribe, in Indian Territory, and we have removed here, and have been residing here for more than two years past; have built houses and made other improvements for a permanent home, and have, from our present limited means, erected a school-house, and, as far as we are able, are supporting a school for the benefit of our children.

We understand that the parties in charge have had a school in operation at Ottawa, in Kansas, on the land set apart by us for the education of our children, some of the time since we left, but no member of our

tribe has ever had any benefit from the same, for while we were located in Kansas there was no school conducted there, and while living here it is impracticable for us to avail ourselves of the benefits of said school if the privilege should be extended to us.

This land, set apart by us for the education of our children, has become very valuable, and we are satisfied that there is now in Franklin County, Kansas, property of the value of over two hundred thousand dollars, which belongs to us, being land and the avails of land set apart by us for educational purposes.

By the treaty of 1867, the provisions of the treaty of 1862 relative to schools were continued in force.

We have heretofore requested and urged that this property be disposed of and the proceeds invested, in order that the interest may be used in the support of schools at our present home. The whole subject has been before the Department for two years past, and we cannot learn that anything has been definitely determined; and we are informed that the Department has not been able to obtain, or at least has not obtained, control of said property, but that it is, and has been, in the possession and under the control and management of irresponsible parties, who decline to render account to any one, and who assert that they have in some manner obtained a right of ownership of which they cannot be dispossessed.

This we are unable to understand. The property is ours, the same being our land or the proceeds thereof. We have, by agreement with the Government in the form of treaty, created all the authority there has been for disposing of or controlling the same, and we think that the power to control the same still rests with us and the Government. We have expected that the Secretary of the Interior would, in accordance with our request, take possession of this property as our guardian, and control and dispose of the same in our interest; but as he has not done this, we presume it must be because he does not consider that existing treaties confer power for definite action.

If this be the case, we respectfully ask that Congress will by law give the Secretary of the Interior power to take possession of this property, to cause a full investigation to be made, to compel an accountability from those who have been in possession, and to dispose of the same by sale in the manner deemed most advisable, and after the payment of the expenses of the investigation, sale, &c., have the remainder of the proceeds invested in United States bonds, the interest to be expended for our benefit.

We understand that it is claimed that donations have been made to aid the school provided to be established by the treaty of 1862. In regard to this we know nothing; but we are willing any such donation may be refunded, as we desire only what is lawfully, legitimately, and equitably our own. In this connection we desire, however, to say that we totally and wholly repudiate and protest against the claim of any parties to dictate to us what shall be done with our school property, simply because they have possession of it. Its disposition is a matter to be left entirely with the Government, our lawful guardian, and ourselves, and our desire in this respect we have hereinbefore indicated.

We are a, comparatively uneducated and helpless people, without remedy in the courts, and we earnestly ask that attention may be given to this matter, which has been so long delayed.

We feel satisfied that the Department will not permit this property to be longer withheld from us, and that an intelligent and just Congress

will extend definite power to the Department to enable our full protection so soon as they understand the case.

OTTAWA RESERVE, INDIAN TERRITORY, *January, 1871.*

JAMES WIND, *Sole Chief.*

his  
ESQUIRE + GEORGE.

mark.  
his  
NANKESIS. +

mark.  
his  
HENRY + NANKESIS.

mark.  
his  
HENRY + CLAY.

mark.  
his  
DAVID + BARNETT.

mark.  
his  
PETER + DRAGOON.

mark.  
his  
RICHARD + CLARK.

mark.  
his  
EDWARD + BOWEN.

mark.  
WILLIAM HURR.

We do hereby certify that the foregoing petition was fully explained to the Indians, and signed in our presence.

GEO. MITCHELL,

*S. Indian Agent.*

WILLIAM HURR,

*United States Interpreter.*