SCOURGE OF THE OSAGE FROM THE HAND THAT HELD THE QUILL:
THE ECONOMIC SURVIVAL OF THE OSAGE INDIANS
CONCERNING THEIR TRANSFORMATION FROM WARLORDS TO LANDLORDS
IN THE
NINETEENTH CENTURY

A Thesis by
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the requirements for the degree of
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I have examined the final copy of this Thesis for form and content and recommend that it be accepted in partial fulfillment of the requirement for the degree of Master of Arts with a major in History.

Robert M. Owens, Committee Chair

We have read this Thesis and recommend its acceptance:

H. Craig Miner, Committee Member

George Dehner, Committee Member

David E. Soles, Committee Member

Jackie N. Williams, Committee Member
DEDICATION

To Mourad—I know life will repay you a thousand-million times over for all of your good deeds.

To all those in my family who have passed on and hungered for an education such as the one I am about to receive but were not able to achieve it: Pappou Tommy, Pappou Tim, Aunt Aunnie, Uncle Mike, Uncle JJ, JoAnn and Marie, Dedo, Baba Maria, Baba Sedera, Yiayia Alexandra, Yiayia Maria, and so forth; may we all share in this lamp of knowledge to light all of our souls together, eternally.

And to all the Osage Indians, past and present, whose spirits haunted my dreams to tell their story.
How far you go in life depends on your being tender with the young, compassionate with the aged, sympathetic with the striving and tolerant of the weak and the strong. Because someday in life you will have been all of these.

- George Washington Carver

From whatever angle you regard the destinies of the North American natives, you see nothing but irremediable ills: if they remain savages, they are driven along before the march of progress; if they try to become civilized, contact with more-civilized people delivers them over to oppression and misery. If they go on wandering in the wilderness, they perish; if they attempt to settle, they perish just the same. They cannot gain enlightenment except with European help, and the approach of the Europeans corrupts them and drives them back toward barbarism. So long as they are left in their solitudes, they refuse to change their mores, and there is no time left to do this, when at last they are constrained to desire it.

- Alexis de Tocqueville
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ABSTRACT

As the sun rose upon the Plains of the Midwest, dawning the nineteenth century, the Osage nation found itself embroiled in heavy trading and combat tactics with the French, Spanish, and even neighboring tribes. And while intricate negotiations had managed to smooth out the problematic agreements, for the most part, made between the Osages and each party, it would be of no avail against their novel, Nineteenth-Century predicament: American expansionism. By the early 1800s, the newly formed United States of America was beginning to pursue its Manifest Destiny and expand its borders westward—across lands that were historically accepted as the Osages’. Faced with unforeseen advances in weaponry and the sheer number of Americans now surrounding them, the Osages began their descent from a significant, warring Amerindian power in the Midwestern United States to their hundred year struggle to survive as a nation of men and women, now foreign in their own homeland.

The economic survival of the Osage Indians during the nineteenth century can best be examined during three key events in American history: the Presidency of Thomas Jefferson; the removal of Indians East of the Mississippi River to Osage territory during the 1830s and 1840s; and the Osages’ implementation of the cattle-leasing business to support themselves once federal aid failed to reach their hands. With each experience, the Osage nation became more patient with their fellow man and their distressing situation, and keenly recognized that the means to their own survival within the United States was to model certain functions of their own economic and political systems after that of the capitalistic society. Doing so prevented the government from luring the Osages into an endless cycle of falsely assigning land to them only to take it back in minor technicalities, years later. It is
through this ingenuity and wisdom that, by the late 1880s, the Osage people, overcoming poverty and homelessness, became one of the richest Native American tribes in the United States of America.
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CHAPTER 1
INTRODUCTION

Historiographic Question

It was an extermination like no other in the American West. Bison, deer, elk, and beaver were swallowed up at an unnatural rate due to the massive migration of eastern Indian tribes into Osage territory during the 1830s. What this meant for the Osage nation was not only an alarming level of economic instability, but far worse, the starvation of the tribe en masse. Instead of feeding these malnourished ‘children of the middle waters,’ the United States government dispatched dragoons into the Plains for the sole purpose of pushing the Osages back onto their reservation—a fraction of what it once was some three decades

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1 Revered Osage Indian and historian John Joseph Mathews has traced the Osage name to mean “Children of the Middle Waters.” The Osage referred to themselves in their native language as the Wazhazhe people. Through continual European contact in the seventeenth and eighteenth centuries, western traders corrupted the name into Waw-saah-e, Wa-saw-see, Wasaaji, and Wasabasha. Since the French had initial European contact with this community, their corruption of the name eventually went from the original Wazhazhe reference to O-sawsees, Ousasah (meaning ‘bonemen’), Ouahaze, and then Ouchage. From here the tribe’s current designation, Osage, can be understood as a corruption from this linguistic pathway in the French language. The first historical recollection of the Wazhazhe people being identified as the “Osages” came on an autographed map by France’s Father Marquette in 1673, which simultaneously placed the Osages in the Missouri Valley region as well. The connotation for the Osage name was synonymous with the word “enemy” since the vast majority of Native Americans in the Plains region despised the Osages for their economic superiority and physical prowess in combat. Their domination in this Louisiana Territory was very well known within the Indian community until contact with the United States at the beginning of the 1800s. John Joseph Mathews, The Osages, Children of the Middle Waters (Norman, OK: University of Oklahoma Press, 1962), x; Frederick Webb Hodge, ed., Handbook of American Indians North of Mexico, vol. 2 (Washington D.C.: G.P.O., 1912), 156; Major Stephen H. Long, Expedition found in Ruben Gold Thwaites Early Western Travels vol. 16 (Cleveland: Arthur H. Clark CO., 1904), 273; George Catlin, North American Indians, vol. 2 (Edinburgh: 31 George IV Bridge, 1926), 46; Maximilian, Prince of Wied, Travels in the Interior of North America, found in Twaites, Early Western Travels, vol. 24, 296; Elliott Coues, ed., The Expedition of Zebulon Montgomery Pike, vol. 2 (New York: Francis P. Harper, 1895), 590; D.W. Wilder, Annals of Kansas (Topeka, KS: T. Dwight Thaeher, Kansas Publishing House, 1886), 25; A. J. Andreas, History of the State of Kansas (Chicago: R.R. Donhelley and Sons, The Lakeside Press, 1883), 60; U.S. Department of the Interior, Bureau of Indian Affairs, The Osage People and Their Trust Property: A Field Report of the Bureau of Indian Affairs, Andarko Area Office, Osage Agency (Washington, D.C.: G.P.O, 1953), 2; Lawrence J. Hogan, The Osage Indian Murders: The True Story of a Multiple Murder Plot to Acquire the Estates of Wealthy Osage Tribe Members (Frederick, MD: Almex, Inc., 1998), 14.
earlier. As Captain St. G. Cooke recalls, his men had to scout for Osages hiding in the forests in order to drag them back to their allotted space behind the Mississippi River; recent wars with combative tribes prevented the Osages from organizing any feeble hunting parties to scavenge for berries or nuts in the foliage together. Once U.S. forces came upon the weary tribesmen, Cooke writes that the Osages were almost pleased to be discovered since there was a chance they would not have to return home by foot. As soon as Capt. Cooke examined the living conditions of these Indians, he discovered how dire their situation had become in only thirty years. The Osage’s diet consisted of whatever edible plant was hidden away in the forest, undiscovered by other desperate Indians. In 1837 it appeared that was acorns.²

It is quite unfathomable to believe that in about one generation of contact with Euro-Americans the entire Osage nation plummeted from possessing a national reputation as one of the strongest, fastest, largest, and wealthiest Amerindian groups in the expanding American west to a community of poverty-stricken families scrounging through the leaves to find bitter nuts to feed their starving babies. In fact, upon their first visit with President Thomas Jefferson, the American leader’s initial reaction to his encounter with the robust Amerindian group was that, “They are the most gigantic men we have ever seen,” implicitly signifying that he, like the rest of those in the Plains region, were quite intimidated by the size and physical prowess of the Osage Indians. Jefferson also states in a private letter to the Secretary of War that “The truth is . . . . With these two powerful nations [the Sioux and the Osages] we must stand well, because in their quarter we are miserably weak.” Here again lies the absurdity of the Osage’s Nineteenth Century position in that at the start of the

² Letters Received by the Office of Indian Affairs—Osage Agency 631:725-734.
century even the American president realized the great power of the tribe and its influence west of the Mississippi River. But shortly before mid century, this once superior nation was wholly controlled by a couple of military expeditions whose weapons were more of a heavy hassle than help on the journey to Louisiana Territory.³

While the Osages eventually exhumed themselves from this debacle of scarcity through grass leasing in the latter part of the 1800s, it is remarkable to examine the lack of scholarly research on nineteenth century Osage history with respect to their economic status, despite the notion that it was such a pertinent aspect of their lives for the entire period.

Concerning the impact of America’s Amerindian removal policy on the Osage nation during the 1800s, Anthony F.C. Wallace correctly cites in *Jefferson and the Indians: The Tragic fate of the First Americans* that Osage land was seized by President Jefferson in order to act as a buffer zone between white settlers materializing his dream of an American economy based on yeomen farmers living in the East, and ‘savage’ Indians who did not wish to ‘civilize’ themselves by learning agricultural practices and thus, would not be welcomed to remain east of the Mississippi River. These uncooperative Indians eventually would be removed west onto former Osage territory. As Wallace clarifies, Jefferson’s primary agenda during his presidency was to nourish the American peoples’ lives, not those lives of the Native Americans. He says, “If Jefferson was guilty of insincerity, duplicity, and hypocrisy in Indian affairs, it must be conceded that this shiftiness, like his political ruthlessness, was a weapon

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in his struggle to ensure the survival of the United States as a republic governed by Anglo-
Saxon yeomen."

In a more positive stance, Bernard W. Sheehan argues that Jefferson and his early proponents of Indian removal carried a more philanthropic agenda at heart. Sheehan positions himself under the idea that civilizing ‘savage’ Indians like the hunter-gatherer Osage people would transform them into “useful member[s] of the white man’s world” where their “savage ways would disappear.” Not only would this thought from the forefathers benefit the American economy by boosting employment, but it would also be backed by “Every administration from Washington to John Quincy Adams . . . [to] . . . a variety of private philanthropic organizations.” Sheehan realized that the developers of Native American policy in the late eighteenth and nineteenth centuries viewed Indians much differently than the modern historian does and that this older perception of natives is what shaped and directed policy towards those individuals. Unfortunately for its financial and altruistic supporters, the philanthropic plan failed miserably.

In another popular view of Indian policy, Francis Paul Prucha proclaims that the United States government attempted to act as humanely as possible when dealing with natives and endorses their courses of action. Prucha compares the government’s treatment of natives to a father-son relationship, or paternalism. The guidelines of this relationship included employing white norms when deciding the best course of action for Indians, which was


typically a protective deed, “subsistence of the destitute, punishment of the unruly, and eventually taking the Indians by the hand and leading them along the path to white civilization and Christianity.” All of these acts double in the parent-child realm as fatherly in nature. Prucha’s thoughts are not nearly as negative as other Amerindian policy writers though they do explain the government’s complex, sometimes contradictory decisions when dealing with Native Americans, as if the father is conflicted about the maturing son’s life in an uncertain world. All of the above features of the federal-native relationship Prucha mentions were features of the Osage-government relation in the nineteenth century as well.  

Notable works which cover the entirety of Osage history tend to focus on socio-cultural factors over those financial or economic in nature, regardless of the fact that the Osages historically had prospered in the Plains region in large part because of their successful fur and weapons trading business for hundreds of years. For the most part, historical Osage works speaking to the nineteenth century and before tend to carry an anthropological mindset. Osage Indian and renowned Oxford Amerindian historian John Joseph Mathews highlights this point in his book, *The Osages: Children of the Middle Waters*. The text itself is a complete history of the tribe but views their experiences with a social lens so that when economic events are mentioned, such as plagues or the immigration of eastern tribes, Mathews spends time explaining how these changes affect the traditions and family life of the Osage community instead of their economic adaptations. Robert M. Liebert’s *Osage Life and* 

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6 Francis Paul Prucha, *The Great Father: The United States Government and the American Indians*, vol. 1 (Lincoln, NE: University of Nebraska Press, 1984), ix-xi: Colin G. Calloway also lends a fresh view to Amerindian-American relations prior to Prucha’s period, but does so by focusing on the developing American West and the effect contact has upon these groups. Colin G. Calloway, *One Vast Winter Count: The Native American West before Lewis and Clark* (Lincoln, NE: University of Nebraska Press, 2003).
Legends: *Earth People/Sky People* repeats this theme widely in his text, most likely because Osage religion dictates that the preservation of the tribe’s cultural history, such as their cosmology and evolution of character, is more important than the linear dates and times of events, upon which western thought places much importance. Native thought also believes in a cyclic view of time where a sequence of events is more difficult to pinpoint. Indian scholar Francis La Flesche also illustrates this point with his studies of the war and peace ceremonies of the Osages. Though these ceremonies were routinely used before war party hunts in the 1800s, such as when the Osages fought the Kiowas, La Flesche refuses to place the ceremonies in a historical context for the reader, focusing on an ethnocentric view of Osage traditions as a substitute. G. A. Dorsey’s work on the same subject also presents the identical problem while Nett’s text devotes much time to describing Osage kinship patterns at the expense of historical context.  

In much the same fashion mixed-blood Louis F. Burns’ 2004 work *A History of the Osage People* details the general history of the tribe but employs a more cultural-political analysis of events in the community’s past instead of providing a solid basis to their economic changes throughout their three-hundred and fifty traceable years with Euro-American contact via fur and weapons trading in the Missouri Valley. A hint of bias for the Osage plight is sometimes detected through Burns’ narrative, probably due to the fact that the author is an Osage Indian, himself. Garrick Alan Bailey’s *Changes in Osage Social*
Organization, 1673-1906, as the title implies, repeats this concentration on Osage society through their transformation as a tribe from western contact.

Willard H. Rollings narrates the Osage past by analyzing its ethnohistory over the last several hundred years while David W. Baird displays this phenomenon to a lesser extent as well, exchanging some examination of the development of Osage culture for the details of the tribe’s historical encounters with other peoples. Of all these socio-cultural works, David Agee Horr’s work adheres best to this anthropological study of the tribe, devoting much of the group’s history to archaeological discoveries while Carl Haley Chapman created a hybrid of ethnographical, historical, and archaeological views on the Osage Indians in 1959. Chapman did touch on the economic consequences of American contact in the 1800s, but utilizes these historical events to describe their cultural and social impressions upon the tribe instead of tracing the Osage’s economic journey during that century.  

The closest nineteenth-century economic encounter in this group is submitted by Ramona I. Martin in 1934. Martin details many of the government’s early policies which affected the Osages financially, such as the Treaties of 1808 and 1818, but chooses to analyze the relationship between the federal government and the Osage Indians as their economy was

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declining. Thus, any references to the impact of federal policy on the lifestyle of the Osages are a background to Martin’s foreground of rapport on a national level. The author also ends her study of the Osages in 1830—just when the extreme hardship of the tribe was about to commence.9

Fascinatingly, much work written on the Osages before the mid-late 1800s confronts the primary literature left by French travelers in the area or is published primary literature itself that unfortunately has little to do with the economics of the tribe. Sister Mary Paul Fitzgerald’s *Beacon on the Plains* speaks to her time in the Osage mission and personal memories of those she was surrounded by in the 1800s. Sister Fitzgerald does make mention of financial statements, annuity payments, and even disease affecting the mission during her stay, but does not comment on the impact these problems had on the fiscal stability of the tribe. Religious history also fueled William Whites Graves’ *The First Protestant Osage Missions, 1820-1837*. 10

George Catlin’s captivating illustrations and descriptions of the Osages are the product of his Missouri Valley tour during the early nineteenth century to learn about the customs and lifestyles of the Indians, not their declining financial systems in the face of emigrating Indians and plague. Other early Plains travelers’ reports left similar chasms in their diaries or letters, though some, such as Thomas Nuttall, Victor Trixier and to a point Paul Wilhelm--Duke of Wurttemberg, do leave the modern reader with at least some


description of the early Osage diet and hunting reserve. Beyond these men, it is up to the reader to sift through the letters of those who traded with the early Osages before the decline, like Spain’s Manuel Lisa, or rely on a secondary author’s interpretation of literature left behind during this period, perhaps even reverting to the massive journals recorded by William Clark and Meriwether Lewis on their great journey to explore the Louisiana Territory in the early 1800s where they met the Osages. While content relevant to this era does appear to be more fiscal in nature, its investigation of the material presented is weak at best and scantily presented through the secondary literature, if shown at all.11

The preponderance of material speaking to the economic past of the Osages pertains to their transformation from a grass leasing tribe in the Cherokee Outlet during the late 1800s to that of an oil tycoon nation when the lubricant was discovered on their property shortly before 1900. Robert M. Burrill’s *Grassland Empires* chronicles the geologic developments of the

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Osage’s Oklahoma homeland from 1872 to 1965, paying close attention to the tribe’s massive mineral and environmental resources, despite the land’s inability to be cultivated, as was Jefferson’s hope several decades before. Burrill’s other work on the establishment of the Osage cattle ranches better develops the historical side of Osage life but again leaves out an analysis of the impact these ranches had on the tribe’s economy. Les Warehime’s much more recent publication on the history of Osage ranching adequately chronicles the history of this portion of the Osage past, but fails to find any succinct conclusions about the operation of the grass leasing business in Osage territory. Warehime’s 2005 publication concerning those cattle ranchers leasing on Osage land, entitled The Osage “Its Ranching Legacy,” is simply a listing of those who have utilized the Osage reservation over the years. This text above all others mentioned beckons more attention be given to the nineteenth-century history of the Osages since Warehime’s work clearly indicates that there is a lack of scholarly research in this arena.12

Autobiographies and biographies of those involved in the Osage oil boom at the turn of the century only bolster the need for a scholarly approach to be taken. Much of this explosion of material relates to the scandalous 1920s Osage Reign of Terror in which their 1800s

economy is briefly mentioned if at all. Moreover, many of these texts incorrectly state that the Osages’ emergence from poverty came around 1900 with their contracting of oil on their reservation. In actuality, the Osages began this ascendance thirty years before with the establishment of their unexpectedly prosperous grass leasing business in the 1870s.\textsuperscript{13}

Terry P. Wilson’s \textit{The Underground Reservation: Osage Oil}, takes clear aim at examining the economic pressures facing the Osages, but does not extend his argument before the twentieth century, though much of it applies to the tribe’s Nineteenth Century experiences. As Wilson writes:

> local, state and federal [government]—failed to protect the Osages from the larcenous among their non-Indian neighbors. . . . the Osages [were] prime subjects for exploitation, if not by murder and robbery, then by sharp business practices, corrupt guardianships, and, especially, a general willingness to share in dispossessing them. . . . wrongdoing was more often condoned than condemned.

Historians like Wilson, H. Craig Miner, William E. Unrau, William T. Hagan, Joseph B. Herring, and Stuart Banner enlighten the modern reader as to how corrupting and damaging corporations, settlers, and to some extent, ranchers, were to the western Native American population during the late nineteenth and early twentieth centuries—a time in which the Osages certainly were no exception.\textsuperscript{14}

\textsuperscript{13} Hogan; Maria Tallchief, \textit{Maria Tallchief: America’s Prima Ballerina} (New York: Henry Hold and Co., Inc., 1997); Dennis McAuliffe, Jr., \textit{Bloodland: A Family Story of Oil, Greed and Murder on the Osage Reservation} (Tulsa, OK: Council Oak Books, 1999); Dennis McAuliffe, Jr., \textit{The Deaths of Sybil Bolton: An American History} (New York: Times Books, 1994).

In sum, Native American writers discussing the history of the Osage nation are consistently unsuccessful in revealing the tribe’s interesting and pivotal nineteenth century economic past. Osage histories that claim to be comprehensive miss this portion of their past by making one of two mistakes. The author typically exchanges analysis of historic events which alter the Osage’s economy in the 1800s for the implementation of more unexamined details, or that investigation is wholly focused on an anthropologic or ethnocentric interpretation of Osage history at the expense of any political or economic comments on the developing community.

Of those materials where economic literature is more readily found via primary documents, those documents are usually from individuals from the very early part of the nineteenth century and of little help in deciphering those factors of the expanding American West which caused the rapid decline of the Osages. This problem can be traced back to the realization that many journals and diaries left behind in this era were from religious leaders who did not pay much attention to finances or from French or Spanish travelers whose awareness of United States-Osage relations was slim to none.

Those publications which do make an effort to examine the economic status of the Osages during the nineteenth century appear to commence their research around 1870 when the tribe’s grass leasing business propelled them out of poverty. It is important to note that only a few authors have come to this realization since most converge on the Osage’s discovery of oil at the turn of the twentieth century, erroneously signifying that it was this oil boom which

brought the Osages out of generations of desperate poverty. In truth, the nineteenth century appears to have been the most dramatic, complex, and harrowing hundred years the Osage nation has ever faced in the history of its existence and yet, it is sadly the least understood as well.

Focus of the Study:

The focus of this study is to examine the economic survival of the Osage Indians during their unique nineteenth-century experiences in the Plains region of America. At the end of the 1700s, the Osage nation was one of the largest, most feared, and without question, most economically prosperous tribes in the Midwest. Some of their success stems from what could have been genetic predisposition in the relatively large, healthy size of their people which permitted them to reproduce widely, thereby dominating other Indian communities in the region.\(^\text{15}\) Once this local supremacy was established, the Osages occupied the majority of trading posts and hunting grounds in the Missouri Valley which supplied their people with

\(^{15}\) Though robustness of the Osage people may sound untrue, nearly every trader, traveler or official made it a point to comment on their brawliness. Duke Paul Wilhelm writes, “The Osages have the reputation of being the tallest and strongest Indians in the western territory. . . . I cannot deny that all the individuals of this nation that I had an opportunity to see were very strong and muscularly built. [They are] the masters of the land.” Washington Irving’s tour of the prairies showed him that “the Osages are remarkable for length of limb” which greatly aided them in hunting expeditions. Noted artist and traveler, George Catlin, also toured the Plains, painted numerous Osage Indians. His notes reveal that these people are “justly said to be the tallest race of men in North America, either of red or white skins.” Indeed, “very few” Osage men were “less than six feet in stature, and very many of them six and a half, and other seven feet” tall. Tribesmen were also “well-proportioned in their limbs, and good looking” with a quick and graceful movement. Likewise, for the hundred years before Osage-American contact, according to population statistics, the tribe managed to keep their inhabitants between about 7,000-10,000 people—a substantial community of Amerindians in any region of the Americas. Whether this population density was a result of absorbing other tribes, a low mortality rate, higher rates of reproduction than other nations or a combination of all three is unknown. What is known is that the Osage nation continued to grow until the influx of Euro-Americans came to their grounds. Wilhelm, 195; Irving, 87; Catlin, 40; Bailey, Changes in Osage Social Organization, 1673-1906, 109.
not only an abundant source of leather, fur, and food, but also the influx of French and Spanish traders with these goods for an incredible profit margin. Thus, by the time Lewis and Clark first encountered these Indians at the turn of the century, the economy of Osage nation was thriving to say the least.\(^\text{16}\)

It was during this initial one hundred year period of Indian-American contact where the Osage economy plummeted. Communication with European nations was found to be on a much smaller scale in which the mother country was always thousands upon thousands of miles away and there were rarely definitive plans to treat Native Americans as anything other than equal, sovereign nations. When the British signed the Peace of Paris in 1783 ending the American Revolution, this act signaled a new wave of foreign policy in the American territory for the United States. In short, the Peace of Paris forced British officials to cede their lands in the Old Northwest to the Americans, much of which contained Indian allies. As historian Reginald Horsman notes, this transfer of land signaled a shift in United States treatment of Amerindians where the acquisition of their territory became Washington’s main focus, replacing old attempts at building friendships and associates against the British who were no longer a threat.\(^\text{17}\)

So once United States President Thomas Jefferson purchased the Louisiana Territory from a frantic Napoleon Bonaparte in 1803, it was clear that the Osages were dealing with a


new kind of nation. As President Jefferson later stated in his first address to the Amerindian group, America’s goal was to become their trading partners and their ‘overseers’ by building security posts within Osage territory to protect them from invaders. Already having a solid reputation in the Missouri Valley for their warlike nature, Jefferson’s real intentions for these posts later came clear with a series of treaties of 1808, 1815, 1818, 1825, 1839, and 1865—all of which dealt with cession of Osage land. These ‘protection’ posts actually prevented Osage upheaval in the Plains region once Jefferson commenced the process of America’s Indian removal policy in which Native Americans residing on desired lands East of the Mississippi River promptly were moved to vacant Osage lands.\textsuperscript{18}

The first to emigrate into Osage lands were members of the Cherokee tribe in 1808, wishing to partake in the Osage’s plentiful buffalo hunts and healthy reserve of wild game in the Missouri Valley which had made them so affluent over the previous hundred years. A series of treaties over the next few decades gave much the same, recurrent pattern of destruction for the Osage’s economy in that each time land was ceded to the government, it was in turn set aside, emigrating Indians were shoved onto them. The new arrivals then ate up more dwindling Osage resources. Not only by the late 1820s-early 1830s were the Osages in a much more confined space in which to hunt and gather food, their land was poorly suited for agriculture—according to the few tribesmen who dared venture into the ‘white man’s way of life’—and their hunting parties, which typically caught animals for food and furs to sell for

profit, were now being devoted to fight other quarrelsome tribes, as was the case with the Osage-Cherokee Wars during this period. Numerous resources and energy were diverted from hunting for wild game in the now competitive Missouri Valley reserves in order to rebuild destroyed villages caught in the crossfire. Much of this period was spent simply repairing the Osages economy to that of what it was before the Cherokees arrived.\(^\text{19}\)

As if the economic status of the Osages could not deteriorate anymore, the influx of eastern Indians also exposed the Osages to a myriad of unfamiliar diseases, including smallpox, scrofula, and cholera. Thousands of their fellow tribesmen perished from five cyclic plagues spreading through the community until the late 1860s due to the close, unnatural confines of the Osage reservation—especially since they were quarantined for an eighteen-year period—and because of an unfortunate drought, and then flood, in the area that bolstered the distribution of disease among these Amerindians. Many tribesmen were simply too sick to hunt, cultivate, or sell goods to traders, and those that were not sick had to divert their attention to healing the ill. Coupled with President Jackson’s Indian Removal Policy of the 1830s, those incoming Indians who did not bring the Osages new diseases did manage to bring them new troubles over their hunting reserve. In fact, reports that it was literally being exterminated in the late-1830s arrived, indicating that the entire basis for the Osage economy in the Missouri Valley was about

to collapse. Reports that village families survived on diets of acorns arrived in Washington, though little was done to alleviate the situation of this once almighty Plains tribe.\(^{20}\)

Once the Osages were removed to Kansas in 1839, a brief period of stability blanketed the nation, only to be replaced by intruding white settlers, farmers, and squatters, illegally cultivating Osage land in Kansas. As game began to diminish and disease rose in conjunction with the number of white settlers on their land, the Osages began exchanging their funds and personal possessions for a new disease on their land—alcoholism. Whiskey peddlers arrived en masse on western Indian reservations only to push the Osage nation back into their penniless state of existence once again.\(^{21}\)

By the time the Civil War ended, Congress managed to sign yet another two treaties with the Osages in order to turn their Kansas lands over to hungry farmers and squatters in exchange for money and annuity payments. The Osages were willing to be removed from their homeland yet again because of their impoverished state in the 1860s, in part due to the governments’ serious failure to allocate to them seven years of annuity payments from previous treaties. Once the Osages received money from the sale of their Kansas reservation, they


purchased a tract of their former homeland in Oklahoma in the Cherokee Outlet.

Serendipitously, while the land was too rugged to cultivate, several Texas ranchers noticed their cattle’s incredible ability to bulk up once feeding on the Osage’s special bluestem grass. Through a series of leases modeled after those of the Cherokees, the Osages set up the Osage Livestock Association to lease their precious prairies to Texas cattlemen. These ranchers were very eager to lease from the Osages since they were prohibited repeatedly from having their cattle graze in neighboring states like Colorado, Kansas, or New Mexico—all of which possessed major railroads traveling to slaughterhouses, due to their cattle possessing the deadly disease Texas fever. The Osages’ and their tract of land, located on the Oklahoma-Kansas border, had no problem permitting Texas cattle to graze on their prairies for a hefty price since a convenient ‘dipping station’ was developed to remove the infectious ticks that caused Texas Fever. Thus, it was the capitalistic grass leasing industry that literally saved the Osage nation from financial destitution.  

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Methodology of the Study

To examine the economic survival of the Osages during the nineteenth century, a myriad of sources were utilized not only to familiarize myself with the literature of the period and the general history of the time, but also to examine each issue from a number of viewpoints if possible. Moreover, I believe a considerable explanation for the lack of scholarly research done in this realm of Osage history is due to the amount of hard work one must put in, in order to correctly understand those issues at hand, however complex they may become. Eighteenth-century topics, for example, lend themselves to less primary source material since time has a way of disintegrating historical documents. With only one hundred years gone, there are plenty of letters, diaries, pictures, newspapers, government documents, and so forth to sift through where any lack of focus in the nineteenth century project wreaks havoc on its conclusions since the volume of available material has increased so notably. Just as important is the actuality that Amerindian history, especially for the Osages, became much more complicated beginning in the 1800s, specifically because of United States contact with them and the endless paper trail of government documents to prove it.

In order to trace the economic effect of this contact, I have divided the text into three main sections, corresponding to the three major developments in Osage history during this period. The first division traces the impact of Jeffersonian politics upon the Osage nation during the early 1800s. Primary documents used to construct this section include the diaries of early travels like Trixier, Paul Wilhelm, and Nuttall, and letters of pivotal figures in the tribe’s early United States-Indian contact such as the letters of Lewis and Clark and those of President Jefferson. Since the most noticeable repercussion of such contact was the creation
of treaties, Kappler’s compilation of ratified Congressional Amerindian treaties is heavily employed here as well. The American State Papers as well as the Annals of Congress were also consulted.

The second division within this text seeks to enlighten the reader to the impact these land cession treaties of Osage territory had upon the tribe. Since the federal government used most of this newly acquired land to place eastern Indians upon, this section on the Osages and Indian removal was created through extensive examination of the United States Department of the Interior’s Letters Received by the Office of Indian Affairs’ Osage and Neosho Agencies. These records document the gradual decline of the Osage economy as more Indian nations surrounded them, as well as other emergent problems such as Indian wars and disease. Personal diaries like those of Sister Fitzgerald and the words of Father Schonmakers complement government documents well, especially the Annual Reports of the Commission of Indian Affairs affirmed in the Department of the Interior in Washington, D.C. Personal documents reveal much more detail about the problems of the Osage economy during the mid-Nineteenth Century, such as how the Osages coped with a lack of annuity payments from treaties and the devastating consequences of multiple plagues on a tribe confined to a plot of land drastically smaller than their original territory.

The third and final section of this argument focuses on the Osages’ rise out of economic depravity from the Reconstruction Era of the 1870s to 1896 when the tribe serendipitously began leasing their rocky prairies to Texas cattle ranchers for a hefty profit. Primary source material in this chapter is a continuation of those Letters Received by the Office of Indian Affairs and the Annual Reports of the Commissioner of Indian Affairs as
well as other government documents to understand the complexity of negotiations transpiring in Congress to legalize grass leasing in the Plains region. While newspaper data is scattered throughout the work, much content is found here due to the more recent era of this chapter, 1870-1900, because more white settlers and communities had developed to comment on and record their thoughts on Osage history than in previous years. Newspapers are of particular interest because they show the interaction between whites--many times farmers or cattlemen--and Indians on this leasing issue. Several papers were chosen to balance the subject including—but are not limited to--the Arkansas City Republican, the Cheyenne Transporter, the Arkansas City Traveler, the Kansas City Evening Star, the Omaha World Herald, the Indian Chieftain, and the Weekly Kansas Chief.

From these materials, an enchanting account of the Osage’s nineteenth century lives has been reconstructed in the following pages. It canvasses the many sides of each issue, from the weary Indian traveler to the incoming whiskey peddler to the Texas cattle rancher whose profits were scattered across the Plains, unwilling to be rounded up and pushed back down south following the arduous. These events filled the days of ancestors of the Osage Indians, though it all began one peaceful afternoon on a boat in the Missouri Valley. . .
“THESE ARE THE MOST GIGANTIC MEN WE HAVE EVER SEEN”

It was one of those arid, mysterious days where the changing of seasons never fails to surprise those outdoors. But for a certain pair of inquisitive minds, the small beads of sweat developing on the back of 33 year-old ex-army lieutenant William Clark’s neck were not due to steamy summer temperatures; they served as a sign of caution that he and his partner, Meriwether Lewis, were not alone. Yet, as the day wore on and the two men pooled their attention toward sketching more of the passing enigmatic landscape, such uneasiness was effaced by the steady stream of work both had assigned themselves while on their important mission from the United States government. Although time has swept away the fascinating details, it is known that on this muggy summer day of May 31, 1804, Lewis and Clark met one of the most powerful and well-known Amerindian tribes in the Louisiana Territory; the Osage nation. While both powers were backed by unfathomable amounts of weapons, men, strategy, and fear from other communities, the Osages bore no threat to the explorers.

Perhaps, in an effort not to alarm the two men, the Osage people sent out a greeting committee of only a modest canoe filled with three people: one native man, one native woman, and one Frenchmen. It was an amicable meeting where both parties, Lewis and Clark and the Osage band, treated each other as equals. Unfortunately, this egalitarianism did not presage future Osage-United States relations in the least bit.

Contrary to modern belief, the Osages, unlike most other Plains Indian tribes of the eighteenth and nineteenth century, had become some of the most influential Amerindians in the Louisiana Territory by trading weapons and goods with countries such as France and Spain. Concerning the Louisiana Purchase of 1803, Osage influence in the area was a contributing factor in the territory’s change of hands from Spain to France then, eventually to the United States. It was Lewis and Clark who successfully explored the land.

According to Thomas Bailey’s *A Diplomatic History of the American People*, there were three overlying reasons why, in 1795, Spain was ready to beautify Louisiana for Napoleon’s wandering eye. First, the cost of administration and defense to maintain the colony was exorbitant for the faltering Spanish economy. Second, due to its distant location, far from the mainland of Spain, it was an open target for invasion from a number of intruders. And third, Spain’s North American territory was fatigued by acting as the continual buffer zone between Texas and New Mexico—two areas with communities whose combative tales were hardly a secret.  

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The Osage barrier between Texas and New Mexico. Osage influence in the Plains region covered a vast distance by the early 1800s, as seen in the map above. Mark C. Carnes, *Historical Atlas of the United States* (New York: Routledge, 2003).

Although Bailey fails to mention the impact of the Osage’s influence upon the decline of this European nation in America, it is nevertheless a key factor in the economic progressive history of the tribe at the dawn of the 1800s. The Spanish in Louisiana allocated many of their resources to cope with the Amerindians, either from battle losses or from bargaining for third party traders in the profitable fur and weapons markets. Had the Osages not remained a sizable opponent for Spain in the Americas during the latter half of the eighteenth century, arguably the Spanish would not have engaged in talks with Napoleon Bonaparte to sell the site so quickly.\(^{25}\) After all, what lay between Spain’s Manifest Destiny in the East and their current western holdings was the uncooperative Osage nation, vertically stretched hundreds of miles across Louisiana land.

With the realization that the Spanish, though in possession of the territory, had no physical means to enforce rule over it, the custodial value of Louisiana diminished rapidly, especially since its usefulness as a Texas-New Mexico buffer virtually was unrecognizable, again in part due to Osage autochronous rule. By 1795 word had reached the Spanish that the Osages were burdening the Natchitches in southern Texas, and even the great warring tribes of the Comanches and the Lipan Apaches, spurring only more native attacks for the Spanish to spend dwindling treasury funds upon. So with the stroke of a quill, the Spanish government transferred Louisiana’s title to Napoleon secretly, most likely in an attempt to quell future native uprisings in the land, such as those created by the Osages which contributed to the Spain’s sale of the territory, before they came to fruition. As for Napoleon’s dreams of a French state in America, once he failed to create a Haitian base upon the new Louisiana soil he purchased, the stout diminutive emperor swiftly sold it to the United States and concentrated his attention on saving his nation from an explosion of European wars.26

Now the year was 1803 and Thomas Jefferson accepted one of the largest additions to American land in the history of the United States. For the Osages, this purchase represented a cataclysmic change in their life and prosperity that would force them to spend the rest of the century climbing out of a downward economic spiral that they and most other Plains Indians fell into following this sale. At the turn of the eighteenth century, the Osage’s Little Old Men faction—a new subdivision in the tribe resulting from intertribal political disputes--and their genteel bonds diminished rapidly and left many portions of their defenses open to invaders.

This division between the two factions—what many scholars later came to refer to as the Little Osages and the Great Osages—shattered the strategic core of the tribe’s war defense system. The nation no longer struck an opponent from a singular, core location—in this case their base in west central Missouri, but had to find a meeting ground due to a physical split in the location of the two parties. The Little Osages decided to move to the headwaters of the Neosho-Grand river while the Great Osages chose the lower parts of that area instead; needless to say rapid communication in crucial times, like unannounced attack, were no longer viable.\footnote{Calloway, \textit{One Vast Winter Count}, 362-364; Burns, \textit{A History of the Osage People}, 132-133.} Whether or not the Little and Great Osages were able to resolve their differences sans outside interruption is of no importance. It was at this time that the United States government was designing plans for a total exploration of the lands they now claimed as wholly theirs to exploit; disruption upon Osage land was inevitable.

Great and Little Osages. The above map distinguishes these two major factions among the Osages at the time of the Louisiana Purchase. It also shows the Osage River, where Lewis and Clark first met members of the tribe in 1804 and their prosperity up until the nineteenth century influx of Euro-Americans into their land. Louis F. Burns, \textit{A History of the Osage People} (Tuscaloosa, AL: University of Alabama Press, 2004).
To deepen the Osages’ wounds, American trespassers would not resemble any other western nations the tribe had met in the past. The Spanish, French, and British all remained cordial, to different degrees, with the Osages in the Louisiana Territory and asked to become trading and hunting partners with them, both practices the tribe had incorporated as parts of their lifestyle thousands of years before. Hence, meetings with these Europeans hardly forced the Osages to alter their way of life in order to continue to survive in the area. Likewise any European inhabitants that did desire to settle with these Amerindians fell into small groups nearby without creating large disturbances for the tribe or its hunting grounds. For hundreds of years the Osages accepted European contact and much more often than not, made a hefty profit, realizing that the way to their economic survival did not include the seclusion that many other tribes had chosen ages before.

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But in 1803, frayed by internal discord and unprepared to defend themselves properly, the Osages determined it was best to make peace with Lewis and Clark diplomatically rather than risk a negative first impression when more American explorers arrived, only to put the Osages on their list of ‘slaves.’ It is important to note that the Osages’ meeting with Lewis and Clark was, at least on the tribe’s part, carefully planned. The nation had actually met the Americans years before on the Wabash River and, unbeknownst to the two explorers, defeated the United States terribly. By the same token, the Osages were well aware of “Mad Anthony” Wayne’s victory at the Battle of Fallen Timbers in 1794 and resultant Treaty of Greenville in 1795 which essentially ceded ¾ of present day Ohio from numerous Indian tribes to the Americans.29 Many of those signing tribes were also pushed back towards Osage’s lands, producing several intertribal conflicts.

But in the midst of this tribal combat with their recent neighbors, the Osage people heard bits and pieces of how different these types of intruders were from their old, European acquaintances. One factor that repeatedly saved the Osages from demise in the face of American expansionism during the nineteenth century was their ability to mimic this new opponent. Instead of applying old guidelines of contact with the Americans as they had done with the Spanish, for example, the Osages hastily came to the realization that a new set of pacific customs and practices must be developed. The Spanish were not a substantial opponent for the Osages, in part, because of the distance of their motherland. Since the United States government was only a carriage ride away, America’s ability to summon a sizeable army yielded a much more prompt response than that of Spain. Moreover, the young,

29 Calloway, One Vast Winter Count, 374-376; Burns, A History of the Osage People, 133.
bright America was fresh out of the Revolutionary War and still looking for British allies to destroy. By 1803 the only allies left in America were those who had lived in the land for thousands of years—the Indians. The Osage Indians, one of the largest groups in the Plains area, were known for trading with the British long before their “scuffle” with the Americans. Thus, avoidance of war at all cost was a necessity for the Osages and, since that day, the tribe has never engaged in an armed conflict with the United States government.  

Conflict arose over the government’s complete lack of competence when dealing with Indian affairs during 1800s, including those of the Osage nation. Of all possible factors contributing to the economic decline of these Amerindians during the Jeffersonian period, including reduced hunting grounds, internal strife, disease, intertribal conflict, and so forth, no single issue was more damaging to the infrastructure of the Osage Indians than the return of intruding white settlers upon their lands, to which the U.S. government turned a blind eye. In fact, the problem was so rampant that Osage historian and mixed blood, Louis F. Burns, cites that the Osage even made a “distinction between a legal settler and an intruder settler: A legal settler settled on lands that had been cleared of Indian title, while an intruder settler was on lands to which the Osages still had title.”

Naturally, after about a decade of these interlopers, the Osages began to take action and make examples of those who did not respect the boundaries of their age-old lands. Indian and hunting Euro-American intruders were executed and decapitated; then their heads were placed on stakes. Trader trespassers were robbed so as ‘to get the message’ and


then returned their goods at a later date while intruding farmers were hassled as someone stole their horses—usually permanently. General ‘American’ intruders, as Burns refers to them, were some of the most lawless and worst offenders encroaching upon Osage land; they obeyed no Osage decree or any of their American directives, believing as if they were outside the jurisdiction of legal means in the Wild West. While the French and Spanish quashed these problem makers efficiently, realizing the value and benefit of Amerindian relations to their future in the Americas, the United States failed to take any type of reprimanding action on the scale of their European counterparts though written treaties stipulating action would be taken state otherwise.\textsuperscript{32} For the Osages, the outcome of this gross negligence was disastrous.

Coupled with the vast, unforeseeable technological improvements being conceived in the the minds of Americans, the Osages were unable to remain ‘equals’ long after they met Lewis and Clark in 1803. Advanced, well-built wagons trailed on through their lands while intruders carried superior firearms to protect them from the heated gazes Osages gave them as they passed by. As those men shot animals down one by one, new trade goods arrived in the Plains area just in time to catch the eyes of the Amerindians since their hunting grounds were depleted to a dangerously low level by the mid-1800s. These transformations for the Americans, developing at an exponential rate, leveled the Osages’ inability to compete economically even as a sub-partner in the Louisiana Territory, despite their haughty status among other tribes for centuries. Their time had come and was now lost in the dust left by the wagons trampling over their lands. The turn of the eighteenth century

\textsuperscript{32} Burns, \textit{A History of the Osage People}, 134; Calloway, \textit{One Vast Winter Count}, 363-364.
marked a significant change in the cultural policy of the Osage Indians with other individuals. Perhaps it was due to the internal fissures they now suffered or to this cantankerous group of interlopers they frequently faced or this new technology, or even the robustness of the U.S. government, or maybe a combination of all such factors.

Nevertheless, the eventual reclusiveness the Osages adopted as their own method of coping with American intrusion in their land, from this point forward, became a part of their identity. There was an immediate change concerning the way in which the Osages conducted themselves around unfamiliar individuals and it did not serve them well in the nineteenth century.

Prior to Euro-American contact, the Osage economy centered around continual hunts of surrounding well-stocked game reserves, gathering wild plants and berries for nourishment, and horticulture practices. Interestingly, the Osages chose not to engage in fish trapping much despite their many nearby rivers and streams in the Missouri Valley. Fish, to the tribe, was eaten only in time of severe economic decline when other foods were not available. Specifically, the Osages enjoyed nuts, copious amounts of root vegetables and berries, cherries, pawpaws, wild potatoes and even maple syrup. According to Osage expert and scholar, Francis La Fleche, the most prized of foods found in the Osage diet was referred to as “pomme blanche” or “white apples,” translating to pursch plants in English. Water chinquapin and persimmons were also favored among tribesmen and dried for winter sustenance as well. Though the variety of plants and fruits grown within and around Osage

villages is remarkable, these items did little to assist their people in obtaining basic caloric needs for survival. After all, the Osage were known to be some of the tallest and largest Indians in the entire Plains area, their men were rarely found to be less than six feet tall.\(^{34}\)

Therefore, the sustenance of Osages was achieved through maintaining individual horticulture plots and hunting wild game. Concerning horticulture, women historically controlled this sector of the economy. Females were known for their remarkable ability to maximize the benefit of a small plot of land; only \(1/16\)th to one acre of land was cleared for the planting of crops each year—usually a mixture of corns, beans and squash, and along a river to obtain precious minerals in the soil from built up alluvian mud traveling along the respective stream. No reports can be found of these foods being sold or bartered on a wide scale in the tribe before Euro-American contact, most likely because Osage economy prior to this communication focused trading activities on hunting commodities. Agrarian goods were stored for winter months when animal meat was not available.\(^{35}\)

During major tribal hunts in the fall and summer, the Osage sought numerous types of fur-bearing animals including bison, deer and elk, both to feed the tribe and use their skins/furs for warmth and making goods. Beaver, rabbit, and even skunk were hunted for their pelts as well as a food source for the tribe where, in some instances, small animals became a delicacy—due to the intricacy of catching them--over larger animals such as bears.


Large-scale hunting parties were organized two to three times per year though pursuing wild game in smaller parties was a year-round, almost daily, activity found throughout communities in the tribe and usually thought to be for internal purposes over trading purposes with outside populations, but that is not to say such events did not occur. The difference in size between small and large hunts ranged between the brothers of a couple village families to nearly the entire Osage tribe—certainly at least an entire village—plus two chiefs and soldiers. In winter hunts, since bison were already huddled together, the Osage used what the French refer to as a ‘cerne’ procedure to capture them which most likely is a type of besieging of the bison in their territory. To save time in summer hunts the Osage wisely initiated ‘fire drives’ of the animals they desired where a few tribesmen would set fire behind the chosen band of game so as to drive them toward an enclosed area, usually a river, so that hunters could ambush them easily. Captured game was then sectioned off in equal parts and given to all participants of the hunt.\(^{36}\)

Thus, internally, before the arrival of Euro-Americans, the Osage economic structure was a well-supported and balanced system with limited reliance on outside traders. Why the Osage chose to trade with western powers and potentially disrupt a delicate internal arrangement was centered on securing the structure for their posterity. In short, the Osage agreed to trade their excess hides and pelts for superior weaponry against invading tribes, i.e., guns. How interesting it is to ponder the Osage’s desire to obtain an object to destroy other peoples when in fact that very object permitted the cultures they

traded with to nearly destroy them in the nineteenth century. Archeologist Carl H. Chapman avows that the Osages’ wish to obtain as many guns as possible for traded goods from western powers was so great that even when excavating abandoned sites in the mid-eighteenth century it is already apparent that gun parts completely outnumbered old sharp, stone projectile points. The use of European weapons in Indian country greatly advanced the status of the Osages among their Indian neighbors and kept them afloat in the ever-increasing arms race transpiring in America concerning intertribal warfare and to a lesser extent, Anglo-Indian conflict.

In terms of economics, the weapons trade lured the Osages into a cyclic pattern of advancement where competition for hides and trading rites from other tribes would easily be obliterated as those Amerindians looked into the barrel of an Osage gun while attempting to venture into their hunting grounds. So for the most part, the Osages had unrestricted access to a large area of wild game reserves in the Missouri Valley which allowed them to trade larger and larger quantities of hides and leather for even more guns to keep out intruding tribes. It was a vicious pattern of events that not only made the Osages dependent on western contact, but extremely rich as well. At one point the tribe even began selling Indian slaves to keep up with their demands for guns, a practice which the tribe had learned from their French trading partners, brought it to the Missouri area only to compete with the English since they were teaching the Quapaws to do so with Chickasaw Indians.


Luckily for the Osages, the U.S. government located in Washington D.C. had little idea of the decay transpiring within the tribe which caused so much heartache and strain among members. In fact, following Lewis and Clark’s initial meeting of those few Osages on what was later named the “Osage River,” President Jefferson, invited twelve Osage chiefs, two boys, and Auguste Chouteau, a prosperous fur trader closely associated with the Osages, to meet him in Virginia. Following their arrival on July 12, 1804, Jefferson wrote of his encounter with the well-known tribe to the Secretary of the Navy, Robert Smith: “They are the most gigantic men we have ever seen,” he observed, but “have not yet learnt the use of spirituous liquors.” He later added “They are the finest men we have ever seen” as well, probably an indication to the proper demeanor Osages held when dealing with Europeans previously. Interestingly, he makes it a point to tell Sec. Smith that “The truth is . . . . With these two powerful nations [the Sioux and the Osages] we must stand well, because in their quarter we are miserably weak.”

Though Jefferson remained unaware of the social-political problems grabbing at the livelihood of the Osages, he understood that, at the very least, their sheer numbers and vast amount of territory were enough to damage American forces seriously in combat. And since his recent Louisiana Purchase, he was

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(Albuquerque: University of New Mexico, 2002), 191-192; The Osage are known for their infamous reputation in the Plains area as being warlike and untouchable. These two general characteristics account for the vast majority of their negative relations with most of their neighboring tribes before the Indian removal period. But what is interesting about the Pawnee and Osage nations is their troubled pasts. As George E. Hyde discovers, the Osages were best able to restrain Indians under the Caddoan family of tribes and force them into slavery. Of that family, Pani, or Pawnee, tribe members were sold into slavery so commonly that the name is actually synonymous with Indian slaves sold in New France. Of those Pawnees that escaped the slave trade, many chose to remain in the fur trading business with western nations, though to the extreme north of Osage territory for obvious reasons. George E. Hyde, *Pawnee Indians* (Denver: University of Denver Press, 1951), 51

probably sentient of Spain’s severe problems with those Amerindians once warpaths were crossed along the Plains.
As the Osages enjoyed themselves and their libations in Washington, a few days later Jefferson gave his formal address to delineate what he and the American government believed should be their relationship with the Osage Indians. Intriguingly, his first point expressed sorrow for the deaths of those Osages killed while attempting to come to Washington! Apparently a Sac and Fox raid party attacked Osages in Missouri as they were leaving, hence the personal military escort they received by the time they reached the Shenandoah Valley. This raid exemplifies how the Osages were already experiencing internal problems which severed their lines of rapid communication during time of crisis—such as during an unexpected attack. Now the Sac and Fox Indians were beginning to realize the deterioration of this powerful tribe.

Just as telling as the assault were Jefferson’s rather aloof words about the event: “I sincerely weep with you over the graves of your chiefs and friends . . . . but no voice can wake the dead.” He even included a clause covering the notion that any type of war to settle this matter would, under United States law, not be permitted and thus, America would not aid the Osages in their harrowing matter other than to offer a simple “I am sorry” at the dinner table. Such quick decisions by Jefferson indicate that in the President’s scheme of expansion, the Osages would not maintain a United States friendship as with the British and French, but rather would become commodity traders in a part of newly acquired territory with which the Osages were more familiar with than American scouts—for the time being.

40 Jackson, Lewis and Clark, 200-203 # 127; The President’s Address, to the Osage Indians, The Raleigh Register, and North-Carolina Weekly Advertiser (Raleigh, NC) 22 October 1804; Burns, A History of the Osage People, 141.

41 Gazette of the United States (Philadelphia) 24 August 1804; Jackson, Lewis and Clark, 201 # 127; Burns, A History of the Osage People, 141.
As the alcohol seeped into their systems and the President completed his diplomatic condolences, Jefferson began to delve into the heart of his speech: latching onto the Osages’ prosperous fur trading business in the Plains area. After stressing that the mutual agreement would be government sponsored and thus a no-risk investment for the tribe, Jefferson developed his sly argument by emphasizing how fair prices and treatment would be for the Osages under the terms of their agreement, unlike the defects discovered in their prior contracts with the French and British. Jefferson’s desire ultimately would be reached with the utilization of Fork Clark in Osage Territory, later renamed Fort Osage.42

Jefferson’s solicitation of the Osages as trading partners in 1804 is particularly indicative of his research into Amerindian affairs. The Chouteau family had long been trading partners of the Osages and in 1799 they were renewed by the Osage council to retain their exclusive trading monopoly with the tribe for another two years. When the Chouteaus went before council in 1802, they were shocked when their traditional trading rites went to the fur trader Manuel Lisa.

42 Interestingly, upon his death, Thomas Jefferson specified exactly what he wanted engraved on his tombstone: the Declaration of Independence, the Virginia Statute for Religious Freedom and the founding of the University of Virginia. He made absolutely no mention of reminding the future generations of Americans that it was he who had acquired the largest single addition to the United States in the history of the United States for them to reside. But perhaps by 1820 he had also come to the realization that many Americans may one day associate this purchase with his duplicitous Amerindian deals where millions of Native Americans were removed to this new territory so that Jefferson could provide more eastern room for his yeomen farmers and their economic dreams. It was not even until one hundred years after the purchase of the Louisiana Territory, in 1903, that the majority of Americans believed this event was a chief event in Jefferson’s life. Regardless of the importance of the Louisiana Purchase, it still remains to this day that the words on Jefferson’s tombstone remain vacant that he was ever a part of it. “Jefferson’s ‘Empire for Liberty,”’ Indiana Magazine of History 100 no 4 (Dec. 2004): 364; Jackson, Lewis and Clark, 200-203 #127; Burns, A History of the Osage People, 141; The National Intelligencer and Washington Advertiser (Washington, DC), 11 July 1808.
Since the Chouteaus were no longer permitted to trade on the well-known Osage River, they decided to utilize their privileges on the lesser-known Arkansas River, consequently building a new trading post adjacent to its stream near the Three Forks region, led by the new Chief Big Foot. Those Osages who moved with the Chouteaus created Claremore’s Village. The Chouteaus’ economic background may have given them the insight to choose Claremore’s Village as a prosperous site for trading as the Spanish, since 1786, had tried to keep the Osages out of the Arkansas area for that reason. The Arkansas was said to have been, unexpectedly, more desirable than the Osage River since it was closer to bison herds and horses and farther from other combative tribes, like the
Algonkians, who were fierce competitors for the Osages.\textsuperscript{43} Thus, given the recent nature of the Chouteaus’ move to the Arkansas and the Osage’s having historically relation with a western trading power like the French or British—which was no longer an option now—President Jefferson’s request to become the Osage’s associate in 1803 was perfectly planned in terms of diplomacy and timing.

In the same breath of his appeal to be their business partners, Jefferson realized the importance of exploring the Osages’ land in detail, so as to claim it wholly American should there be anything of value upon the soil. So upon receiving nods of acceptance for his trading plans from the half-drunken Osage chiefs, he began to contort his words into a complex argument concerning the need for Americans to explore the Missouri river in order to properly expand trade routes to the Osage’s region. Thus, investigating the Louisiana Purchase without upsetting these combative Amerindians was approached with ease. This method of delivery also permitted Jefferson to ask for their help along the unfamiliar, uncharted trade routes that the Osages had called home for hundreds of years, including the Arkansas River, Red River, and the mysterious Plains region known as Kansas. In return for America’s exploration of Louisiana, the president permitted the tribe to explore the

\textsuperscript{43} Garrick Alan Bailey, \textit{Changes in Osage Social Organization: 1673-1906}, 52; Donald Jackson, ed., \textit{The Journals of Zebulon Montgomery Pike, with Letters and Related Documents}, vol. 2 (Norman, OK: University of Oklahoma Press, 1966), 32; Edwin C. McReynolds, \textit{Oklahoma: A History of the Sooner State} (Norman, OK: University of Oklahoma Press, 1954), 63; Baird, 23-27; The exchange of land from the Louisiana Purchase caused significant problems for traders with the Osages since national loyalties were upset. Thousands upon thousands of dollars were lost the year the Spanish gave up the Plains region. One trader took his claim to the U.S. government since he had lost over $8,000 between 1802 and 1803 alone. By 1818 Congress stated that the issue was “resolved” when the man finally “withdrew his petition.” American State Papers 036, Claims Vol. 1, 15th Cong., 1st sess., Publication No. 429 “Damages, claimed for the deprivation of the exclusive right to trade with the Osage Indians. Communicated to the House of Representatives, March 26, 1818.” Date Communicated to Congress: March 26, 1818: 602-603.
wondrous city of Washington D.C. for the next few days. Federal explorers, of course, were granted permission to scour Osage grounds indefinitely.

What is most perplexing about Jefferson’s speech to the Osages concerns not their brothers lost in travel, nor their prospective trading partners, but his subtle knowledge of the deep “schism [that] had taken place in your nation, and that a part of your people had withdrawn with the Great-track, to the Arkansa River.” Herein lies one of the president’s first and best attempts to gain a diplomatic advantage with the Osages—some of the most prosperous and well-defended people in his newly acquired territory. Jefferson certainly was referring to the split between the Little Osages and the Great Osages that drastically impaired the strategic capabilities of these Indians in the Plains region. While he does not specifically state the matter, the twelve Osage chiefs at this meeting must have inherently realized that the almighty United States now knew their defensive capabilities were significantly compromised. A clear sign may have been the Sac and Fox attack upon the tribe as they were venturing east to this very meeting where Jefferson was exposing their social rift before them. In a wise decision the leader also announced that he would “send an Agent to live in union with you” in an effort to have an American mediator repair Indian wounds—thereby causing the Osage nation to be forever indebted to the United States. The Indian agent would also serve as a mediator between native and white traders in the


45 Jackson, *Lewis and Clark*, 201-202 #127; Burns, *A History of the Osage People*, 141; As Dowd explains, treaties like the one Jefferson was setting up with the Osages were often created as a power move into the Indian’s territory. The use of annuities were especially implemented in the taking of land and used as a lever against the tribes for this exchange. The Osages’ first treaty with the federal government in 1808 is a prime example of this phenomenon, ceding a large section of their homeland while certain annuities are stipulated in the agreement. Dowd, 120-122; Kappler, 95-97.
area whose cultural clashes historically fell into armed conflict before beaver pelts and deerskins could be shipped down stream.

As Jefferson’s address came to a close it appeared that the Osage people attempted to solidify economic agreements made by the President for the benefit of both of their nations, while ignoring any intertribal advice the American leader may have whispered at that evening. Jefferson’s first statement--not permitting intertribal warfare in the Louisiana area, had no effect on the uneasy Osages; from 1804-1850 there was a continued effort to battle with other tribes for land in the Plains, only perpetuated by incoming white settlers and complicated treaty agreements signed under duress.46

What is most influential about Jefferson’s first meeting with these Amerindians is his keen recognition of what Burns refers to as “the practice of asking permission in advance of action.” Asking permission to explore the Louisiana region in which the Osages were located somewhat forbade the nation from attacking their new eastern trading partners since there was now an underlying, verbal agreement bestowed by them to Jefferson’s men. Aside from their unhappiness with the situation, the Osages would begrudgingly accept white explorers onto their land and cooperate with them simply by obeying the ancient “ask and you shall receive” principle known to so many western cultures. 47 While his personal notes do not reveal this wisdom, Jefferson’s knowledge of basic Osage culture and custom is observable since the success of future explorations and trading partnerships with the tribe depended on this first crucial meeting.

46 The National Intelligencer and Washington Advertiser (Washington, DC) 3 October 1804; Burns, A History of the Osage People, 142.

47 Burns, A History of the Osage People, 142.
As the Osage delegation trudged home through trans-Appalachian America, they acquired their first taste of the problems encountered when engaging in economic agreements with a powerful nation at the expense of another’s. During this span of time Lewis and Clark were still deeply engaged in their examination of the Louisiana territory, while reports circulated that the two men’s lives were being threatened and that the Osage delegation was being held hostage in exchange for their safe passage back to Washington. Time later revealed that these messages were nothing but false rumors most likely spread in one haughty, underhanded attempt by the Osages’ former trading partners, the British, to estrange the tribe from the United States. 48

In the midst of this European affair, the Osages also embarked upon a series of meetings with other neighboring tribes to resolve intertribal conflicts that had persisted for generations, if not centuries. These negotiations culminated in St. Louis in 1805 with Gen. James Wilkinson presiding over a general council of sorts, heavily modeled after those peace assemblies the United States had participated in previously. While the Sac, Iowa, Fox, Otoe-Missouri, Sioux, Arikaree, Pawnees, and Osages were all invited to discuss and resolve their differences under Wilkinson’s resolute eye, it was a rather useless gathering; most of the hostile chiefs were in Washington discussing economic ventures with the United States instead. 49

Meriwether Lewis, now governor of the Louisiana Territory, found the result of this lack of respect for tribal warfare four years later. The Osages’ closest white ally, fur trader

48 Baird, 27-28; Burns, A History of the Osage People, 143.
49 Burns, A History of the Osage People, 144.
Pierre Chouteau, was away in Missouri awaiting the ratification of the Osage Treaty of 1808 by the Senate. For unspecified reasons, Gov. Lewis feared that Chouteau might soon be replaced by another Indian agent who would remain closer to the tribe and interact with them more consistently. Up to this point, Osage-American relations had been anything but tumultuous, especially when Americans took action for the Osages. As Gov. Lewis uttered in a letter to the St. Louis trading post in 1809, “The reasons for wishing Mr. Chouteau not to be displaced is that if the event takes place before one or the other Osage treaties are ratified there will in my opinion be War with that nation.”

Needless to say, a war with the Osages would easily upset the entire fur trade of the Plains area, not to mention trading agreements the United States had created with neighboring tribes—many of whom might engage in the war as well.

The prospect of war with the Osage nation was certainly a viable product of the tense situation created at the termination of Jefferson’s presidency in 1808. On July 26 of that year Gov. Lewis indicated that he had spoken repeatedly to tribes surrounding the Osages, including the Kickapoos, Soos, Sacs, Iowas, Shawnees, and Delawares, and finally declared the supposedly-cantankerous Osage tribe “no longer under the protection of the United States.” Furthermore, Gov. Lewis authorized the above tribes to “adjust their several differences with that abandoned nation in their own way,” except in the case of intertribal warfare unless it could be done “with a sufficient force to destroy or drive them from our

50 Jackson, Lewis and Clark, 461 #294; Part of Gov. Lewis’s angst with the situation at hand stems from his understanding of the slow process by which Indian treaties are processed through Congress. The Osage Treaty of 1808, for example, was not formally ratified by the Senate until 1810, thus, Pierre Chouteau was unable to quell his Osage companions for quite some time. Burns, A History of the Osage People, 144; Kappler, 95-99; Baird, 29-30.
neighborhood."⁵¹ Not only did Gov. Lewis want to remove one of the most powerful Plains Indian nations from American authority due to its suspect belligerent tendencies, but in a hypocritical fashion, he sanctioned the Osages’ neighbors to initiate combat against them so long as it could be done with enough vigor to obliterate them from Louisiana permanently.

With these words of bravado, Gov. Lewis clearly rebuilt a path for the Osages to walk from Louisiana back into the arms of the King George III. If not to reestablish trading rights through the nation, the Osages easily could declare protection under the English flag once again since America, thanks to Gov. Lewis, revoked these Native Americans’ status as Americans. But within months of the leader’s anger-driven claim, he managed to regain his composure and review the words of Osage Treaty of 1808, taking special care to read Article Ten:

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.

First of all, by Gov. Lewis’s proclamation that the Osages’ were now no longer protected by the United States, he overtly released them from their Treaty of 1808 that also stipulated their ownership of land could only be transferred to the United States. In other words, not only were the Osages free to practice politics under another nation, but they were also free to designate their lands on American soil to rival countries such as Britain or France. Aside

⁵¹ Jackson, Lewis and Clark, 626n; Burns, A History of the Osage People, 145.
from the realistic problems associated with Gov. Lewis’s attempt to oust the Osages, the American people had no desire in the early Nineteenth Century to see a return of the British for any reason, including an Indian alliance. Since the 1783 Treaty of Paris meeting began depopulating the British from the Old Northwest territory and by 1808 it was apparent that Anglo-American conflict might soon transpire, the American population wanted to strengthen its allies in its western territories such as Louisiana, not renounce them to the British. After all, Indian loyalties were often given to the first nation they negotiated alliances with, not necessarily due to longstanding bonds they had with certain countries. Since the Osages were one of the largest, most competitive tribes in the Missouri region, they would be an asset to American forces during the War of 1812. In its finality, Osage-British alliances petered out in 1815 with the Treaty of Ghent ending the War of 1812 and the Osage Treaty of that same year. By the early 1820s such relations were most likely extinct once the British began to pull their attention toward the Rockies.\(^5\)

However ghastly a move Gov. Lewis’s remarks to the tribe may have been, they were fundamentally founded on false pretenses which he failed to consider before casting off the influential tribe. As Article Ten clearly states that only the United States President has the authority to negotiate transactions with other nations, such as the Osage nation, on behalf of the United States government, not the governor of a western territory whose borders are not even fully defined as he begins to push out age old inhabitants of his land. Gov. Lewis’s claim was considered a null and void action by the government for practical, logical, and of course, legal reasons.

\(^{5}\) Burns, A History of the Osage People, 145; Kappler, 97; Burns, A History of the Osage People, 145-146; Kappler, 119-120.
By the same token, Gov. Lewis and most other Indian treaty negotiators greatly misunderstood the nature of treaty agreements made with the Osages or any other sovereign nation for that matter. A treaty can be entered into by two or more sovereign nations and according to Black’s Law Dictionary, a sovereign state “possesses an independent existence, being complete in itself, without being merely part of a larger whole to whose government it is subject.” Without question the Osages’ ability to maintain an organized political and social structure in the Plains region of America for hundreds if not thousands of years before the arrival of Columbus qualifies it as a sovereign state equal in stature to that of the United States. Where problems erupted between the two nations came from their external sovereignty powers in which a state has “The power of dealing on a nation’s behalf with other national governments;” in other words, making and enforcing laws outside of one’s boundaries which likely affect the workings of another nation. By swathing these sets of treaties with words like “in an attempt to save the savage souls” and “to promote peace among our Indian brethren, it is our right to obtain these vacant lands,” the United States government slowly swallowed up sovereign Osage territory by carefully rationalizing that it was never the Osages’ in the first place.53 Much of this rationalization came from a

53 Bryan A. Garner, ed., Black’s Law Dictionary, 8th ed. (St. Paul, MN: Thompson-West, 2004), 1430; Burns, A History of the Osage People, 147; It is interesting to note that Article Nine of the Articles of Confederation, published decades before Gov. Lewis’s proclamation, in 1781, declares that “The United States in Congress assembled shall also have the sole and exclusive right and power of . . . regulating the trade and managing all affairs of the Indians,” thereby binding Native Americans to become the United States’ trading partners and forcing them to obey the government’s measures to assist them, however unhelpful they may be. Article Nine proceeds to state that no “members of any of the states” can infringe on this process so long as it does not interfere with its own state or legislative rights assigned by the federal government. How fascinating it is to ponder the fact that the Articles of Confederation, a document known for its severe lack of federal authority over states’ rights, made a noticeable distinction for itself concerning Indian affairs above that of the states it attempted to control in the 1700s. Isidore Starr, Lewis Paul Todd, and Merle Curti, ed., “The Articles of Confederation,” found in Living American Documents, (New York: Harcourt, Brace & World, 1961), 61-62.
displacement of culture, i.e. viewing the Osage’s customs as primitive instead of unique, and believing that the Amerindians’ lack of technological weapons was a sign of weakness and inability to control their territory when in fact, the Osages were one of the largest, most respected nations in the Plains area during the time of Jefferson’s meeting with them at the turn of the eighteenth century. By now the Osages understood that the United States government had mapped out and surrounded the Plains territory enough to intimidate neighboring, smaller tribes into signing agreements with the gargantuan, sovereign nation. Without the support of their Comanche-run weapons trade running from Canada down to Mexico, nor the strategic structure permitted by the union of the Little and Great Osage factions, it was apparent to these Native Americans that by the early 1800s, the noose around their native lands was being tightened and all they could do to save their souls was sign on the dotted line.

To comprehend the rapid decline of Amerindian-United States relations during this period, it is important to review the Northwest Ordinance of 1787. Overall, the document sets the precedent for westward expansion in America. By the late eighteenth and early nineteenth century, ‘westward expansion’ was contingent on Jefferson’s signing of the Louisiana Purchase and thus, the examination of Osage land. Since America’s forefathers understood Indian-United States interaction was inevitable once this exploration was underway, Article Three of the Northwest Ordinance of 1787 was written:

The utmost good faith shall always be observed toward the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty they shall never be invaded or disturbed unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall from
time to time be made for preventing wrongs being done to them and for preserving peace and friendship with them.\textsuperscript{54}

Aside from the vagueness of the “good faith” the United States would bestow to the Indians, it is a wonder what the government believed was acceptable “consent” by an Indian nation, defensible enough to usurp their property and displace them permanently, as was the disturbing case with the Osages following the presidency of Jefferson. Just as disturbing is the article’s mention of how Congress ultimately determined what was a “just and lawful” war, though the qualifications for such an invasion into Indian land were never mentioned in the Ordinance. Here lies a document, twenty years before the first removal treaty of the Osages was signed, which already positions the United States government with the ability to seize Indian grounds at will and justifiably wage war against them to obtain the property they desired whenever sovereignty was ‘questionable.’

And so began the Osages’ battle to keep their land. Between 1778 and 1871 well over 400 treaties were discussed between the government and tribal nations, 93% of which were speedily ratified, the last being the Osage Treaty of 1868, whose stipulations and conditions were so convoluted that it was never ratified. It did, however, lead Congress to abolish the treaty-making process with Indians though the Act of March 3, 1871 (16 Stat. 566) and allow the Osages to be the first to utilize the practice with the Act of July 15, 1870 (16 Stat. 362). The real acquisition of the Osage reservation by the U.S. government was done on June 5, 1872 (17 Stat. 228) in much the same form as a treaty, though the removal

process for the tribe to northern Oklahoma would be their final resting place within the
Midwest.\footnote{Burns, \textit{A History of the Osage People}, 151; With the signing of the U.S. Constitution in 1789 it was apparent that the authority and respect of Indian nations such as the Osages were declining with the government. Only Article One, Section Eight speaks to this native group by noting “To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.” Such words indicate that Amerindian nations were placed in a special category of semi-foreign nation status when dealing with the government, though by 1789 it was clear that their external sovereignty had melted away due to encroaching settlement and only their internal sovereignty remained intact. After the Treaty of Ghent ended the War of 1812 with the foreign nation of Britain, it appears that Americans took a more patriotic view of their country and heavily discounted the status of their Native American friends to the point of referring to them not as “nations” but as “tribes” in official documents to somehow demote their status as a foreign power to that of a subordinate unit of the U.S. government. U.S. Constitution; Star, Todd and Curti, \textit{Living American Documents}, 78; Burns, \textit{A History of the Osage People}, 151.}

Before the Osages were able to reach their final destination; however, they endured a series of dissatisfying treaty negotiations beginning with the Treaty of 1808. In Andrew R. L. Cayton and Fredricka J. Teute’s \textit{Contact Points}, a series of papers point to the argument that most United States-Indian treaties of the early period were rarely, if ever, written to achieve justice, but to obtain Indian land and ‘show’ the Indians that Americans were actively interested in native problems. Both of these agendas are disclosed in the Osages’ Treaty of 1808. In the very first two articles of the deceitful document the reader does notice a problem. Both sections speak to how “anxious” the United States is “to promote peace” with the Osages and “to protect them from the insults and injuries of other tribes of Indians, situated near the settlements of the white people.”\footnote{Kappler, 95; Andrew R. L. Cayton and Fredricka J. Teute, \textit{Contact Points: American Frontiers from the Mohawk Valley to the Mississippi, 1750-1830} (Chapel Hill, NC: University of North Carolina Press, 1998), 2-4.} Therefore, Congress determined that it was “proper to build a fort on the right bank of the Missouri, a few miles above the Fire Prairie,” for the Osages. The dilemma with this request is that in 1808, the Osages were still one of the largest, most feared tribes in the Louisiana Territory and by no
means needed an American fort to protect them from smaller, neighboring tribes. If anything, a fort built near those nations would better match the Osages’ known pugnacious history when provoked.

So Fort Clark, later named Fort Osage, was cleverly built along Osage land for reasons other than the protection of a well-respected Plains area tribe. More than likely it was to benefit the aims of the United States on several levels. First, as President Jefferson stated in his previous address to the Osages a few years prior, he wanted to become their trading partners in the West; establishing a trading post such as a fort would be the perfect stop for merchants to buy and load beaver pelts and weapons traded by the Osages and take them down south to the major trading port of New Orleans now in the hands of the United States. Article Two makes mention of how the United States would like to regularly supply the Osages “with every species of merchandise, . . . for the purpose of bartering with them on moderate terms for their peltries and furs.” By stating that this barter process could transpire “permanently and at all seasons of the year,” Congress revealed the successfulness of the Osage fur trade in the early 1800s. They also engaged in an equal sale of goods by allowing the Osages to trade their pelts for a “regular supply” of provided goods on the open market—not the limited, shabby, overpriced merchandise for which they were forced to bargain their pelts when engaging in private trades. Thirteen years later these traders would grow angry enough to boycott the success of Fort Osage and force its closure in 1822 for the disgracefully low amount of $2,329.40 in supplies on hand at the fort.57

57 Kappler, 95; Burns, A History of the Osage People, 152-153; The closure of the fort was documented through the Osage Treaty of 1822. Kappler, 201-202; American State Papers 07, Indian Affairs Vol. 1, 11th Cong., 2nd sess., Publication No. 128 “The Osages. Communicated to the Senate,” Date Communicated to
In addition to the establishment of a trading post, Fort Osage would also serve as a look out post to dissuade British intruders and traders from coming into the area, possibly even to trade with their old Osage allies and friends. Since the War of 1812 had not yet transpired, British intrusions upon American soil were a known problem and known to rise up through their Indian allies along western frontiers.

The Third Article of the Osage Treaty of 1808 provided for what the government believed would be two key elements of a successful post in Indian territory, though the use of each item turned out to be very different. The United States first agreed to furnish the Osages with a *Moh se Kah he*, or Blacksmith, “and tools to mend their arms and utensils of husbandry.” This idea was new to the nation since, despite their long history trading weapons from Canada to Mexico and subsequently using them in combat, they had never had much skill in repairing them, themselves. Once the barrel of a gun, for example, was bent up in combat, the Osages were forced to dispose of the firearm as refuse and obtain additional artillery to continue in combat. The blacksmith and suitable tools provided according to Article Three could not only repair those once worthless weapons but teach the Osage tribe how to repair their own weapons that would be especially helpful in traveling combat missions. It would also serve to close the technological gap between the Osage nation and others, such as the British and the French and even the United States, though

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America probably realized that the advent of a blacksmith would not permit the tribe to retake their Plains land, no matter how skillful they became at repairing weaponry.

Article Three also stipulated that the United States would “build them a horse mill, or water mill;” so that various forms of wheat, corn, and other crops could be ground at a single spot in the area. It is important to note that at this time the Osage nation had absolutely no desire to become an agrarian community and, in fact, were historically and culturally the opposite of such—a hunter/gather society. Moreover, the tribe’s ability to hunt beaver pelts and other furs is what attracted President Jefferson to them in the first place since America’s enemies, the French and British, were, in the early 1700s and 1800s, known to be much more successful fur traders in the Americas due to their strong Amerindian ties. So the prospect of turning the Osage Indians into an agrarian society at first appears quite perplexing, but can be understood by realizing President Jefferson’s ultimate plan to mold most of his American people into agrarian farmers. It appears that the mills and plows provided to the Osages may have been the first step in transforming the tribe into Jefferson’s ideal nation-state, though the thought never materialized and what became of the Osages’ attempts at agrarian life during the Civil War and Reconstruction Eras were disastrous. As time would show, the plows and mills provided to the Osages in the same article as the valued blacksmith served absolutely no benefit to the tribe.59

The most misunderstood, oblique clause of the treaty can be found in Article Eight. It reads as follows:

59 Kappler, 95, Until about 1890, useless plows were actually traded by the Osages for valuable tools. Burns, A History of the Osage People, 153; Onuf and Sadosky, 130-138; Wallace, Jefferson and the Indians, 268-273.
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 Osage, have usually hunted or resided: *Provided*, The same be not the hunting grounds of any 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 Untied States may think proper to assign the same as hunting grounds to other friendly Indians.

As Burns reveals, the schism between the Great and Little Osage tribes was so great that, at the time of the signing of this treaty, each faction necessitated to have its own interpreter. The Great Osages chose their trading partner Pierre Chouteau, whose command of the Osage language was much more limited than that of the Little Osages’ interpreter, Noel Mongrain. Given the complexity of the concepts stated in the above clause and the difficulty of non-native speakers such as Chouteau and Mongrain to translate these abstract ideas from English into the Osage tongue, the chance for misconception runs quite high; and in fact, this was the case for both factions of the tribe, regardless of the translator of Article Eight. The entire Osage nation agreed that, upon their signature, the article meant that the Osages would preserve their hunting rights on all lands surrendered to the government in Missouri and Arkansas. Furthermore, the handiwork of Chouteau and Mongrain led them to believe that this hunting land was designated as *wholly Osage* so long as it was not in use by American citizens or *expressly* allocated to emigrant Indian nations. For decades after this clause was created, the Osages wrestled with a serious problem concerning incoming Cherokee emigrants whose land was being absorbed by American settlers east of the Mississippi River. The Cherokees began to hunt and live on what the
Osages believed were specifically their hunting grounds.\textsuperscript{60} Unsettled arguments eventually spilled into a Cherokee-Osage intertribal war on President Jackson’s hands during his Indian removal process, much of which dealt with the emigration of the Cherokee tribe to Osage tribal lands.

The last major clause of the Osage Treaty of 1808 is Article Nine and seeks to settle possible cultural differences arising between the United States and the Osages in an orderly manner. The dilemma with this attempt of peacekeeping is that it seeks to utilize only the American justice system, even during Indian-Indian conflicts, thereby showing a complete disregard for the Osages’ impartiality in legal proceedings, not to mention a severe lack of cooperation with the tribal nation, as if ‘peacekeeping’ to the United States was just another glittering formality of negotiations in order to obtain valued western Indian land. As the clause states, only “the laws of the state or territory, where the offence may have been committed” shall be used to try the individual in question, not any tribal laws practiced in the land, and that for violent crimes such as “robbery . . . or murder, . . . 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.”\textsuperscript{61} This statement completely removes the Osage legal system from further use in America. It also manages to discriminate against Amerindian society by requiring that further proceedings with them in the American justice system be done as if they were “white” men since the United States wanted a monopoly on

\textsuperscript{60} Kappler, 96; Burns, \textit{A History of the Osage People}, 154.

\textsuperscript{61} Kappler, 96-97.
‘justice’ and the use of force in ‘their’ country. What a sullen stain on the record of the American justice system and its “equality and justice for all” principle.

Perhaps the most haunting aspect of the Treaty of 1808 was the Osages massive relinquishment of their land to the United States government—well over sixteen and one half million acres of land in Arkansas and nearly thirty-six million acres in Missouri for a combined total of more than 52,480,000 acres ceded with the stroke of a quill. The negotiated rate for each acre of land was about one sixth of one cent—an incredibly parsimonious rate even for the early 1800s. Perhaps it was the incompetent translations of Chouteau that permitted Congress to acquire this large tract of land so cheaply, or perhaps Chouteau shared in the profits Congress was to earn from the utilization of this land; either way the Osages were now well on their way to losing their economic lifeline. Without large expanses to hunt furs and hides upon annually, the Osages’ trading business would soon decline, leaving their society in dire straights since they had grown so dependent on trade with other societies over the last two centuries. Coupled with their lack of skill in agrarian lifestyle and the encroaching settlers upon what was left of their land, accepting offers from the U.S. government in exchange for annuities appeared to be a better and better choice by the year.

Osage Treaty of 1808. The above shows the massive acquisition of land by President Jefferson following the Osage’s signing of this treaty, however misguided they were through the translations of non-native English speakers during their discussions. Louis F. Burns, *A History of the Osage People* (Tuscaloosa, AL: University of Alabama Press, 2004).

Within ten years of the Treaty of 1808, it was apparent to the Osages that even the government retained favoritism towards certain tribes, and they were not one of them. Most notably were the Five Civilized Tribes,*, located just east of the Osages’ shrinking territorial claims across the Mississippi River—the Choctaw, Chickasaw, Creek, Seminole, and Cherokee nations. These peoples were referred to as ‘civilized’ due to their ability to understand and practice the western lifestyle in a number of ways, including farming techniques, language, and even following American law when necessary.\(^{63}\)

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This last point concerning the justice system is of particular interest between the Osages and the Cherokees during their treaty making processes of the early 1800s, especially with the Osage Treaty of 1818. Up to this point the Five Civilized Tribes chose to enter into a system of claims with the U.S. government whenever property was stolen from their lands instead of privately dealing with the matter. By the time the Cherokees began trekking into the Osage area of the country, they were so adept at filing claims in the red tape of American bureaucracy and receiving acknowledgement by the government for their good deeds that they also filed claims against the Osages at the drop of a hat. Since the Osages chose not to engage in what they saw as trickery and dishonest behavior, they were labeled as ‘uncivilized’ and ‘wild’ savages, which only reinforced their negative reputation with Americans due to their location west of Mississippi River and thus branded as “buffalo Indians.” Their lack of claims filed with the government against those filed by the Cherokees only supported their ‘uncivilized,’ ignorant behavior. So to appease the government who now began to control the limits of their economic success, they began to settle these claims monetarily. Sadly the Osages had no concept of the value of western currency and paid dearly for their lack of knowledge.64

As their funds began to dwindle further, the status of the civilized Cherokees with respect to the government rose steadily to the point of negotiating for Osage lands—without the need to consult the Osages. It was the twenty-fifth day of September in the year 1818 when the Cherokee nation and the federal government finally came up with an agreeable solution.

64 The government also wanted the Five Civilized Tribes, especially the Cherokees, off of their southern lands due to their possession of valuable cotton fields which white farmers could easily harvest for an immense profit. These cotton fields only added to Georgia’s desire to push the Cherokee and Creek removal which was brewing for decades. Wallace, The Long, Bitter Trail, 59-62; Burns, A History of the Osage People, 157-158.
plan to give the Cherokees their long desired sections of Osage-Plains territory for buffalo hunting. The Osages were to be removed from their grounds located between the Neosho-Grand and Verdigris River areas. As writer Ina Gabler well recounts in her article “Lovely’s Purchase and Lovely Country,” the Treaty of 1818 was really the second and final step in acquiring Osage lands for Cherokee hands. Two years prior to the settlement, Major William Lovely, a Cherokee agent in the Missouri Territory, supervised a meeting between the two tribes concerning the exchange of land. As he recalls, the Osages “exhibited great hostility toward the Cherokees” but considered the negotiation since the Cherokee’s close ally, the federal government, according to Maj. Lovely, “would pay all claims against them [the Osages] for depredations they had committed if they would cede to the United States” the land in question. This cession subsequently became known as the Lovely Purchase, though to the Osages it was anything but a pleasant conciliation to subdue their economic hardship. Well over half a million acres of tribal land was ceded to a rival people not because of inferior military strategies during combat or even the gradual intermarriage of one tribe into the next. Instead, this land was given away due to an economic power struggle built on western-style politics that the ‘civilized’ Cherokee tribe had apparently mastered at the expense of maintaining intertribal bonds. During the early part of the 1800s, the Osage’s choice not to engage in this style of politics so heavily caused them severe financial discord and an incredibly smaller region of America of which to call home.

The Lovely Purchase. This map shows the formal purchase of land taken from the Osages by the federal government in 1818 once Maj. Lovely’s cession passed congressional approval, despite the fact that his assertions to the Osage people were horribly erroneous and false. Louis F. Burns, *A History of the Osage People* (Tuscaloosa, AL: University of Alabama Press, 2004).

In the midst of this power struggle and again, due to the complexity of United States relations with Amerindians, upon agreeing with Major Lovely that the Osages would give up a portion of their land in exchange to save their economic status, the tribe was unaware that the military man had no legal authority to act as a treaty negotiator for the federal government; hence, the Lovely Purchase of 1816 was never recognized. By the time word reached Washington of the negotiations, Congress quickly drafted the Treaty of 1818. The contract basically made the Lovely Purchase a legally binding, federally recognized acquisition of territory from the Osage nation to the federal government in exchange for

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softening their debts created through a bureaucratic system of irrational claims thrown upon them in the first place by the Cherokee nation. Since the Cherokees were experiencing anxiety over neighboring next to unhappy Osages, the government offered any Cherokee ready to transport guns, ammunition, and other ‘valuable’ equipment that might prove to be useful in their new lands. It is a wonder to examine the extent to which the Cherokees would go in obtaining their desired buffalo-hunting grounds, considering they had been negotiating with the Spanish for this exact outcome since the 1700s.\(^{66}\)

Seven years after their first acquisition into buffalo grounds, the Cherokees, in conjunction with the federal government, again set their sights on more Osage land. In a much less-resistant manner, the Osages ceded 20,000 square miles in Kansas, 18,000 square miles in Oklahoma, 6,000 square miles in Missouri, and 1,000 square miles in Arkansas to Congress under the First Treaty of 1825. The vast majority of the ceded Oklahoman land went directly to the Cherokee nation and subsequently became known as the “Cherokee Outlet” though the Osage peoples had held it indefinitely before the signing of this treaty. (17 Stat. 228). Modern scholars often confuse the terms “Cherokee Outlet” and “Cherokee Strip” to refer to the same fertile area of land in northern Oklahoma nonetheless, according to this Treaty of 1825, they are completely separate pieces of land in the Plains region. Article Two visibly states that the Osages’ land holdings, north of the Cherokee’s, were “reserved, to, and for, the Great and Little Osage Tribe or nations.”

First Osage Treaty of 1825. The above map shows the distinctions between Osage and Cherokee lands and the ever-disputed “Cherokee Strip” and “Cherokee Outlet” terms. As is clearly shown, the thick, black line between Kansas and Oklahoma is what is correctly indicated as the “Cherokee Strip.” Louis F. Burns, *A History of the Osage People* (Tuscaloosa, AL: University of Alabama Press, 2004).

The southern boundary of their land holdings fell about two miles short of the agreed upon line, while a surveying error to detail the agreements of this treaty found the northern boundary of the Cherokee Outlet to be two and one-half miles north of the Kansas-Oklahoma line. It is this survey *overlap* between the Kansas-Oklahoma border that is correctly referred to as the “Cherokee Strip,” and not the “Cherokee Outlet.”

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More relevant to the plight of the Osages is that Article Two verifies the government’s attempt to rectify a buffer zone between the tribe and intruding white settlers venturing west:

Beginning at a point due East of White Hair’s 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.

This fifty-mile wide buffer zone appears to have been an attempt by the government to separate Americans from the Osages whose economic status was floundering. Evidence of this phenomenon may be found in Article Four of the treaty which states that the tribe would receive numerous agrarian goods and livestock such as “six hundred head of cattle, six hundred hogs, one thousand domestic fowls, ten yoke of oxen, and six carts, with such farming utensils.”68 As seen in previous treaties and even Jefferson’s initial address to the Osages, the United States has always had the ideal of shaping Amerindian nations into small Anglo-American style farmers in order to contort themselves into the uniqueness of American society, culture and economy. Unfortunately for the hunter-gathering Osage society, this was a completely contradictory spectacle Congress repeatedly tried to have the tribe undergo, regardless of negative economic consequences for the Indians each time they appeased the government. In the case of the plows given to them under the Treaty of 1818, for example, the Osages ended up selling them for tools of more use and value to them. Therefore, it appears that the farming equipment and livestock given in Article Four and the buffer zone to keep out intruders in Article Two of the Treaty of 1825 were another attempt

68 Kappler, 218.
by the government to “Americanize” the Osages by first forcing them to survive economically in the manner of American farmers, no matter how many tries it took for the tribe to succeed in doing so.

Two months after the Osages accepted the loss of another significant portion of their land and began to realize that the United States was determined to implement a forced change of culture beginning with their socio-economic structure, the Council Grove Treaty of August, 1825 added another straw upon the backs of the Osages. In a handful of pungent requisites, Congress outlined that the tribe was in no way permitted to interfere with the passage of individuals going westward along a special road being built for that very purpose, i.e., “from the Western frontier of Missouri to the continues of New Mexico.”

Although trade and commerce would have certainly been a contributing factor for the construction of this path, by the timing and placement of it in the United States, it truly appears that Congress was taking its first steps toward preparing thousands upon thousands of Indians east of the Mississippi River for their trek westward onto former Osage land via the Trail of Tears, which just so happened to, as the Council Grove Treaty states, cut through the Osage grounds. Many of migrating tribes actually settled on reservations in Oklahoma, Kansas and Missouri—all of which were once the homeland to the mighty Osage nation less than twenty years before.

The last treaty during the early half of the nineteenth century which had a significant economic impact upon the Osages came on January 11, 1839 at Fort Gibson; it was the cession of their entire land holdings in the Oklahoma territory. Under this agreement, the

69 Kappler, 246.
Osages would be moved *en masse* North to a section of Kansas land to survive upon, indefinitely. Linked with a decline in available labor population due to disease from Euro-American contact and little resistance to their infectious germs, the Osages were hard pressed to adapt and find a viable means of economic survival.\(^7^0\) While the tribe had hunted in these lands before, due to the continual immigration of Anglo-Americans/intruders and even other Indian tribes, as was the case with the Cherokees a couple of decades before who officially took Osage land through the Treaty of 1818, the game population in the Kansas area by the late 1830s was severely depleted. Once again, the Osages were forced to pick up their hoes and clear the fields in order plant crops for the coming spring months, though their education in this discipline was deficient to say the least.

In all, the first half of the nineteenth century forced the Osage nation to abandon nearly one hundred million acres of their precious, ancient homeland to the United States for myriad reasons. Aside from the negative cultural and social impacts, the monetary exchange the tribe received for the substantial cession came to a relatively low five and three-quarters cents per acre.\(^7^1\) The ability of one community to survive on such a minimal amount of income for an unspecified amount of time demonstrates the Osages’ keen sense of survival. This tactic will be found throughout the rest of their nineteenth century history and spans beyond the forests of the western frontier and extends into their ability to accommodate unique groups of people, such as federal leaders, and situations, such as the

\(^{70}\) Kappler, 525-527; Burns, *A History of the Osage People*, 165.

\(^{71}\) Burns, *A History of the Osage People*, 168.
diplomatic process of treaty making, ultimately to benefit themselves extensively. Before they were able to reap the rewards they sowed through the grass leasing business, this tribe experienced a number of disturbing events over the next few decades--from disease to corrupt bargains to intruders to war--which only served to undercut their economic status even more. Intriguingly, the overlying problem for this Amerindian group during this era was actually dealt with the removal of other Amerindian tribes.
CHAPTER 3
PLAGUED BY INDIAN REMOVAL

It was like a babbling brook flowing into the Osage River that day, where the constant stream of chatter before the next speaker never ceased to amaze anyone in the room; only the silence was stunning. But within a few minutes this incredibly handsome, middle-aged, smooth-faced man with buttery blonde hair, piercing blue eyes, and a delicately chosen wife to balance his charm, took center stage. As he cleared his throat that peaceful May afternoon, tranquility fell over the room. What mesmerized the audience was not only his topic; how to deal with those savage Indians, but also his remarkable rags-to-riches story, beginning with a humble background in the poor, back country of Tennessee’s Cumberland Valley, traveling through the American south as a military leader in the early 1800s and eventually standing before them that day in 1830 as President of the United States of America. What a life Andrew Jackson had led. And taking his place in front of his fellow politicians, he affirmed, “It gives me pleasure to announce to Congress that the benevolent policy of the Government, steadily pursued for nearly thirty years, in relation to the removal of the Indians beyond the white settlements is approaching to a happy consummation.”

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Andrew Jackson. What a strapping man he was. Twenty Dollar Bill.

The Indian Removal Act of 1830 was prepared for ratification and ready to push thousands upon thousands of eastern Indians into what was left of Osage territory.

As President Jackson sorrowfully persisted, “Humanity has often wept over the fate of the aborigines” and that “toward the aborigines of this country, no one can indulge a more friendly feeling than myself” despite the notion that Indian removal was primarily developed so that the United States could obtain valuable Indian occupied lands in the South. Jackson glossed over the effects of an emigration of Native Americans into lands already occupied by other tribes such as the Osages. He subdued these quandaries by saying that natives would simply “have melted away to make room for the whites” and would be “rolling to the westward,” through what Indian historian Anthony F.C. Wallace refers to as
*The Long, Bitter Trail*—the trail numerous eastern Indians took while emigrating out of the southeast and onto the Plains region of America during the 1830s and 1840s.\(^3\)

Contrary to popular belief, the concept of Indian removal was not derived from this smooth-talking, country boy standing before Congress in 1830, nor was it developed by the clever, two-faced ways of Thomas Jefferson, whose brilliance in twisting logic and the English language could have possibly confused himself had he not recognized his own penmanship. While Jefferson did bring the idea of removal to America in regards to his Louisiana Purchase, American Indian removal was really first found with the Osages’ original allies, the French, back in 1709, and continued in the Mississippi area throughout the century with the Spanish—though their command of natives and implementation of this multifaceted policy was less than admirable.\(^4\)

The reason why removal is utilized long before President Jackson’s systematic design of it in the 1830s stems from the relative separation of natives and whites prior to this period; after all, the Osages’ Treaty of 1825 had even stipulated a buffer zone be established between the two groups so as to reduce contact for an extended period of time. Before the Jacksonian Era, the majority of native tribes found it best to disperse community members into small groups for a range of tasks such as obtaining water, firewood, hunting, and so forth. Even in some of the most common, early contact the Indians had with whites, via war, the natives chose to hide singularly or in small groups in the foliage of their

\(^{3}\) Richardson, 1082-1086; Wallace, 11.

familiar forests instead of fight in arranged, lined combat, as was the style taught to Euro-Americans. So before the Jacksonian Era, there was hardly enough legitimate, substantial communication with Amerindians for the federal government to obtain a general idea of how many individuals existed in America, covering how much of their sovereign land to remove westward. The remote nature of Native Americans also indicated to Congress that it was more likely than not that with each passing year toward 1830, the number of Amerindians requiring removal in the southeast was declining. This decline can be attributed to ordinary factors such as white settlement upon their land, thereby forcing small native communities out at bayonet, or gun point to the more frequent, revolting cause for vacation of the premises—death by grotesque diseases such as smallpox or influenza. Regardless of the reasons for removal, it is understood that the southeastern lands were under the watchful eye of the government and that Amerindians were clearly in the minority. Under the democratic principles of the United States of America, Indians’ minority political clout when compared with the American people’s majority bellows, made their political voice a mumble, if heard at all.\footnote{Patrick M. Malone, \textit{The Skulking Way of War: Technology and Tactics among the New England Indians} (New York: Madison Books, 2000), 89-90; Elizabeth A. Fenn, \textit{Pox Americana: The Great Small Pox Epidemic of 1775-82} (New York: Hill and Wang, 2001), 23, 26-28, 30-31; According to Fenn, while the majority of Amerindian smallpox cases were known to have transpired in the American east during the Revolutionary Era, the Osages may have contracted the disease around 1783 from the Wichita Indians. Ibid, 219.}

What was heard in Congress before Jackson’s resounding words of removal were those of Jefferson’s, reiterating much the same message. To Indiana Territory’s governor, William Henry Harrison, Jefferson explained in 1803 how “our settlements will gradually circumscribe and approach the Indians and they will in time either incorporate with us as
citizens of the U.S. or remove beyond the Mississippi.” By 1830 it was clear that the Indians would be pushed together in an incessantly diminishing piece of America beyond the Mississippi.

Where Jefferson directly obtained his removal policy for Indians in his new western lands of 1803 was actually given to him the year before, in 1802, with the Georgia Compact. In was in this congressional document that the United States made arrangements with Georgia, in order to acquire the title to Alabama and Mississippi, to remove Indian titles within the Georgia boundaries immediately. In order to meet the guidelines agreed to within this compact, Jefferson focused his attention at removing those natives in the southeastern portion of the United States to other sections of the country. Indians who did not agree to acculturate into Anglo-Saxon, agrarian society as he had planned for the rest of his nation, were targeted for the removal process. Eight months after he received the Georgia Compact, Jefferson wrote to Secretary of War Henry Dearborn that, “The Indians being once closed in between strong settled countries on the Mississippi and Atlantic, will, . . . be forced to agriculture, will find that small portions of land well improved will be worth more to them than extensive forest unemployed.” To paraphrase, those Native Americans willing to relinquish their hunter-gatherer culture in exchange for Jefferson’s agrarian

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lifestyle would be permitted to remain in their native lands. Those unwilling to adapt to western culture would be removed.

The first inklng of Indian removal in United States foreign policy was found in the need to fulfill the stipulations set forth in the Georgia Compact of 1802. By 1803, the Louisiana Purchase provided Jefferson with a vast expanse of land on which to place these uninvited Indians, away from white settlers whose hopes were to develop their new succulent pastures for a hefty profit. Had those southern tribes not emigrated to Osage lands during the Antebellum Period, the decelerated speed of the growth of slavery in relation to numerous settlers’ abilities to own large portions of Indian territory for plantation purposes may have disjointed southern and northern balances of power enough to prevent the Civil War in 1861.\(^\text{78}\)

While the definitive answer to the above theory may never be determined, what is known is that upon obtaining the Louisiana Territory from the French, in order for Jefferson to carry out his removal policy and subsequently release more supple southern land to his stifled farming population, he now had to peacefully obtain the Louisiana region from those individuals who truly owned it—the Osages. As soon as the Louisiana Territorial Act of 1804 was passed by Congress, Jefferson was free to employ his presidential powers within the territory to remove Native Americans into the Osage’s land. Coincidently, 1804 also marked the beginning of American-Osage relations, launched by President Jefferson. After four years of diplomacy, Jefferson’s cunning savoir-faire with the Osages brought about the

\(^{78}\) Burns, \textit{A History of the Osage People}, 177-178.
signing of the Osage Treaty of 1808 and the cession of land in exactly the spot the President desired.79

But those fifty-two million, four hundred eighty thousand acres of land in the Missouri valley sat vacant for at least, a few more years. It was not until after the War of 1812 that Jefferson’s plan for Native American emigration to the West would be a feasible alternative to the Indian problem in the eastern United States for a couple of chief reasons. First, the late 1700s-early 1800s witnessed an intense spiritual revival in Indian country, much of which centered around a belief of rejecting the ‘white man’s influence,’ such as with alcohol, farming practices, and so on, and the reinsertion of a tribe’s old, traditional lifestyle. Wallace in The Long, Bitter Trail and two other well-respected Indian historians, Colin G. Calloway in The American Revolution in Indian Country: Crisis and Diversity in Native American Communities, and Gregory Evans Dowd in A Spirited Resistances: The North American Indian Struggle for Unity, 1745-1815 explore this phenomenon in depth. All three authors speak to the impact of the fierce Shawnee warrior, Tecumseh, and his spiritual brother, Tenskwatawa--the “Prophet,” had during the development of Jefferson’s plan for Indian removal.

In short, many Indian nations, including the Shawnees, Delawares, western Potawatomis, and Kickapoos, following Tecumseh and the Prophet were aggravated with the United States after failing to uphold the Indian Intercourse Act of 1790 which stipulated that farmers would be kept off of Native American territory. Frustration with these intruders and a history of other complaints with American culture and treatment lead Tenskwatawa and Tecumseh to create the Prophet’s Confederacy consisting of the Shawnee, Choctaw, Cherokee, Creeks, Chickasaws, and other tribes in the region.⁸⁰

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Aside from Jefferson’s familiarity with removal in the early 1800s, it is imperative to note that those Amerindians selected for emigration were the most reluctant to cohabitate with the Osages due to their long held knowledge of Osage attacks on Indian intruders upon Osage lands. A case in point is the letter sent to the Spanish Lieutenant Governor in St. Louis, Zenon Trudeau by the Northeastern nations—Loups, Ottawas, Peorias, Miamis, Potawatomis, and Shawnees—in 1792. The message speaks negatively of previous lieutenant governors in Trudeau’s position because of their strong encouragement for the tribes to move into Osage territory and subsequent Osage attacks on Indian invaders once the emigration was initiated. This letter supports the fact that the eastern tribes United States President Jefferson targeted for removal in the 1800s had already experienced a partial removal by 1776 instructed by local Spanish officials. Surely, the negative experiences during this first removal provided a legitimate basis for eastern tribes to be reluctant to move into Osage territory a second time during the Jefferson administration.81

Two years after the Northeastern nations composed their letter to Lt. Gov. Trudeau, American General “Mad” Anthony Wayne defeated these tribes in the Battle of Fallen Timbers. The resulting Treaty of Fort Greenville in 1795 effectively thwarted the Indian threat to the United States in the Old Northwest, forcing many tribal communities to migrate near Osage lands for refuge from the federal government since it released the southern portion of the Old Northwest to white settlers. The formal place to unload these natives would be those lands ceded by the Osages in the Treaty of 1808. The series of

treaties signed between the Osages and the federal government are unique from those made by other native tribes resulting in land cessions for one very distinct reason. Most other tribal nations signed over territory for the benefit and use of Anglo-Americans, a prime example being those land cessions transpiring in the 1830s between Congress and the Five Civilized Tribes. Osage land cessions, however, were designed for use by other Indian nations as a discarding ground for them once settlers could move into desired lands, usually east of the Mississippi River, which were acquired through separate treaties such as those negotiated with the Five Civilized Tribes.82

Interestingly, after the Treaty of Fort Greenville was signed, several Indian groups in the Northwest were forced to emigrate toward Osage territory or face Anglo-Indian warfare again. It was during this unexpected intertribal contact that the Osages learned of the United States’ harsh treatment and policies toward Amerindians.83 Thus, it can be argued that even before the Osage’s initial meeting with Lewis and Clark that they had some understanding of the Euro-American force they were up against. Perhaps this is why they took the initiative to meet the two explorers on the Osage River immediately following the Louisiana Purchase. Either way, as will be shown, it appears that the Osages’ early detection of United States foreign policy concerning Amerindians, coupled with their own negative experiences with the government, did save them from economic destruction after mid-century. In essence, the Osages learned to be quiet instead of resisting a more powerful


American military force and negotiate with Congress in treaty cessions only when necessary, i.e., the less contact the better.

In congruence with the Prophet’s religious message, all Indian nations sought a return to traditional tribal ways in order to suppress these mounting problems with America. Concerning President Jefferson, by the early 1800s, the Prophet’s Confederacy was at the still a successful movement and all too formidable of a union to neutralize and remove by force. After Jefferson’s plan for removal and his freshly bought land from the Osages remained stagnant for three years, Secretary of State James Madison ordered western Governor William Henry Harrison to destroy the Northwest Confederacy. In 1811, he effectively accomplished this task at the Battle of Tippecanoe and eventually won a presidential term on the rallying cry of “Tippecanoe and Tyler, too!” (Tyler was his running mate), indicating Americans’ negative attitudes toward Amerindians on a national scale.

The following year, the fierce backbone of the Northwest Confederacy, Tecumseh, was slain at the Battle of the Thames on October 5, 1812.\textsuperscript{84} The spiritual bonds between the associated tribes quickly disintegrated since their warrior spirit, Tecumseh, was now with

\textsuperscript{84} Wallace, The Long, Bitter Trail, 28-29; Ronald P. Formisano, “The New Political History and the Election of 1840,” Journal of Interdisciplinary History 23 no 4 (Spring, 1993): 661; Before his death, Tecumseh strongly advocated communal ownership of American lands by all Amerindian tribes, not just those in the Confederacy or the specific nation with which Congress wished to negotiate at a certain point in time. Congress, to be fair, should negotiate with all Indians in order to cede lands to the government so any treaties lacking all necessary signatures would be labeled invalid, automatically. Tecumseh’s view on property was widespread among Native Americans across the United States but unfortunately incongruous with basic principles of American civil law that the majority of those living in North America by 1800 had now accepted and practiced; Lindsay G. Robertson, Conquest by Law: How the Discovery of America Dispossessed Indigenous Peoples of Their Lands (Oxford: Oxford University Press, 2005), 190-111; R. David Edmunds, Tecumseh and the Quest for Indian Leadership (Boston: Little, Brown and Co., 1984), 124-125, 136, 142-143; Burns, A History of the Osage People, 180; Dowd, 183-185; Just before the demise of the Confederacy, Jefferson described the Prophet as “more rogue than fool, if to be a rogue is not the greatest of all follies” and that even the Prophet “only needs his price.” Lester J. Cappon, ed., “Thomas Jefferson to John Adams, Monticello, April 20, 1812,” The Adams-Jefferson Letters: The Complete Correspondence Between Thomas Jefferson and Abigail and John Adams (Chapel Hill, NC: 1959), 2:299.
the Great Spirit, leaving President Madison to tackle yet another pressing obstacle in the
way of his Indian removal plan.

The British had been a thorn in the side of Americans since the Puritans’ early days
of arrival aboard the Mayflower some two hundred years before. But now, the United States
had established its independence, set up its own systems of federal and state government,
and by all accounts, proven that in the early 1800s these measures seemed to be working
quite well. It was time for the British to pack up their belongings and set sail back across
the Pond once and for all. The chance for this change came with the War of 1812. Before
the war, British trading and defense posts were located throughout the western frontiers
around and within Indian territories in America because of the age-old ties the English had
with Native Americans. These posts made it extremely difficult for the United States
government to control its Indian population effectively at the turn of the nineteenth century
since old loyalties often swayed Amerindians back toward British partiality, instead of
consistent American obedience.\footnote{Wallace, \textit{The Long Bitter Trail}, 43-44; Burns, \textit{A History of the Osage People}, 179-180.}
The Osages are a perfect example of this trend in that
they had long traded their fur pelts with the British for weaponry and were located far
enough away from Washington, D.C., to ignore federal rules of submission long enough to
gather an army of warriors together. Backed by British forts and soldiers, the Osages often
were able to stave off American authority in the West and continue their trading habits
without much interruption.

Once the Treaty of Ghent was signed in 1815 thereby ending the War of 1812, much
of the British involvement in Indian country retreated to the North, leaving the Osages and
most other Native American tribes vulnerable to federal force upon their lands. The year 1815 also marked an Osage Treaty in which the government forced the Osages to cut the last of their British ties. These Amerindian acts primed the pump for former President Jefferson’s plan of Indian removal to be employed on a national scale very soon.86

Fascinatingly, Amerindian author Annie Heloise Abel observes that peace negotiations to end the War of 1812 in Belgium were nearly thwarted when the British proposed to the United States government the creation of an Indian state between America and Canada to act as a buffer zone between the two nations. The signed Treaty of Ghent made no concessions for Indian nations and certainly none as sincerely thought out as the British’s idea of an Indian buffer zone.87 This earnestness can be traced back to their longstanding alliances and general history with various tribal groups in America and their keen observation that the United States government had no desire to negotiate with Indian nations as they were doing with other, western European nations at the very same time. Had officials in Washington accepted the Indian buffer zone design explained in 1815, the Osage’s subsequent land cessions and intertribal conflicts with tribes immigrating into their territory would have never been a problem since a tract of land in the Old Northwest could have been used as the Indian state.

As a point of clarification, the land in which the Osages currently reside regularly is misunderstood to be “assigned” land given to them by the federal government in much the same fashion as other tribes emigrating westward during removal lived in land “assigned”

86 Kappler, 119-120.

to them. But as can be seen through the analysis of treaty negotiations during the nineteenth century, this “assigned” land has been, historically, the Osage’s homeland for as long as can be recorded by European settlement in the New World. Many federal documents of the period also associate Osage property with the term “fee simple,” which is defined to be “An interest in land that, being the broadest property interest allowed by law.” To elaborate, even Congress recognized the Osages’ legal rights to their land by stating that they totally owned territory which was not extracted from them in the said treaty.⁸⁸ As will be discussed in Chapter 3, once it was evident to the tribe that they would be pushed off their native lands in Kansas, the Osages wisely sold this territory to Congress, only to buy another section in Oklahoma as their permanent residence that was also their former homeland and also their property in fee simple. The Osages are one of the few known tribes to have purchased their current reservation from the government.

The first large scale removal of Indians into Osage territory dates back several years before Jackson’s famous speech before Congress in 1830; rather, the time came in 1808. According to Edwin C. Bearss’s “In Quest of Peace on the Indian Border: The Establishment of Fort Smith,” in May of that year members of the Cherokee nation assembled in Washington, D.C., to meet with President Jefferson. Discussions revolved around transferring those Cherokees living in the eastern United States across the Mississippi who preferred life as hunters, where buffalo and other wild game were much more plentiful. There is no doubt that this series of meetings pushed Jefferson to negotiate

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⁸⁸ Burns, *A History of the Osage People*, 187; Garner, 648; As the years progressed, the legal status of the Osage’s rights to their land grew more and more complicated due to the eventual crowding of Indian tribes in small, neighboring reservations. For a deeper discussion of the legality of the Osage’s land holdings, see Chapter 3.
the land cession Treaty of 1808 with the Osage, seeing as it transpired only five months after the Cherokees spoke to the President about their desire to move onto Osage grounds. Upon the cession, Jefferson designated that the Cherokees receive the lower White and Arkansas Rivers region of now former Osage land.89

Soon after Jefferson specified the chosen lands nearly three thousand Cherokees rushed into the Missouri Valley ready to hunt for prey. The Osages’ view of these uninvited guests hardly was positive and, at best, they understood that to secure peace in their own nation meant to prepare for war. Part of the Osage’s aggressiveness in excluding Cherokee invaders from their boundaries stems from the Cherokee’s unwillingness to complete their part of the agreement for an exchange of lands in 1808. Hence, as the Osages saw these Amerindians moving along the Arkansas River, under Osage law, they were deemed trespassers on private hunting grounds and had to be removed forcefully. Permitting the Cherokee to roam for buffalo intrinsically compromised the economic stability of the Osage nation. Their major food supply, wild game, would face stiffer competition while being hunted. This concept would reduce the amount of meat and hides they could sell for profit to traders since more would have to be conserved for the tribe’s own annual consumption. It is odd that the Cherokees would discount the status of another Amerindian group in such a manner as this was their fate in eighteenth-century Kentucky. Historian at UCLA, Stephen Aron, explores this finding in How the West was Lost: The Transformation of Kentucky from Daniel Boone to Henry Clay, only to discover that over hunting and over speculation

by natives and Euro-Americans transformed the pristine hunting reserves of Kentucky into ruined, overused lands whose value dramatically decreased in a short period of time.\textsuperscript{90} In 1809, it appeared that this was about to happen once more with the Osage’s Missouri Valley hunting grounds.\textsuperscript{91}

The Osage-Cherokee Wars, transpiring right around the time the British were required to remove themselves from the Plains territory in the 1810s and 1820s, were quite economic in nature. Many negotiators deemed best able to settle conflicts and to appease angered Osage warriors were their best trading partners, like Pierre Chouteau, who brought much of the tribe their financial prosperity due to his business-savvy disposition and linguistic capabilities. Unfortunately, Chouteau was also the man who translated much of the Osages’ Treaty of 1808, which, according to the federal government, permitted the Cherokees to intrude upon their land. Hence, Chouteau’s peace talks with the Osages were fruitless and in many cases worsened relations between the Osages and the Cherokees, and even the Osages and himself.\textsuperscript{92} Grant Foreman also acknowledges the Osage’s vehement resistance to occupation of their land by implying that they “were probably more active than any other force in maintaining a state of warfare throughout Oklahoma and preventing its peaceful occupation by either red or white men. They challenged practically all tribes of Indians they encountered on the prairies and east to the Mississippi.”

\textsuperscript{90} Grant Foreman, \textit{A History of Oklahoma} (Norman: University of Oklahoma Press, 1942), 6-7; Burns, \textit{A History of the Osage People}, 191; Stephen Aron, \textit{How the West was Lost: The Transformation of Kentucky from Daniel Boone to Henry Clay} (Baltimore: Johns Hopkins University Press, 1996), 16-18, 31-41.


Following Chouteau’s futile discussions, a series of Osage raids ensued. Typically Osage war parties confiscated tools and hunting weapons, useful to the tribesmen for their own economic survival since Amerindian competition was now a fact of life. Camps repeatedly were searched for necessities, such as John Well’s hunting camp in 1814, 1815, and 1818. The particulars of what was taken are found in the notes of Peter and August Friend, including bullet molds, powder and beaver traps. They were raided in 1818 on the James River and illustrate the ongoing struggle of the Osage Indians in their need to obtain defense weapons from these trespassers to stave off offensive combat long enough to set up
hunting traps in order to catch wild game for their local communities’ sustenance. Murder, on the contrary, was not what the Osages had intended to embroil themselves with in the early nineteenth century. Of course the casualties of war did occur on both sides of the war zone during the Osage-Cherokee struggle, but a key distinction comes in the Osage’s choice to take the lives of individuals intruding west of the Osage line, or within the boundaries of Osage territory. In questionable lands east of the known Osage region, parties were only robbed for goods, but not killed-- decapitation being the traditional means of punishment for an illicit trespasser killing precious game. Throughout the Osage’s tribulations with their unjust treatment under American legal practices, they still, in their own diminishing boundaries, practiced strict, traditional codes of conduct that were not compromised by using the excuse of hard times or martial law. Despite the tribe’s deep frustration with what they were beginning to see in Washington between Jefferson and the Cherokees, the Osages did not initiate guerilla warfare with their opponents to ‘even the score’ since such an action was not reasonable under their code of conduct.

William Clark, one of the first Americans to meet the Osages, nearly disrupted the entire future course of Amerindian removal into Osage lands in 1817. He suggested leading Cherokees across the Mississippi River so that they could defeat the White Hair and Little Osage bands. In contrast, the Cherokees would be stepping into Osage territory, so obtaining Osage reinforcements and weapons would be much less of a problem for this tribe than for the Cherokee nation. Furthermore, the Osages intimately knew the

topography of the forests and backwoods into which the Cherokees would be trespassing, leaving the invaders up for defeat that much quicker. A victory for the Osages of this scale in the face of a federal official, to a tribe expressly chosen and backed by the government to live in Osage lands, would have thwarted future American removal procedures into their lands indefinitely since it would be more work for Congress to keep natives on their new reservations than choose another area for emigration. The lack of a removal policy centered on Osage lands would have also prevented the drastic economic decline of the Osages during the Antebellum Period.

Instead of allowing those naïve Cherokees to cross the Mississippi, 1817 became another milestone in the Osage-Cherokee Wars with the Battle of Claremore’s Mound. When the leaves turned vibrant hues of auburn, rouge, and harvest gold in the village of Claremore and the Osage men were out for their fall hunt, Shawnee, Delaware, Tonkawa, Choctaw, Caddo, Comanche, Coushatta, Cherokee, and white settlers surrounded the community of women, children, and frail men. Rather than attack instantly, these eight hundred warriors dispatched a runner to obtain the Osage chief for possible ‘discussions,’ however intimidating they may be, and to return with a negotiator immediately. As the Osage chief arrived at the Cherokees’ table, he announced that the negotiator, Claremore, was away on business, indicating that the council could not be held until he returned. In order to show benevolence, the Osage chief accepted the Cherokees’ food and drink offerings. As the Osage chief sat down to receive them, the trickery of the Cherokees’ ploy to lure the Osage chief into their territory was unveiled when they slaughtered him. Nearly

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two hundred casualties resulted from the massacre as well as the looting and burning of the entire village.\textsuperscript{95}

It was this type of sporadic skirmish, coupled with individual raids for supplies, which forced the federal government to realize that their plan for Indian removal was eroding internally at warp speed. Immediately following the Massacre of Claremore’s Mound, the government set up Fort Smith to institute a professional, established military presence in Indian territory, hoping to calm these battles and begin shaping the land into the state of Oklahoma. Six years later in 1823, another serious encounter occurred with the deaths of several Americans and Frenchmen. It was then determined that a second post, Fort Gibson, would be required to control the rowdy savages in Osage territory.\textsuperscript{96}

These forts provided the military backing the Osages needed to protect their economic investments from further destruction. The costliness of long-term warfare in their native lands meant that the Osages lost valuable natural resources, such as buffalo, deer, and beaver. These losses were later represented in falling food reserves for the tribe and a lack of agreeable profit in post-war years with neighboring fur traders. What was left of the Osage’s financial assets was put forth rebuilding fallen communities, like that at Claremore, since tribesmen first needed shelter before they could work to support the rest of society. A decline in able-bodied workers is also found due to Indian removal warfare since mortality rates for a given village skyrocketed during periods of attack. Much of what remained of

\textsuperscript{95} Bearss, “In Quest,” 149-152; Burns, \textit{A History of the Osage People}, 194-195; Foreman, \textit{A History of Oklahoma}, 4-5.

\textsuperscript{96} Foreman, \textit{A History of Oklahoma}, 5; Burns, \textit{A History of the Osage People}, 193.
the Osage population focused their energy on rebuilding fallen areas instead of propelling forth their economic status.

During this period of economic downturn appeared a drastic, permanent shift in the socio-political structure of Osage leadership, causing even more detriment to the unsteady economic position of the tribe in the early 1800s. The change, expectedly so, was the result of Euro-American pressure upon this Indian nation. Though the author has analyzed the most pivotal of treaties signed by the Osages during the Antebellum Period, there are several others which arose during this time that provide the best evidence for the Osage’s exposure to a separate type of leadership, commonly found in the United States.97

Before American interaction with the Osages, the political leadership of the Osages concentrated power with the chiefs, chosen from the sons or grandsons of a deceased chief, of each clan in a faction of the tribe, such as the Great and Little Osages. Coupled with this idea is the fact that a chief’s role was inclined to be less a ruler of the tribe and more leader or overseer of council meetings, especially in civil matters. So in most important assemblies to determine the future of the tribe, a general consensus was reached by council members representing the tribe as a whole while the chief’s decision guided the gathering, much like a democratic republic.98

The advantage of this consensus rule design in practice as the Americans first met the Osages, is that disputes among tribal members are infrequent since they are aware of the


decisions as they are being made and, like their fellow tribesmen, accept them for the benefit of the tribe. The concept of treaty negotiations in western politics asks that only the leaders of requisite parties be present during discussions and not the entire council. In order to show respect and gain the trust of the powerful, authoritative United States, they began sending only chiefs to treaty negotiations and continued the practice with subsequent negotiations until the abandonment of the treaty system in 1872. The problem with this show of respect for a western power is that it automatically discounts the Osages’ culturally understood practice of negotiation. Thus, when leaders returned from signing treaty documents with the government, they often faced tribal disputes. These disagreements were a logical result of the Amerindian-American interaction since council members unable to attend the treaty meetings did not feel they had reached a consensus on the matter at hand and were not bound to follow the covenant arranged for the Osages to follow created between the chiefs and the United States. This predicament is exactly what the fallen warrior Tecumseh warned Indian chiefs and councils not to do—break away from each other in order to appease the government, since it would create their demise.99

In a rational sense, without collective approval, the only alternative becomes sectionalism for the Osage tribe that caused great fissures for this Native American group. The Claremores faction, the Little Osages, the Great Osages, the Osages along the Arkansas, the White Hair Osages, and so on is what became of the once great and powerful Osage nation. These divisions and repeated reorganizations within once united communities forced much attention away from rebuilding the Osage’s economic status through

networking and fur trading in the Mississippi Valley. In its place, energy was used to
determine how each community would function socially and politically, though they were
quite smaller in size. This lack of attention to the economic status of the Osages, much like
their problems due to the Osage-Cherokee Wars, only set the tribe into a deeper state of
economic decay as other natives poured into their borders. The Delawares, Kickapoos, and
some of Tecumseh’s old warriors, the Shawnees, were the first of other nations to cross
Osage territory in droves during the early 1820s, only adding to the confusion in the lives
of Osage men and women, in whichever faction they may now be part.\textsuperscript{100}

By the late 1820s and early 1830s, the Cherokee-Osage Wars had subsided into a
series of periodic intertribal raids since the Osages now had a whole host of other
Amerindians to compete for their resources. In conjunction with their socio-political
transformation in terms of leadership, the Osages still felt it necessary to preserve as much
of their original culture as possible at this point in time. One way of doing so was to engage
in the Osages’ mourning wars where the tribe intentionally attacks a rival community for
the purpose of killing and/or capturing individuals from their opponents. These expressions
of Indian culture are found throughout North and South American tribes and seek to repair
two problems found in a combative tribe like the Osage. First, a mourning war is a
manifestation of revenge for fallen tribemen in the community, and a person for which the
Osages truly adored, e.g., to “mourn” the deceased.\textsuperscript{101} Second, and more important

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economically, a mourning war replenishes the Osage’s population once it declines due to the mortality of infants and the elderly or unexpected casualties from conflict, such as in the Osage-Cherokee Wars. A larger population can then be put to use to rebuild Osage communities, capture animals to be sold on the fur trade, and reinstate the stability of the tribe.

In order to replenish their lost population from the Osage-Cherokee Wars and to be extra vigilant about guarding their hunting grounds from unauthorized intruders since the scarcity of wild game was becoming an issue, in the early 1830s Osage clansmen determined that a mourning war was necessary. The Kiowa nation, trespassing on Osage grounds, labels 1833 as “the summer that they [the Osages] cut off their [the Kiowa’s] heads” with good reason. Accounts surfaced concerning the details of the Osages’ scalping of the Kiowas (which incidentally, is said to have happened at Cut-Throat Gap), state how the Osages made it a point to warn the Kiowas of two vital messages. The first was not to hunt in sacred, private Osage lands—the consequence being decapitation. The second was not to trade with northern tribes such as the Pawnee. Their caution of this practice came as
the Osage put the scalped, decapitated heads of Kiowas in brass pots or buckets they carried with them for this very purpose. The Pawnee tribe located north of the Osages, who routinely traded with the Kiowas, sold brass cookware, while the Osages’ trading partners hovered in the southwestern region of the Kiowas’ capture, refused to do so. Due to the repeated land cession treaties, fur and goods trading along the Mississippi River, and defense protection because of the size of the tribe, the Osages had much more contact with Euro-Americans than most of the Indians surrounding them in the 1830s. One piece of information they learned from this interaction was that brass and copper cookware often caused a build up of toxins in the body, slowly causing death to those who used them. The Osages used cast-iron to cook their food with and only carried brass pots for ceremonial and cautionary purposes in the face of other tribal nations.102

Grant Foreman, expert in Native American history, offers an excellent motive for the Osage’s bold move during this weak time in the lives of their men and women. As he explains, a mourning war against the Kiowas would encourage their close, powerful, and violent allies, the Comanches, to retaliate against the Osages for this haughty act. This retribution would then set off a wave of serious intertribal warfare in the Plains region during the 1830s and 1840s, enormously discouraging emigration of Indians into the area, let alone white settlers interested in the once lucrative fur trade. Had the ingenious idea worked, the Osages would have been able to maintain most of their Indian monopoly on the Missouri fur trade and prevented tens of thousands of other Amerindians from encroaching

upon their hunting and trapping lands which was not only their source of income, but of sustenance for the community. In truth, soon after the Kiowa incident reached Congress, federal officials were sent out via the Dragoon Expedition. The goal of their mission was two-fold: one—to frighten all Plains Indians with the prowess of the United States military from initiating any future attacks on any tribes, especially the Kiowa or Osages, and two—to negotiate some sort of a peace treaty between Plains and eastern tribes. No agreement was reached but by the same token, no grave, intertribal state of war on the Plains was ever again induced either.103

It is quite a testament to the vigor of the Osage nation to know that by the early 1830s this tribe had overcome the cession of the vast majority of their ancient lands, faced serious competition for economic resources such as food and shelter, and still, were able to successfully fend off intruders—while teaching them a lesson about cleanliness and advertising the advantages of trading with them over northern tribes. And yet, when all of this commotion was shaking the spirit of the Osages, the last, ongoing piece of the puzzle as to what made this nation’s economic climb back to the top of the food chain so difficult in the 1800s has still not been mentioned. It was plagues.

Beginning around the time of President Jackson’s formal plan for Indian removal of tribes east of Mississippi River to encroach upon Osage territory, a steady stream of diseases and epidemics came upon the Osages with horrid results. The first record of these epidemics was found in 1829 with influenza. From that year until 1843, when the bulk of eastern tribes had emigrated west, cholera, malaria, and smallpox epidemics also cycled

into the Osage population, sweeping up nearly 1,500 victims by the time these diseases resolved to wreak havoc elsewhere. This series of outbreaks serves as a reminder of the Osages’ strong will in the face of demanding circumstances, thus indicating that the group, in the 1830s and 1840s, realized the growing paucity in their lives and forced themselves to put their minds above their physical health in order to continue to hunt for food, shelter and so forth. Shortly before the Kiowa mourning wars, the Osages suffered a disturbing smallpox epidemic, but still chose to carry out these intertribal campaigns on the Plains in an effort to maintain their economic status and reduce any other future consequences from the disease, such as mortality. Perhaps it was the Osages’ extraordinary inner strength that prevented the annihilation of their community through disease, but to put this event in perspective, a comparison must be drawn. About five years after the Osages’ bout with smallpox, another Plains nation, the Mandans, contracted the illness from a steamboat traveling up the Missouri River. Within a few weeks one of their village records stated that the community went from a healthy 2,000 members to less than 40 weary souls.  

104 To display the gravity of the Osage’s infectious situation, it is best to explore the ramifications of just one of the several major plagues found within their land. Smallpox, as Duke University history professor Elizabeth A. Fenn describes, was “a phenomenal success: It found countless new hosts, it multiplied rapidly, and it traveled vast distances. . . . killing more than a hundred thousand people and maiming many more” in just a seven

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year period. The pestilence had “no respect for boundaries of race, class, or nationality [killing] . . . . fur traders, explorers, planters, fishermen, hunters, [and] farmers” and managed to reshape “human destinies across the continent” by blinding, scarring or maiming its victims. This was the same virus that threatened George Washington’s army during the American Revolution. The difference with Washington’s men and the Osage’s is that inoculation from the affliction was available for his military while the Osages literally waited out the pestilence and hoped for the best. As one eye witness to this destruction recounts:

The Indians began to be quarrelsome touching the Bounds of the Land which they had sold to the English, but God ended the Controversy by sending Smallpox amongst . . . [them] . . . who were before that time exceedingly numerous. Whole Towns were swept away, in some not so much as one soul escaped Destruction.

The lack of Indian resistance simply to this plague alone was spectacular in the eighteenth and nineteenth centuries and only made worse by the confined conditions and lack of resources available to those migrating into former Osage territory, especially for the Osages. Smallpox was so devastating to Amerindian tribes west of the Mississippi River that in only a three-year period, from 1837 to 1840, the malady consumed the bodies of 100,000-300,000 Native Americans. Smallpox was just another member of the Euro-American invasion of Amerindian territory. What the Osages had already experienced—forced acculturation with agrarianism, new living arrangements and so forth, were all part of this Old World conquest.105

105 Fenn, 3, 5, 92-98; John Duffy, “Smallpox and the Indians in the American Colonies,” Bulletin of the History of Medicine 25 (July—August 1951): 327; Alfred W. Crosby, Germs, Seeds, and Animals: Studies in Ecological History (Armonk, NY: M.E. Sharpe, 1994), 74-76; The epidemiology of smallpox is quite interesting. While there are two main forms of the illness, variola major resulting in 20-50% mortality and variola minor
The undersized establishment of the Osages were first recognized as a serious threat to the survival of the Osages only a few years after the start of their battle with influenza. In 1833 President Jackson enforced his removal policy of the Cherokees into Osage territory. In a cruel twist of fate, the Great Mother rained down upon the Plains so heavily that floods were found in several portions of Indian territory, especially Osage land, followed by a severe drought in those same, tortured areas. Periods of intense moisture and climatic change where known pools of stagnant, standing water will remain for some time, such as after a flood, harbor infectious agents. When communities use those pools of water to bathe, drink, or cook with, those agents are then ingested into susceptible individuals en masse, quickly causing an epidemic among the given population, especially if that population is confined to a small area of land, such as the Osages. In 1834, following the Cherokee’s harrowing trek across the United States along the Trail of Tears, their weary spirits and weakened bodies contracted Cholera along the way and transplanted it to the Osages by that summer. Almost four hundred Osage souls perished that year, robbing their

resulting less than 1% mortality, both strains replicate in their victims with the same basic pattern. Respiratory secretions are transmitted from the infected person to the healthy individual, such as through coughing in close contact—a common problem on the Osage reservation—or through oozing secretions of infected scabs that seep onto bed linens (the caretaker obviously contracts the disease). From the upper respiratory tract, the disease then makes its way to the lymphatic system to reproduce and incubate for about 12 days where the newly infected person begins complaining of numerous vague, flu-like symptoms such as backaches, muscle aches, fever and headaches. The next 7-14 days is when the classic smallpox pustules and vesicles appear on the patient’s body, coupled with a centrifugal rash. Typically, the more confluent the rash, the more severe and life-threatening the case of smallpox will be for the infected. If the person makes it through this stage, the legions crust and fall off, leaving the characteristic ‘pockmarks,’ though secondary bacterial infections from those oozing, semi-healed wounds are not uncommon, nor are internal secondary infections such as pneumonia or ulcers. For those whose lives are taken by variola major, it is a cruel combination of toxemia and acute hemorrhaging in the lungs, skin, and other organs which kills the person, usually before their body has the ability to produce a rash, indicating that their life is in grave danger. Kristine B. Patterson and Thomas Runge, “Smallpox and the Native American,” The American Journal of the Medical Sciences 323 no 4 (April 2002): 216-217, 221.
community of about 5,000 of nearly a quarter of its cumulative population.\(^{106}\)

Trail of Tears. Not only did it lead to the deaths of thousands of Eastern Indians, it also lead directly into Osage territory, causing this tribe a whole host of problems, from disease to game extermination. Douglas R. Hurt, *The Indian Frontier, 1763-1844* (Albuquerque: University of New Mexico, 2002).

To present a general picture of the Osages’ unrelenting battle with disease in the mid-nineteenth century, it must be said that from their first major, recorded epidemic in 1829 up to 1856, the tribe had battled influenza, cholera, smallpox, scurvy, measles, typhoid, and scrofula.\(^{107}\) Many of these maladies placed a burden upon the Osage population simultaneously, killing over three thousand of its members. Within twenty-five years, more than half of the entire Osage nation was consumed by a series of unstoppable, 

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\(^{106}\) Matthews, 567-573; Foreman, *Advancing the Frontier*, 1933, 133; Burns, *A History of the Osage People*, 239; Tillie Karns Newman, *The Black Dog Trail* (Boston: Christopher Publishing House, 1957), 80; According to the Letters Received by the Office of Indian Affairs for the Osage in 1833, roughly 6,000 tribesmen were counted for that year before the epidemic hit. Before serious epidemics rushed through the tribal nation, the Osage population was found to be about double that of their 1834 statistic—a strong 10,000 individuals. Letters Received by the Office of Indian Affairs, Osage Agency, for the year 1833, Department of the Interior, National Archives, Microfilm 631: 587; Letters Received by the Office of the Secretary of War, Relating to Indian Affairs, 1821, National Archives, Microfilm 3: 1029.

\(^{107}\) Newman, 80; Burns, *A History of the Osage People*, 239.
omnipotent plagues brought upon them by forced confinement and unnaturally close proximity to other peoples to whose germs they had little to no resistance.

More than ninety percent of eastern tribes emigrating west of the Mississippi ultimately established grounds on what was once Osage land, confining the Osages to a smaller and smaller portion of their territory with each new band of traveling Indians. What this meant in terms of disease is that there would, without a doubt, be more of it. In the 1850s, one of the Osage mission leaders, Father Schonmakers, correctly alleged that, “If it be the present policy of the administration to confine the Osages to a small tract of country, it ought to be carried out with generous liberality.” He continued, “Our Indians know well that they are born free by nature, and will not easily submit to coercive systems.” In terms of pestilence, Fr. Schonmakers was trying to explain to the federal government that the Osages, throughout the ages, spread out over large areas of land in part to maintain a level of healthy sanitation for the community. Waste and debris were carried to the outskirts of each village and villages even moved from place to place within the territory, not resembling the permanent, undersized settlement Congress had established for the Indian nation in the nineteenth century.\(^\text{108}\)

The worst of the Osages’ confinement and, predictably, the worst of their epidemics, came during an eighteen-year period from 1852-1870 when tribesmen literally were prohibited from leaving their communities unguarded. The reason for these harsh conditions stems from their Plains location—in the middle of the Bloody Kansas revolution

of the 1850s and the Civil War chaos of the 1860s. The unnatural confinement prevented the Osages from embarking on their two major buffalo hunts. Their other hunting venture for the year in the winter was limited. Deer, bear, buffalo, and some beaver were caught during this limited annual stalking of prey, but the large-scale hunts the Osages had come to depend on for centuries were no longer permitted due to the violence erupting in their lands by intruders. Aside from the diseases those intruders brought with them for which the Osages had no immunity and obtained with great frequency, the lack of proper nutrition caused significant dietary deficiencies among the tribal population, leaving those who had contracted maladies unable to fight them for any substantial length of time. Those who had not acquired an illness were just as susceptible to a slow, painful death by malnutrition.

By 1853, it was clear to Fr. Schonmakers that his Quapaw students were responsible for spreading disease to Osage members, especially other Osage children in the classrooms, whose immunity was still developing and therefore vulnerable to acquiring foreign illnesses. It became such a problem within the tribe that Fr. Schonmakers sent an urgent letter to the Commissioner of Indian Affairs on May 20th declaring that he would accept absolutely no more Quapaw children into his mission and those that were enrolled currently would be dismissed immediately. The only method to rebut this action was if the school paid fifty-five dollars per year for every Quapaw student it wished to keep in the program. In part because of these infected school children, the Osages of the early 1850s experienced a host of maladies in their community, ranging from black measles, to typhoid—which killed nearly 1,000 Osages, including half of the Osage children, smallpox as the men

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“were returning from the fall hunt,” to tuberculosis, to and even scrofula. It is a shame to see the infectious variety among Osage Indians during the 1850s, considering that most were administered smallpox vaccines in 1837 to prevent such wide spread bereavement as they had seen with the 1834 epidemics from intruding tribes. But by the mid-1850s, nearly an entire generation of new Osages were born and raised upon the Plains, more focused on the survival of their people from day to day than the prevention of future pestilence outbreaks in regions unknown until the first victims felt weakness swallow up their core. When death did come to their doors, Dr. Edwin Griffith of Jasper County, Missouri met the Osages. This physician had an adventurous spirit and traveled 450 miles during an Osage annual hunt to vaccinate over 2,000 vulnerable tribesmen, even teaching some of them how to vaccinate each other in dire straits. In large part because of Dr. Griffith’s work, the Osage’s lost 400 of their nation to smallpox, a much smaller figure than their previous statistics for morbidity and mortality.110

Faced with harrowing obstacles in the mid-1800s, what may have saved the Osages from utter extinction may have been their genetic predisposition to survive. According to infectious disease expert, Dr. Dimitrios E. Stephanopoulos, certain populations, which may have included the Osages, possess a higher number of natural killer cells—agents in a person’s immune system which search out and destroy incoming viruses before serious damage is done to the body and do not retain evident antigenic specificity. “The Osages

could have had more of these cells in their immune systems, genetically, when Euro-
Americans arrived. Therefore, whatever pathogen was given to them and other neighboring
tribes, the Osages retained a much greater advantage at fighting it off and surviving due to
this higher concentration of natural killer cells.” Likewise, newborn children also retained
a certain amount of immunity from their mothers after birth to ensure their survival. In
other words, if an Osage mother contacted smallpox and survived, that immunity would be
passed onto her child, though the child’s immune system would only maintain this maternal
smallpox immunity for a short amount of time, when which the child would have to
contract smallpox himself and survive in order to obtain immunity permanently. Yet again,
the likelihood of the child surviving the scourge given his mother’s survival is also a good
indicator.\footnote{Dr. Dimitrios E. Stephanopoulos, personal interview by author, 14 March 2007, Wichita, KS.}

Interestingly, it was that group of people, Euro-Americans, which infected Plains
Indians with smallpox and later attempted to alleviate tribes of the affliction, however
dismal their efforts may have been at doing so. Three years before Lewis and Clark met the
Osages in 1804, Englishman Edward Jenner developed vaccination against smallpox by
extracting protective substances from the cowpox virus. His reason for developing a
vaccination was found in his diary: “It now becomes too manifest to admit of controversy
that the annihilation of the smallpox, the most dreadful scourge of the human species, must
be the result of this practice, vaccination.” Within ten years, its production was found all
over the world, except for Osage land. President Jefferson personally vaccinated up to 200
people, including 80 members of his own family and friends, though no Amerindian names
could be found. Jefferson did, however, instruct Lewis and Clark to bring the smallpox vaccination with them on their voyage through the Louisiana Territory. Though Jefferson praised Jenner for erasing “from the calendar of human afflictions one of its greatest” and a wampum belt was bestowed to him by the tribes of the Five Nations in 1807 for saving their communities, the success of vaccination on Osage Plains was not nearly as documented. What is known is that much of the vaccination serum Lewis and Clark carried probably spoiled on their hot summer journey through the Plains region, not to mention the hustle and bustle of traveling over rugged terrain. But in the same way, it is known that the population drop off for the Osages due to their smallpox epidemic following Jenner’s discovery and Lewis and Clark’s meeting with them in 1804 was not nearly as horrific as some of the other Plains tribes tackling the affliction, like the Mandans. The situation of the Mandans during this era was quite bleak and included continual encroachment on their land by white settlers, Indian wars shrinking their boundaries, and the general decimation of their people from shots fired, bayonet stabbings or the reaper that was smallpox. The Osages, on the other hand, were in a healthier state than the Mandans in the early 1800s and could likely better fight off disease intruders. They could have possessed a combination of superior genetic immunity, such as raised natural killer cells, and possible vaccination with the smallpox virus before the influx of white settlers and eastern Indians arrived carrying the epidemic in their noses, mouths, and open sores.

At the height of their Plains area reign, traveling botanist and zoologist Thomas Nuttall painted a very characteristic picture of the omnipotent Osage nation: “Scarcely any

nation of Indians have encountered more enemies than the Osages; still they flatter themselves, by saying, that they are seated in the middle of the world, and, although surrounded by so many enemies, they have maintained their usual population, and their country.” Following his examination of their species, the Osage population experienced a rapid population decline between the early to mid 1800s, in part because of the significantly smaller space in which to roam, making it much easier for infectious agents to spread through personable contact from one tribal member to another. Compounded with intermittent bouts of Amerindian quarrels and revenge raids, like traditional mourning wars, it was expected that the dynamics of Osage population and their distribution of economic resources would be jolted. This atypical close tribal contact would likely produce atypical consequences for the tribe to compensate for their situation. In conjunction, a decline in the birthrate of the Osages’ population is also discovered during this era, though the reason for such a trend is unclear.\textsuperscript{113} Whether it be stress on the individuals involved, traditional focus on war—meaning abstinence from sex, female bodies unable to carry fetuses full-term since they are still repairing themselves from the devastating effects of plague, or a combination of all factors—the answer is unknown, but the result is understood. There was a declining birthrate for Osage Indians in a time when an extra pair of hands, however small they may be, is what communities needed the most.

A population that wanes so quickly can also be the product of dietary deficiencies and/or improper food preparation. Thus, another unresolved issue relating to the Osages is

\textsuperscript{113} Thomas Nuttall, \textit{A Journal of Travels into Arkansas Territory During the Year 1819}, 193; John Francis McDermott, ed, \textit{Travels on the Osage Prairies} (Norman, OK: University of Oklahoma Press, 1968), 125; Burns, \textit{A History of the Osage People}, 244-245.
when, exactly, they began to replace harmful materials used to cook food, including copper/brass pots and pans, for safer ones, such as cast-iron. After all, the tribe did make it a point to warn the Kiowas of the danger of copper and brass cookware during the Osage mourning hunt on them. It is only logical to infer that these effects must have been experienced first hand by the Osage tribe. The question with regard to their severe population decline is how widespread was their copper/brass cookware use and over what period of time was it used before they switched to cast-iron.\textsuperscript{114}

As described by Dr. Stephanopoulos, there were three common ways in which the Osages would have contracted copper/brass poisoning in the 1800s. The first is by being in close proximity of toxic fumes, such as a in the making/melting of a pot. It is quite possible that the Osages did melt their pots and cooking utensils to shape them, but the high melting point of copper, well over 1000 degrees, makes its malleability through heat somewhat laborious. Hence, pounding the metal with mallets would produce similar cookware for the Osages, not to mention quicker and safer results. In any event, it is the release of these toxic fumes into the eyes and internal organs of the Osage victim which produces the poisonous effect.\textsuperscript{115}

Next, heating food to an extremely hot temperature can also cause tiny bits of the toxic material sticks onto the food to be ingested into the human. In both cases, the tall-tale sign of such poisoning, easily recognized by fellow Osage Indians, would have been the corneal discoloration around the pupil of the ill patient, termed the Kayser-Fleiser ring. The

\textsuperscript{114} Burns, \textit{A History of the Osage People}, 244.

\textsuperscript{115} Stephanopoulos.
ring makes a greenish-brown ‘sunflower’ deposit of copper in the iris of the eye, which either signals there is a build up of copper in the patient’s body he or she cannot process in the liver, or that the bits of metal found in toxic fumes are penetrating the individual’s eyes. Aside from the serious injury, abscesses and loss of sight this foreign body can cause in the eye, the Kayser-Fleiser ring would have been an indication to the Osages that a problem existed. Other, less distinct signs of metal toxicity from ingestion by food include many flu-like symptoms such as stomach pains, lethargy, vomiting, low blood pressure, jaundice, and even a metallic or sweet taste in one’s mouth when the copper molecules are building up in the patient’s blood stream. Once enough metal has accumulated, the Osages probably saw neurological problems in their peers, including wheezing, depression, headaches, and seizures. Due to the human body’s remarkable ability to regenerate itself and process harmful chemicals, the vast majority of these more distinct attributes to metal toxicity would have taken much longer to observe than the Kayser-Fleiser ring.

The third, and most probable, means of contracting copper poisoning and the development of the Kayser-Fleiser ring is from simple chemistry. The Osages were known for their extremely rich diet before the influx of Euro-Americans in the 1800s. A wide variety of fresh meat, nuts, and legumes sustained their six to seven foot tall figures, including numerous acidic fruits. Copper is known to have a distinct chemical reaction with acids that causes the metal to weaken its chemical bonds and leach itself out into the surrounding materials. So, an Osage woman, cooking an acidic dinner dish with a vinegar

or wine base in a copper pot, for example, decides to let her family meal stew during the
day as she works outside, is actually coming back to a meal filled with copper particles,
unbeknownst to her or her unsuspecting family. “It is a shame to see this happen to the
Osages. Copper is so essential for our bodies. If we did not carry it, our blood cells could
not form correctly and then we would be in serious trouble. And yet here are the Osages,
full of too much copper and have problems just as serious.”

An Osage Copper Kettle. This is a wonderful example of the types of
cooking materials used by the Osages which were made of copper and
likely caused metal toxicity/ the Kayser-Fleisher ring. Carl H.
Chapman, The Origin of the Osage Indian Tribe: An Ethnographical,
Historical, and Archaeological Study, Ph.D. diss. University of
Michigan, 1959.

In all likeliness, given the severity of the population decline and the rapidity of it, a
consistent, slow death via metal toxicity is highly improbable to have been a major
contributing factor to the Osages’ small populace of the 1850s. At most, a handful of
tribesmen were suspected to have died from metal toxicity and the source of this problem,

117 John B. West, ed., Physiological Basis of Medical Practice, 12th ed. (Baltimore, MD: Williams and
(Philadelphia: W.B. Saunders Co., 1983), 142; Stephanopoulos.
given the distinct symptoms of the ailment, would have alerted the community to obtain new cooking utensils immediately.

What is more probable to have been the missing link in this triple threat to the Osage population is the voluntary realignment of loyalties. Living in a world stricken with unending disease and the trepidation of unexpected raid upon the local village, it seems natural that what was left of the healthy Osage population would want to move to a stable environment where the chance of survival was much greater, let alone happiness. While there is no direct evidence to prove this conjecture, the logic appears to be set in firm grounds. When inhabitants of a society begin to feel that entropy and internal strife, as well as external negative forces are submerging the existence of its community, it is human nature for those individuals to escape to more secure surroundings to preserve themselves and their posterity above maintaining their former decaying community.

As the Osages conversed amongst themselves as to how to make up for their labor shortage, lack of income, inability to practice traditional sanitation habits by traveling and so on, over 60,000 more Native Americans trudged onto their lands in accordance with President Jackson’s recent Indian Removal Act of 1830. Congress assigned most of these eastern tribes to live directly on Osage hunting grounds—augmenting the nation’s tribulations since their major source of protein—the building blocks of any living creature’s immune system—were now siphoned off to the Choctaws in 1830, the Creeks, Chickasaws and Seminoles in 1832, and the remaining Cherokees in 1835. These Five Civilized Tribes were much more acculturated into American society by the time of their removal and therefore could compensate for their reduced

reservations for hunting by farming in the white man’s style and even raising livestock such as pigs and cattle. The Osages, unaccustomed to western techniques, had few options for hunting in other areas of the Plains as a means of nourishment, let alone for profit during the Jacksonian Era. The Five Civilized Tribes disconnected the Osages from hunting grounds south of their villages in the Plains while the Illinois, Shawnee, Peoria, Ottowa, Iowa, Delaware, Sac and Fox, Kickapoo, Wea, Piankashaw, Wyandot, Seneca, Missouri, and other tribes severed their grasp of wild game north of their villages.\textsuperscript{119}

It is quite correct to assert that Congress surrounded the historically combative Osages with other Indian tribes to erode their strong wills. In the off chance that the Osages would fully recover from their physical and economic shortcomings in the near future, they would first have to contend with a host of unhappy, neighboring tribes, many of whom were traditional enemies of the Osages, before unleashing any of that anger upon Congress, thousands of miles away in Washington, D.C. As history reveals, the Osages were never able to engage in the east coast war federal officials feared.

Those traveling bureaucrats had no trepidation when they came upon a band of Arkansas Osages who had separated from the main tribe for decades. By the time of the representatives’ arrival, there were only 1,500 of them left, endlessly searching for food on the banks of the Verdigris River since incoming tribes and waves of interlopers had periodically depleted their supplies of game. In 1833, Washington sent out a committee to sign a treaty with the band for their removal to Kansas. Despite their meager living status, the band repudiated the government’s offer since Congress had repeatedly failed to honor provisions made in

\textsuperscript{119} Foreman, \textit{Advancing the Frontier}, 1933, 7; Wallace, \textit{The Long, Bitter Trail}, 80-94
preceding treaties with the Osages.\textsuperscript{120} It is plausible to surmise that the Arkansas Osage’s destitution in 1833 can be traced, in part, to their willingness to allow Congress to handle their economic status in the 1810s and 1820s.

Prior to the majority of Indian intruders and the beginning of white invaders into the Plains area, the Osages were blessed with a generous hunting reserve. Explorers touted the “vast quantities” of ducks, otter, raccoon, bear, beaver, deer, bison, elk, and even the wild turkeys across Osage prairies. Thomas Nuttall took special notice of the great variety found in the Osage backyard given his zoological background as he passed through the lands in 1819. Unfortunately, because of the rapid influx of population and their fundamental needs for food and clothing—both of which animals provide, the Osage’s admirable hunting reserves hastily deteriorated to scarce proportions by the early 1830s. In fact, conditions grew so bad among the tribe that in 1831 they petitioned Congress signifying how “The buffalo have disappeared . . . [and ] . . . even the aboriginal tribes [which had greater access to outlying reserves] . . . are annually thinned by famine.” When the first few members of the Five Civilized Tribes began pouring in Osage borders in 1832, Osage chiefs made a personal appeal to a stone cold President Jackson: “our hunting is destroyed . . . and [we] cannot procure a sufficient quality [of meat] for our own use.” Simultaneously the Osage’s lack of tradable furs from wild game was compromising their ability to meet the annual spending needs of the tribe. In a plea to the Senate, the Osage’s most successful trader, Pierre Chouteau wrote of how the Five Civilized Tribes “are now overrunning the former hunting grounds of the Osage . . . in fact hunting has

\textsuperscript{120} U.S. House Document. 22d. Cong., 1\textsuperscript{st} sess., Document Number 172 (Washington, D.C.: G.P.O.), 9; Foreman, \textit{Advancing the Frontier}, 1933, 118.
become so laborious that the privations and dangers they suffer in perusing the chase is not compensated for by the sale of their skins.”
Wild Game. These were just some of the wild game hunted to near extinction in the Osage territory during the mid-nineteenth century. Game was not only used for food and trading, but also ceremony and traditional purposes. Certain bird feathers, for example, were utilized as symbols of honor. Francis La Flesche, *The Osage Tribe: Rite of the Chiefs, Sayings of the Ancient Men*, Thirty-Sixth Annual Report of the Bureau of American Ethnology to the Secretary of the Smithsonian Institution, 1914-1915 (Washington, D.C.: G.P.O., 1921).

By 1837, the resources of the Osages located within their diminutive section of land were depleted to an appalling degree. Desperate fathers and tribesmen were captured by dragoons to be returned back to their reservation during the late 1830s, after having left in search of food for their families. In one account a dragoon discovered that the Osages were reduced to a diet of acorns, since that was all that was left on their land to consume.  

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Faced with securing their daily needs, by 1839 the military prowess and economic superiority of the Osage nation was little more than a memory of their former, robust selves. Most Amerindians east of the Mississippi River had now moved into Osage territory, numbering at nearly 75,000 souls while the once revered Osages were counted at only 5,500 individuals. The flood of Indian immigrants into Osage land was so great that the Commissioner of Indian Affairs remarked how even reserved settlements were being pulled westward. One of those overrun reservations was of the Osages. In 1839, left with almost no food, no economic trading power in the Midwest, only a few healthy men to form their militia, and a whole host of incoming diseases from their new Amerindian neighbors, they signed a treaty with the federal government to move to Kansas. With a few thousand plows, hoes, and axes, and a few thousand calves, cows and hogs, it appeared that after forty years of resisting Euro-American acculturation to preserve their traditions, the Osages had no choice but to embrace the white man’s way of life in order to save their own souls from extinction.  

As the Osage traveled northward to Kansas territory with hope in their eyes for prosperity, simplicity, and health in their lives, time would tell them that none of these dreams would come to fruition for generations and surely not during their stay in Kansas. What the future Sunflower state didbestow to these weary travelers was a fresh store of furs with which to trade on the open market. By this period most immigrant tribes had emptied Osage reserves of their best selling item, beaver pelts, but now in Kansas, the Osages were able to hunt more

buffalo robes—an item rising in popularity. Since the Osage Treaty of 1839 also stipulated that
the tribe be taught agrarian skills by farming instructors, they were able to use profits from
buffalo hunts and subsistence proceedings to better maintain their standards of living, despite
the ongoing sufferings in the community due to frequent plagues.123

Trade relations and hostilities with other tribes also managed to turn for the Osage’s
favor during their residence in Kansas as well. Until this change of scenery the Kiowas and
Comanches restricted Osage hunting access east of the Arkansas River as revenge for their
mourning war at Cut-Throat Gap. But in recent months the Comanches and Kiowas began
having problems with the northern Cheyenne-Arapaho tribes and the Texans. To reopen and
secure lines of trade the Comanches and Kiowas made peace with the Osages and began
trading with them for one of the Osages’ most known commodities outside of fur—weaponry.
As the two tribes reduced their enemy populations, the Osages were able to hunt more buffalo
along the Plains, rebuild their network of traders, and slowly increase their profit margins. To
familiarize the reader with the rate of exchange on the Plains market, one gun, priced at $20,
was sold for one or two mules worth $40 to $60 in the early 1840s and continually rose with
the influx of westward white settlers during American expansionism and the legendary western
gold rushes of the era. By virtue of mending old Indian wounds, the Osages had tapped into a
colossal system of commerce. In 1847 they petitioned Congress to repay them for three years in

123 Bailey, Changes in Osage Social Organization, 1673-1906, 66; H.H. Sibley to P. Chouteau, Jr. and
Company Mendota, March 9, 1846, Chouteau Collections, Missouri Historical Society, Jefferson Memorial
Library, St. Louis, n.p. as found in Garrick Alan Bailey, Changes in Osage Social Organization: 1673-1906, 66; 
Oscar Lewis, “The Effects of White Contact upon Blackfoot Culture, with Special Reference to the Role of the Fur
backed annuity payments. Following much negotiation, federal officials handed over $24,000 to the tribe, which was quickly relayed to their new Comanche allies for 1,500 mules. The reason for the mule exchange by the Osages had little to do with their desire to invest in Jefferson’s plan of agrarianism and ‘civilization’ for Amerindians, but more a shrewd financial investment made by a group of Indians who were determined to keep themselves out of poverty. On the Plains market, 1,500 mules traded for $60,000—two and one half times what they haggled for in Washington.\textsuperscript{124}

When not contending with Congress, disease, or learning to harvest cereal crops, the Osages sustained their usual hunting practices with the added bonus of trading robes and skins amongst more tribes, though the Comanches seem to have monopolized obtaining bison products following most summer hunts. The Osage’s agent in the late 1840s states that 10,000 deer skins, 6,000 buffalo robes—valued at $18,000—and thousands of other wild game were caught during their hunting season of 1847, though it was an incredibly dismal term compared to others. Some reports indicate that the Osage could average 20,000 buffalo robes each year—an enormously lucrative market for the adept hunter with sharp eyes.\textsuperscript{125}

For the relatively small proportion of Osages who did see the value in farming the Kansas prairies in order to appease the government, opposition was often met from their own friends and neighbors. In 1842, for example, Chief Pawhuska III, (he takes the name of the


tribe’s capital city today) attempted to set an example for the rest of his people by gathering twelve families to fence in and plow land to tend to farm animals, showing his people that gradual acculturation was acceptable. Retaliation from the rest of the tribe for engaging in the ‘white man’s ways’ was so compelling that Chief Pawhuska III had to kill his own livestock the next year in order to prevent a coup of his tribal power by the traditionally minded Shingah-wah-sah.\textsuperscript{126} No financial advantage for Chief Pawhuska III’s advocacy of farming can be found so it must be concluded that his support for Euro-American economy was a means of acculturating the Osage society into that of America’s since the United States was ever-encroaching upon its land.

The morality of some chiefs like Pawhuska III did support the Osage economy. By the mid-1800s, alcoholism had touched the lips of many down and out Osages. Since the farming industry was an economic and cultural bust and hunting revenue only cushioned the pocket books of tribesmen so much, many Osages relied on annuity payments to feed their ghastly addictions. But in a wise agreement between the government and the Osage chiefs, annuity payments were sent directly to the chiefs to disperse and not the heads of household. This tactic drastically cut down on the head of household’s ability to spend annuity money on whiskey. Instead of cash, chiefs were given credit at a trading post to redeem for a certain amount of goods. Each household received a share of the purchased goods and each chief retained much

\textsuperscript{126} Bailey, \textit{Changes in Osage Social Organization, 1673-1906}, 67; Letters Received by the Office of Indian Affairs, Osage Agency 632: 37, 367, 428, 431.
greater control of their people’s economy, preventing it from an out of control spiral in these
dismal, uncertain times.\textsuperscript{127}

The 1840s unveiled a significant rise in Osage-American contact which, along with a
rise in infectious diseases, also brought a rise in alcoholism to dejected tribesmen. Whiskey
traders in particular found the Osages to be a wonderful investment. In 1842 the Osage agent
confirmed that “the Osage have drunk more in the last month than in the previous ten years.”
This new disease, alcoholism, had swept through the tribe like an unstoppable plague,
consuming their guns, cash, clothes, almost anything of worth that was tradable for the feeling
of euphoric forgetfulness of one’s problems for a few hours. Six years after the agent’s first
astonishing words, he statistically analyzed that of the 1,500 horses the Osages were given for
trade the preceding year, about five-hundred were sold away for bottles of quickly consumed
whiskey.\textsuperscript{128}

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\textsuperscript{127} W.J. Rorabaugh, \textit{The Alcoholic Republic: An American Tradition} (New York: Oxford University Press,
1979), 156, 159, 178, 246; Bailey, \textit{Changes in Osage Social Organization, 1673-1906}, 67; Letters Received by the

\textsuperscript{128} Rorabaugh, 156, 159, 178, 246; Bailey, \textit{Changes in Osage Social Organization, 1673-1906}, 69; Letters
Received by the Office of Indian Affairs, Osage Agency 632: 96; Department of the Interior. Bureau of Indian
Affairs. \textit{Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1848}
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Osage and Surrounding Tribes circa 1840. The congestion of space around what was once Osage land is clearly shown in this map of territory for the 1840s era. Most large nations depicted will remain in this area to present day, on, of course, a reduced plot of land, delegated by the federal government. Alan Garrick Bailey, *Changes in Osage Social Organization, 1673-1906* (Eugene, OR: University of Oregon Anthropology Papers, No. 5, 1973).
The unconscious threat of this influx of whiskey peddlers into Osage territory meant an increase in white settlements pushing the limits of their stated boundaries with Indian reservations. The 1850s was a time marked with a rapidly increasing white population in the Kansas area, many of whom were farmers, itching to cultivate the untouched lands located on Indian reservations. Many in fact crossed the Indian line in 1850 and did start planting crops. Unfathomable amounts of new Kansas farmers complained to Congress that the Indian frontier should be moved for white settlement. In 1854 it was, leaving twelve tribes homeless and without eighteen million acres of land to farm or hunt upon. The Osages, however, were not in this group, though their fate was no better to be left in Kansas. As William T. Hagan properly describes the scene in his work, *American Indians*, “the Kansans engaged in an orgy of looting and intimidation unequaled since the Georgians harried the Cherokees a generation earlier.” White settlers stole hundreds upon hundreds of Osage horses, killed their livestock and ignored boundary lines to separate them from natives in order to peacefully coexist. If there was rich soil to be cultivated, the Kansas farmer found it and exploited it. As the Osage’s agent illustrates, “since the establishment of Kansas Territory, [there was] in every direction, killing and destroying the buffalo and other game.” Part of this destruction was to force the Osages to join the other twelve tribes and remove to a location outside of Kansas. Most desired farmland had immediately been occupied by white settlers in the early 1850s. Toward the end of that decade, pioneers arriving in Kansas late discovered the richness of Osage land. Thus, by 1861 the community of Allen County, Kansas began petitioning and lobbying Congress for yet
another Osage removal so that their reservation could be opened for settlement. What prevented
the Osage’s instant upheaval was the Civil War. 129

The Kansas of the 1850s was a boiling brew of settlers’ unspoken feelings on
slavery which developed into the Kansas-Nebraska Act of 1854, the Bloody Kansas saga
coupled with legacy of John Brown, and unintended economic consequences for the Osages
in their new homeland. The tribe’s most trusted white friend, Fr. Schonmakers, strongly
advised his allies to remain silent about their feelings on the issue of slavery in Kansas, no
matter how prevalent the question came into their lives. But unfortunately due to their
location, the Osages were caught in the crossfire between Jim Montgomery’s dragoon army
and John Mathews’s pro-slavery force. Mathews was a known trader in Kansas and lived
near the Osage mission in the 1850s so when Montgomery’s men arrived, Mathews looted
and pillaged nearby Osage villages in order to obtain arms he never found. 130 Aside from
the immediate financial losses to the disrupted villages, this type of violence in Bloody
Kansas released an intense fear inside the Osage community requiring men to stand guard
in their respective villages and protect their families and assets. These men were therefore
unable to participate in scheduled hunts for the tribe that would afford them not only meat
but also tradable furs, leather, and other fine goods produced from the caught animals.

129 Bailey, Changes in Osage Social Organization, 1673-1906, 69-70; William T. Hagan, American Indians
(Chicago: University of Chicago Press, 1961), 98-99; Letters Received from the Office of Indian Affairs, Neosho
Agency, 532: 65; Department of the Interior, Bureau of Indian Affairs, Annual Report of the Commissioner of
Indian Affairs to the Secretary of the Interior for the Year 1857 (Washington, D.C.: G.P.O., 1857), 206;
Department of the Interior, Bureau of Indian Affairs, Annual Report of the Commissioner of Indian Affairs to the
Secretary of the Interior for the Year 1858 (Washington, D.C.: G.P.O., 1858), 133, 137; Letters Received by the

130 Craig Miner, Kansas: The History of the Sunflower State, 1854-2000 (Lawrence, KS: University of
When the Osages were standing guard in front of their villages in 1861, South Carolina led seven states away from the Union and into a dreadful civil war. Due to the extreme western location of the Osage nation, the tribe’s involvement in the struggle was minor compared to other eastern tribes. Had the Osages been required to fully participate, their immune systems, many small children, lack of food, and very unstable economy would have collapsed easily, forcing tribesmen to scatter into other tribal reservations for refuge as their community became extinct.

Oddly enough, the Osage agent was a southerner and fervently supported his Confederate friends in the South. The agent and many pro-slavery fur traders convinced the Osages to support the southern cause, though it can be understood that had the Osages refused to support the Confederacy, their source of income with these fur traders would have vanished as would their ability to feed themselves and their children. To make matters worse, John Mathews, the wild, pro-slavery trader who had looted Osage villages, was now one of their leaders in battle. Shortly after these decisions were made, Mathews was killed in action in September of 1861 and the Osages suddenly forgot their southern sentiments. What the Osages could not forget was the devastating vigilante justice being practiced in Kansas during the war. Since both the South and North focused their attention and resources on fighting the bulk of the war back east, maintaining any type of law and order within Indian territory was an futile task at best. Outlaws raped, robbed, and plundered what they could in Kansas since the likelihood of retribution was significantly lowered in wartime status. For the Osages this meant a continued use of men as village guards instead
of hunters and an even reduced economic state since the few goods the Osages still possessed, such as horses, clothes, or jewelry, were being stolen as well.  

Since full-blooded Osages managed to stay out of direct participation in Civil War combat—in part because of the elderly status of many of them—the tribesmen who endured the worst economic effects of the war other than lawlessness were mixed-bloods trying to start up farms shortly before the war commenced. Their crops were burned and prairies left idle, and since most Osage men were off tending to the women and children or marching around the Midwest, livestock given to them by the government in the 1840s and 1850s perished by the end of the struggle. In fact, the year 1865 reported only fifty acres of land as being cultivated for the entire community. The tribe’s lack of cultivation only encouraged returning white settlers and farmers in Kansas who remembered the richness found upon Osage soil.  

To make matters worse, the following year in 1866, the Five Civilized Tribes had been removed to northern Oklahoma and had just negotiated another treaty with Congress to remove more Indians into a portion of their lands. This opening of land went perfectly with the Osages recent Treaty of 1865 in which they were manipulated into selling a thirty

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131 The Daily Cleveland Herald (Cleveland, OH) 21 September 1861; Bailey, Changes in Osage Social Organization, 1673-1906, 70-71; Mathews, 628-640; McReynolds, 221. During the Civil War, several bands broke into varying factions which chose to support the Union or Confederate cause for numerous reasons, usually political or economic in nature. What is remarkable about the Osages is that the opposing clans did not attempt to fight each other, even when they were on the same hunting expeditions together for bison in the early 1860s. In a very real sense, members of the Osage nation understood that choosing sides in an American war was necessary for the survival of their community as a whole and should not be interpreted to split up their tribal bonds, whichever side of the Mason-Dixon line they may fall. Mathews, 637. Most Osages were Confederate supporters due to their Indian agent’s and trading partners’ decision, though over 250 Osages fought for the Union during the Civil War. Letters Received by the Office of Indian Affairs—Neosho Agency 533: 542.

132 Bailey, Changes in Osage Social Organization, 1673-1906, 71; Letters Received from the Office of Indian Affairs, Neosho Agency 533: 541.
by fifty mile section of their Kansas land in the east and another twenty-mile portion of their territory in the north. What would be left for the Osages to remain upon would be unlivable, but their choice to engage in another treaty with the government was out of necessity since the government had once again failed to pay out vital annuities to the tribe from previous treaties—for the last seven years. The Osages needed quick cash and agreed to set of annuity payments to resume in order to reverse their penniless, destitute state of living. The land taken by the government immediately was given to hungry white settlers ready to plant crops on unused Osage land. As more and more settlers and squatters poured into former Osage boundaries, less and less of them respected the new borders, thereby pushing the limitations of Osage communities even closer together. By the late 1860s the federal government sent in troops to remove those squatters not permitted to live in former Osage lands, though one agent recounted how “for every one leaving five come in.”

The persistence of squatters, farmers and white settlers in general may have been a conscious tactic to remove the Osage Indians from their Kansas lands permanently. Many settlers even raised a quasi-militia on the frontier in order to ‘defend’ themselves from Indian raids, though a more likely reason was probably to provoke Indians, like the Osages, to fight them, and than be forcefully removed by the government. Congress also sped up the Osage removal from Kansas by their slow pace of dispensing annuities once again in the late 1860s. For many Indian treaties, the government would slyly stipulate that no new annuities were to be given until the tribe’s removal was complete. Just when life appeared

133 Bailey, *Changes in Osage Social Organization, 1673-1906*, 71-72; Letters Received by the Office of Indian Affairs, Neosho Agency 533: 541; McReynolds, 22-23; Letters Received by the Office of Indian Affairs, Neosho Agency 534: 661; Chapman, *Removal of the Osages from Kansas*, 287-289.
at its lowest point for the Osages, conflict arose between them and the Plains Indians. During the war, some Osages were scouts for anti-Indian Lt. Col. Custer and at the Cheyenne massacre on the Washita River. In the summer of 1868, the Plains tribes, their opponents during these struggles, remembered the Osages and prevented them from engaging in their much needed summer hunt. Coupled with a lack of annuity payments, the Osages were forced to sell horses for food rations in order to survive in Kansas. Of the horses that were left in the community, theft became so prevalent that the Osage agent stated how anywhere from five to twenty horses were expected to be stolen per day and in one three month period, over one-hundred of their best riders were taken by whites. Any attempted judicial action taken by the Osages usually resulted in more headache than help for those who had lost precious assets.\textsuperscript{134}

By 1868 the final treaty was negotiated between the Osages and the federal government, all to get them back on the land where they were originally placed generations before. The Treaty of 1868 gave the Osages what they had been asking for all along in these negotiations—money for land. Upon signing the treaty, Congress exchanged the last of Osage lands in Kansas for its value to be deposited in the federal treasury with five percent interest, stipulating that the Osages would use some of the money to buy a new home in

\textsuperscript{134} Bailey, \textit{Changes in Osage Social Organization, 1673-1906}, 72; Letters Received by the Office of Indian Affairs, Neosho Agency 534: 700; Donald J. Berthrong, \textit{The Southern Cheyennes} (Norman, OK: University of Oklahoma Press, 1963), 324-326; Letters Received by the Office of Indian Affairs, Neosho Agency 535: 265-266, 285-287, 600; At one point, the Osage Indians were so enraged at the continual theft of their horses and obvious identity of the thieves that an Osage war party killed two white men who had supposedly taken Osage horses in the Walnut Creek Murders. When the Osage agent discovered what had happened, he decided their vigilante justice was an unacceptable punishment for the alleged crime committed by the two now dead men, thus the agent produced the Osage perpetrators for trial. In a lucky twist of fate, the Osage men were released in federal court in Topeka based on the notion that the court had no jurisdiction to try the men for their crime. Letters Received by the Office of Indian Affairs, Neosho Agency 535: 265-266, 603.
Oklahoma. Congress in turn would use the freed Kansas lands to appease the flood of farmers and squatters in the mid-1800s. After these negotiations were settled between the two parties, the Osages went on their summer hunt. Most farmers, settlers, and squatters, could not wait for the formal release of Kansas lands to the public to finalize so while the Osages were away, many whites illegally took up residence in Osages’ homes, stole their goods and livestock, or even burned it down. The volley of pillage between whites and Osages ensued for nearly two years until the Treaty of 1868 was ratified by Congress and the Osages found a nearby area to move before winter—back in the Cherokee Outlet.135

Though a series of tedious negotiations with both Congress and the Cherokees who, in a roundabout manner, obtained the rights to the Cherokee Outlet, yet did not own the land, the Osages found a spot to journey to once more. It was a small piece of land located directly across the Oklahoma-Kansas border. This permitted the tribe access to the ever growing railroad industry and, more importantly in the immediate timeframe, a quick removal from their former Kansas lands as the rush of white settlers, hungry for land, came through their borders. The faster the Osages packed up their belongings and began walking their own, long, bitter trail to the Outlet, the less chance there was of settlers rummaging through their materials during their daily activities—a growing problem in recent years.136

135 Bailey, Changes in Osage Social Organization, 1673-1906, 72-73; Letters Received by the Office of Indian Affairs, Neosho Agency 536: 11-12, 158-164.

CHAPTER 4
HOW THE COWS CAME HOME . . . AS DINNER

It was a sad song they sang that year as they trampled, grudgingly, out of their Kansas homelands. But this unhappiness was understandable since, for the Osage nation, the last century was a harrowing history that included ceding nearly eight million acres of their sacred land to the haughty, relentless United States government. Even after their removal from the Sunflower state was completed by the early 1870s, newly appointed Indian agent Cyrus Beede remarked that the Osages were still not “ready to give up their war dance and . . . scalping knife;”\(^{137}\) as if stealing their property was supposed to transform them into more evolved, more ‘civilized’ human beings.

But in the process of negotiations between Osages and the federal government, the tribe finally recognized that the survival of their people depended on mastering certain concepts of American politics and using them to their advantage. This was the first scene in those treaties to remove the Osages from Kansas. Despite intimidation from the government and the realization that Congress would eventually obtain their Kansas lands, the Osages decided to accept withdrawal in exchange for certain stipulations. They submitted three overlying guidelines for the sale: to pay the tribe for their land, build railroads on it which

could benefit Osage economy in the future (the government believed it would be through agriculture), and allow them to remain physically close to their Kansas homeland. Thankfully Congress accepted the agreement and paid the tribe a handsome $1.25 per acre for their property. The transaction allowed the Osages to finance land directly across the border in northern Oklahoma territory for their new home.  

Yet this sale, too, was an arduous task for the Osages since available land in northern Oklahoma was now in the possession of the Cherokee nation-- a tribe known for its politically savvy nature when dealing with the capitalistic American government. For the Osages this translated into endless negotiations with the Cherokee over what amount of money was appropriate to sell each acre of land. Researched survey papers of the desired prairies determined its value to be anywhere from twenty-one cents to nearly three-quarters of a dollar per acre. Not surprisingly, in 1873 U.S. President Grant involved himself in the matter and sold the Osages 1,470,559 acres of land for the hefty price of seventy cents an acre.  

At the same time, approximately eight and a half million dollars was to be put in the U.S. Treasury for the Osage nation after the sale of their Kansas lands with an interest rate of five percent. 140 In the

138 The agreed upon $1.25 amount was considered relatively standard for Plains area territory and Indian treaty land in the mid-late 1800s. Louis F. Burns, A History of the Osage People (Tuscaloosa, AL: University of Alabama Press, 2004), 368.

139 Other than remaining near their ancient homeland, another contributing factor as to why the Osages chose to bid for land on the Cherokee Outlet was because since the Treaty of July 19, 1866, the Cherokee Nation had made a formal declaration of having no problem with other ‘friendly’ Indians settling on the Outlet west of the ninety-sixth meridian so long as legal stipulations were met. Rainey, The Cherokee Strip, 41,75; Burns, A History of the Osage People, 342-343.

140 When Osage ranching flourished, money from the accrualment of this interest rate coupled with grazing fees paid for by cattlemen afforded the Osages about $200 in annual per capita income until the discovery of oil on their land at the turn of the century. Department of the Interior, Bureau of Indian Affairs, The Osage People and their Trust Property—A Field Report of the Bureau of Indian Affairs, Anadarko Area Office, Osage Agency, 83\textsuperscript{rd} Cong., 1\textsuperscript{st} sess. (Washington, D.C.: G.P.O., 1953), iv.
pursuit of mending old wounds, the Osages also bought a section of land adjacent to their reservation for the Kaw tribe to payback without government pressure. The Kaws originally were part of the Osage nation, though disputes, probably over decisions to go to war, separated the groups long before this removal process. The word “Kaw” in the Osage language translates to “coward.” In the end, total purchase price for the Osages was a strapping $1,029,041.30—quite the sum for any tribe to be given by the government.\textsuperscript{141}

Perhaps the reason why the Osages assisted their Kaw acquaintances is because of their own long and negative experience with the U.S. government concerning Indian relations, specifically Indian removal. Garrick Alan Bailey’s \textit{Changes in Osage Social Organization: 1673-1906} speaks to the fact that the Osages recently had experienced the unbalanced power held in Washington in 1859, when the tribe found themselves impoverished once their steady stream of annuity payments from prior treaties finally ran out. Congress failed to renew them in the wake of the slavery debate before the Civil War. When treaties were created with the Amerindians just after interstate combat ceased in America, the Osages, like many other tribal nations, had no choice but to move according to Congress’s demands in 1865 in order to receive food and shelter they desperately required. Simultaneously, post-Civil War reconstruction sparked throngs of white settlers to pour into Kansas borders, even on lands that the government supposedly designated as wholly the Osages’. Reports from the Office of Indian Affairs state how “for every one [settler] leaving five come in,” indicating that even the small effort made by federal troops to assist the Osages’ territorial situation was fruitless at

best. Marred with such an atrocious event in their memories, it would be much more plausible to question why the Osages would have turned a blind eye and not aided the Kaws in obtaining land since negative consequences were an accepted reality when dealing with the American government.\textsuperscript{142}

To further support the Osages’ positive treatment of their fellow Kaw tribe, it must be said that poor Indian-United States relations were the norm since the presidency of Andrew Jackson. Following Jackson’s Indian Removal Treaty of 1830, the Five Civilized Tribes, including the Cherokees now in Oklahoma Territory, were forced to cede their sacred southern lands east of the Mississippi River and settle in barren lands west of that divide. For the Cherokees, the incident was so damaging that it climaxed in 1838 with the Trail of Tears in which the nation was forced, at bayonet point, to trample to their new, unwanted home. Women were raped, disease was rampant, and nearly twenty-five percent of those making the journey died along the way.\textsuperscript{143} Thus, the Osages’ personal familiarity with federal Indian removal was not nearly as shocking as it could have been had they resisted their white neighbors intrusions more passionately. This may be because by 1870, Congress had negotiated with Amerindians enough to create for the Osages their own Removal Act, uniquely developed for the deletion of their singular nation from Kansas lands, instead of writing an ineffective, blanketed document with many tribes in the region.\textsuperscript{144} And perchance the Osages may have even heard Cherokee

\textsuperscript{142} Garrick Alan Bailey, \textit{Changes in Osage Social Organization: 1673-1906}, 71-72.


\textsuperscript{144} Burns, \textit{A History of the Osage People}, 244.
tales of removal and took it upon themselves to prevent the gravity of the Trail of Tears from being repeated with their own wives, children, and friends, like the Kaws.

What completely sets apart the Osages in the Reconstruction Era from other Indian nations in the removal process is that their knowledge of federal politics and American capitalism permitted them to buy land from the government both legally and successfully. Unlike other tribes, such as the Cherokees, whose land usually was bestowed to them by the government through a series of complicated leases, the Osages had much more autonomy to utilize the assets of their land and make a profit from it without the government’s watchful, disapproving eye. Though the Osages demanded this deed in the 1870s, it was not physically transferred until June 14, 1883 when Cherokee Chief Dennis W. Bushyhead deeded the said lands in trust for the Osages to the federal government. The reason for the delay had nothing to do with the Osages failing to uphold their part of the agreement, but rather that at the time of the Osages’ sale of their Kansas lands to the federal government, the U.S. Treasury did not have sufficient funds set in the Osages’ account to pay the Cherokees for the Osages’ new territory. As implausible as that may seem, it must also be remembered that this was the era where, in 1895, President Cleveland had to ask private business tycoon, J.P. Morgan, for sixty-two million dollars since the U.S. Treasury barely maintained forty-two million, let alone the agreed upon one hundred million dollars at all times.¹⁴⁵

By the same use of keen observation, it is quite correct for the reader to be suspicious of the Osages’ ability to actually own their own land while still representing themselves as an

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Indian nation and not a community of individual Americans negotiating with certain wards of the government (the Cherokees). But upon closer examination, the Osages’ control of their land appears to be valid. As Burns notes, “since the Cherokee title [to their lands in Oklahoma] was recognized by the United States in the unratified Treaty of 1868 and to the sale to the Osages, we must assume the title was legitimate.” Furthermore, he indicates that “Insofar as the Osage title to the present reservation is concerned, it is as sound as the United States and over a century of occupation can make it. The Osages hold possession in fee simple from the United States’ support of the Cherokee title. This fee simple document is held in trust by the United States government.” Much the same argument is reiterated in William T. Hagan’s Taking Indian Lands: The Cherokee (Jerome) Commission: 1889-1893 and Jeffrey Burton’s Indian Territory and the United States, 1866-1906: Courts, Government, and the Movement for Oklahoma Statehood, both of whom state, “Since the Osage lands were patented to the tribe, . . . sovereignty was not an issue.” Concerning the land the Osages possessed in Kansas that was sold to the government, it too, appears to be a solid agreement: “When Congress in the 1860s granted to the state of Kansas for railroad purposes a tract that included some land the Osages still held by right of occupancy, the Court found the Osages’ land implicitly exempted from the grant. ‘The perpetual right of occupancy, with the correlative obligation of the government to enforce it, negatives the idea that Congress, even in the absence of any positive stipulation to protect the Osages, intended to grant their lands.’ A majority of the justices held. ‘For all practical purposes, they owned it.’ . . . . as a legal matter, the only way the government could acquire the Indians’ land was to purchase it,” according to Stuart Banner’s recent scholarship How the Indians Lost their Land: Law and Power on the Frontier. So as to secure these rights,
the Osages demanded the formal deed specifying this land was wholly theirs soon after the agreement was made.\textsuperscript{146} Now all they had to do was identify a profitable crop to harvest on their prairies and ship it through the network of railroads being built in southern Kansas.

But as the years passed the Osage came to the somber conclusion that no profitable crop could grow on their “broken, rocky, sterile”\textsuperscript{147} grounds for a number of reasons. Wheat first planted during their move in 1872 was stolen by “a Cherokee named Joseph Bennett [who] had taken possession of the crop and was threshing and wasting it.”\textsuperscript{148} No other produce was planted that year due to the severity of its destruction, forcing the Osages to hunt animals and gather fruit and nuts from wild plants for food. Neither of these options was viable due to game depletion in the area that had occurred for many years prior to the Osages’ immigration into northern Oklahoma.\textsuperscript{149} So without much capital left after the sale of their new home, the Osages braced themselves for the worst American life had to offer them.


\textsuperscript{147} Department of the Interior, Bureau of Indian Affairs, Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1871 (Washington, D.C.: G.P.O., 1871), 490.


\textsuperscript{149} Burns, A History of the Osage People, 347; An extensive contributing factor in the swift, severe economic decline of the Osages during the 1870s correlates to an acute lack of allocating promised annuities to the Osages during that decade as mentioned in the previous chapter. In reality, it would take the federal government another eighty years and numerous court battles to hand over guarantee Osage funds. In 1955 the total that promised for Osage survival in 1870s came to a disturbing $864,107.55. The Osage Nation of Indians v. The United States of America, March 1, 1955,” Indian Claims Commission Decisions, vol. 3, doc. 9 (Boulder, CO: Native American Rights Fund, Inc., n.d.), 3 334-3 343.
As poverty came knocking on their doors, the Osage nation noticed a particular problem on their unarable land: cattle. Apparently during the Civil War longhorn cattle in Texas went wild, greatly multiplied in number, and wandered around Indian lands at length. Their stockmen and ranchers desperately ran to the southeastern portion of America to help Confederate soldiers fend off Union attackers. Especially towards the end of the war, Texas ranchers had no time to saunter across the Midwest looking for their grazing cattle, let alone ship them off to slaughterhouses after fattening up on grasslands during the trek to Kansas rails. After all, preventing the slaughter of soldiers was inherently more important to cowboys than preventing the slaughter of mangy, low-priced cattle.

In the same span of history, more homesteading families began settling in the Midwest, forcing the demand for beef to skyrocket. In pre-Civil War days, pork was, by far, the meat of choice among hungry Americans but due to its need to be prepared properly in a timely manner and wartime shortages of it, the distant second choice, beef, slowly rose to the top of foods found sumptuous to American palates. The problem with cattle, however, was that it was best raised in the Southwest—nowhere near its most desired markets back East. Since railroads at the time only went as far south as Kansas, it was obvious a new strategy for raising and shipping

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Burns, *A History of the Osage People*, 368-369; In 1973 writer and historian H. Craig Miner coauthored a text with William Unrau entitled *The End of Indian Kansas: A Study of Cultural Revolution, 1854-1871*. This book clearly shows the significance of the Osage’s ability to find a profitable business on lands given to them because they were undesired by other Americans. Miner and Unrau explain that following the Osage Treaties of 1865 and 1868, the Osages, now forced to leave Kansas for Oklahoma, “expressed a clear desire” (31) that their lands be sold to specific, nearby railroad companies so that they could “obtain ready cash to care for starving Indians who were not particularly interested in pretending to be yeomen farmers” (32). These words support the notion that, by the history of their culture, the Osage people were not apt at learning the techniques of western agriculture and would most likely starve on their Oklahoma lands if farming was their only alternative to death. Thus, the Osage’s ability to lease land for tribal profit proved vital to their existence in America. Miner, Craig H. and William E. Unrau, *The End of Indian Kansas: A Study of Cultural Revolution, 1854-1871* (Lawrence, KS: Regents Press of Kansas, 1978).
the heifers became a necessity. While pondering such a question on their journey up North to slaughterhouses, returning cattlemen noticed a significant change in the appearance of their stock after grazing in northern Oklahoma. Upon examination they concluded that it was the rare, nourishing fields which grew between destinations—that of bluestem grass.\footnote{Burns, \textit{A History of the Osage People}, 368-369.}

Indeed, Bluestem became very desirable to Texas ranchers due to its ability to bulk up herds of cattle quickly, many of which had been severely malnourished by endlessly wandering, then returning to Texas, and marching off to slaughterhouses in the chaos of restructuring the South. Obviously for the rancher, bigger cows meant a bigger pocketbook so with time these ‘layovers’ in Osage territory expanded into permanent ranches. After assurance that the government now controlled pillaging Indians, and harsh winters appeared to be a memory of the 1860s past, Texas ranchers began transforming ‘the long drive’ to northern railroads into deliberate, longstanding stopovers in northern Oklahoma.
Surprisingly, it was more profitable to graze in that single area of Oklahoma known as the Cherokee Outlet than the entire Southwest region.\textsuperscript{152}


Many other tribes, such as the Kaws, Pawnees, and Poncas, also live in the Outlet, though the Osages are the most successful and largest of nations other than the Cherokee to lease to ranchers in this region. They are also the only ones to independently own their land and live on it concurrently; the Cherokees have a separate section of land east of the ninety-sixth parallel designated entirely for their day-to-day living since ranching is conducted west of the ninety-sixth parallel and west of those other nations engaging in leasing and living on their specified section of land.\textsuperscript{153}

\textsuperscript{152}Burrill, “The Establishment of Ranching on the Osage Reservation,” 527.

\textsuperscript{153}Lefebvre, 73.
Contrary to popular belief, Osage ranching lands in Oklahoma were actually of better quality and more in demand that those in neighboring Cherokee ranching areas. According to James C. Malin’s work “An Introduction to the History of the Bluestem-Pasture Region of Kansas: A Study in Adaptation to Geographical Environment,” the most pristine grazing region in the Southwest was located on a vertical strip of grass between Pottawatomie county, Kansas and Osage county, Oklahoma. Cherokee land is located to the west of this region. On this beloved vertical plane, precipitation falls around thirty-five inches per year with a long period of frost-free days so that grass can absorb needed nutrients from soil, such as calcium from underground limestone, and grow tall within a few, short months to bulk up cattle rapidly. Naturally, most ranchers would drive their cattle northward through the Outlet during the Spring and early summer months when grass swells with nutrients so that cattle can rest on the

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154 James C. Malin, “An Introduction to the History of the Bluestem-Pasture Region of Kansas: A Study in Adaptation to Geographical Environment,” *Kansas Historical Quarterly* 11 no 2 (February 1942): 3; Within this area of the Southwest, two major types of Bluestem exist: Big Bluestem (*Andropogon furcatus*) best seen in lower, wide, gaping regions and Little Bluestem (*Andropogon scoparius*) seen in higher elevations such as uplands. Due to its sweeping, long stemmed shape, many still refer to Bluestem as “Tallgrass.” Ibid., 3, 7.
rich prairies during May, June and July when the grass is most wholesome.\textsuperscript{155}

\textsuperscript{155} Malin, 4.
In any event, by the time the Osages realized the demand cattle ranchers had for their prairies, the tribe quickly generated a plan to profit from this unexpected business: grass leasing. Instead of attempting to steal a few heads of cattle to survive on for the week, the Osages finally took the advice their white American neighbors had been giving them since the time of Jefferson and entered into the capitalistic cattle industry.\textsuperscript{156}

The Chuckwagon was Home. “On range or drive, the chuckwagon was home. A good cook was not only proficient at the culinary arts; he also was a combination housekeeper, morale-builder, and expert wagon driver or “bullwhacker.” The cowhands usually referred to the cook as the “Old Lady,” but they were careful not to offend him. He had too many subtle ways of evening the score. The cook was the aristocrat of the trail drive, a man who prized his dignity, was seldom a good rider, and had slight use for the temperamental cattle.” Dee Brown and Martin F. Schmitt, \textit{Trail Driving Days} (New York: Charles Scribner’s Sons, 1952).

However clever the concoction, the Osages’ idea to profit off Texas ranchers was not new to the area. Several attempts were made by other surrounding Indian nations in the past,\textsuperscript{156}

especially the Cherokees, though most of them proved unsuccessful ventures. In 1867 for example, many tribes invoked a head tax on cattle passing through their reservations. It was the faulty, poorly written administrative procedures of the Indians which created the demise of the enterprise since collecting the head tax from each rancher was virtually impossible. Poor record keeping made it easier for whites to cheat Indians out of their owed funds. According to Robert M. Burrill, author of “The Establishment of Osage Ranching,” Texas cattlemen were aware of Indian bluestem even before the Civil War.\(^\text{157}\) Perhaps once the war ceased, cattlemen, already familiarized with the topography of Oklahoman land, including offbeat, unmapped trails, managed to avoid Indian tax collectors before shipping their cattle off to rails. The lengths these ranchers were willing to go in order to sell their beef in Kansas City markets cannot be underestimated either. By 1870, what sold for a meager three dollars a head in Texas was eagerly snatched up in Kansas City for \textit{ten times} that amount.\(^\text{158}\)

\(^{157}\) Burrill, “The Establishment of Ranching on the Osage Reservation,” 527, 525; The most known of these Civil War age cattle routes was that of Jesse Chisholm’s Chisholm Trail, which sought to create a means for Texas ranchers to stop off in southern Kansas for last minute feedings before being shipped off to Northern markets through the ever-developing Kansas railroad system. The trail also helped to cut down a rancher’s disregard for farmers in Oklahoma and Kansas since, before the trail’s creation, cattle on a cattle drive would stomp over growing agriculture and ruin a farmer’s crop yield for the year. In 1866, the formal Chisholm Trail was open to driving cattle ranchers. In a five-year span, nearly three million cattle had trodden the trail from their Texas homes up to their Kansas shipping docks. John W. Morris, Charles R. Goins, and Edwin C. McReynolds, \textit{Historical Atlas of Oklahoma} (Norman, OK: University of Oklahoma Press, 1976), 46; Louise and Fullen Artrip, \textit{Memoirs of Daniel Fore (Jim) Chisholm and The Chisholm Trail} (Topeka, KS: Artrip Publications, 1949), 6-12; Geo. Rainey, \textit{The Cherokee Strip, Its History} (Stockton, CA: Gaylord, 1925), 13.

Trail Drivers of Texas. “As most cowboys trailing to Kansas cow towns were from Texas, those from other sections were also called ‘Texans.’ A traveler of the day described them as follows: ‘In appearance a species of centaur, half horse, half man, with immense rattling spurs, tanned skin, and dare-devil, almost ferocious faces.’” Dee Brown and Martin F. Schmitt, Trail Driving Days (New York: Charles Scribner’s Sons, 1952).

To be clear, the Osage’s original intention with buying land in the Cherokee Outlet had nothing to do with the cattle leasing business, nor its Bluestem grass; at the time of purchase, the impoverished Osages had no idea of their serendipitous sale. Their chief reason for buying in the Outlet region was because it was their homeland seventy years before, and generations before Jefferson had given it to the Cherokees to rename as their own. In brief, due to their financial situation and negative experiences such as disease and population downturn, many Osages surmised that there was a good chance their tribe may become extinct by the rise of the twentieth century. They simply wanted to return home before they perished.

As for the Osages, they decided to watch the outcome of Amerindians engaging in unwritten agreements with ranchers before practicing this risky business on their own. Tribes
formally charging heads of cattle ran into all sorts of problems with the greedy U.S. government concerning the legality of their trail taxes. At one point Judge I.C. Parker remarked that “a tax imposed by the Creek nation on cattle passing through their country is a burden laid upon commerce between the States, the regulation of which belongs to Congress alone.”

Though most of this constitutional banter remained only empty words, it was a serious, lingering headache for those Indians regulating the head tax system.

In spite of this dilemma, stock ranchers paying a head tax of ten cents or more still flourished in the Cherokee’s area of the Outlet so well that in 1876 the Osages and other nearby tribes began contracting their lands independently. Their contracting business did not commence, however, without a rocky start due to the regrettable match of an Indian agent Congress had placed the Osages with during the 1870s. To give a taste of Isaac T Gibson’s desire to aide the Osages, towards the end of 1875 in a document read before Congress, he spoke of the activities of cattle ranchers resting adjacent to the Osages’ land:

I have no doubt it is true, as alleged that, the Osages have killed several head of these cattle. Drovers having authority to herd them should be well paid for such losses. Five horses were also stolen from a rancher on the cattle-trail, which was returned to the owners. This summer three families of thriftless, indigent Osages left the reservation without permission, and located on the Chisholm cattle-trail, to gain a living by collecting tax of the drovers,

This recollection paints a rather unhealthy portrait of the Osage people which may be the result of Osages still starving from a lack of harvested crops for food or money from ranching to buy food from other areas. It may also be Gibson’s response to the longstanding problems/disregard he possessed for the plight of the Osage nation. The year prior to this

statement the Osage nation was so upset with Gibson’s ill treatment of them that they took their petitions directly to Washington, D.C. so that an investigation of the Indian agent would be formally conducted. Everything from distributing rations and money in a discriminatory manner to intruding on religious practices to firing employees who signed petitions against him. Predictably, Gibson was absolved of all charges. In 1876 Gibson was promptly replaced with another Indian agent, Cyrus Beede, who was not much better of a leader for the Osages than himself. Fortuitously, 1876 also marked the beginning of the Osages’ wildly successful grass leasing business. In fact, the Osages’ business became so successful that by 1880, there was almost no uninhabited land found in the Outlet without grazing cattle. The Osages’ lands were, serendipitously and unexpectedly, located in an area packed with rich, profitable grass and conveniently on a rancher’s way to the slaughterhouses. These experiences with cattle contracts proved to the Osages and many other tribes that tumultuous, arable land is not synonymous with poverty; on the contrary it can be associated with considerable wealth.

Another key reason Osage ranching reached such heights had nothing to do with the quality of land they possessed, but with their own open door policy. During the late 1870s and early 1880s, the vast majority of the booming railroad industry had yet to reach the state of Texas. Mainline, national rails at the time--which connected ranchers to major slaughterhouses in Kansas City, St. Louis, and Chicago--only ran as far south as Colorado and New Mexico.

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Fortunately, certain branches of the Santa Fe line began to stretch to the southern Kansas border—on the front door of the Osage’s luscious bluestem prairies. Unfortunately for stockmen, when Kansas legislatures were not in session they doubled as local farmers and subsequently passed laws stating that cattle infected with an insidious disease known as “Texas Fever” were no longer permitted to graze within the state. The cause was mysterious at the time, but small Kansas farmers agreed that for some reason, whenever Texas longhorn cattle came into contact with their own healthy herds, their assets would grow ill and die shortly thereafter. Hence, Texas ranchers sorrowfully accepted an agreement with the state stipulating that Texas cattle could only be loaded onto rails in the southern portion of the state and immediately be shipped off to the slaughterhouses so as to avoid unnecessary animal contact.

162 Though the Osages were some of the earliest Plains individuals to develop a technique for the eradication of Texas Fever, because of economic necessity, the large-scale eradication of the disease did not come until the early twentieth century via the Osages’ practice of dipping cattle in vats to rid them of infectious agents. Yeomen farmers who possessed sick livestock went so far as to express their hatred for this process which disrupted or even took the lives of their profit bearing animals by dynamiting cattle-dipping vats and killing federal agents. Eventually, however, the small-town farmer lost to the federally instituted program of eradication. Claire Strom, “Texas Fever and the Dispossession of the Southern Yeoman Farmer,” *The Journal of Southern History* 66 no 1 (February 2000): 49-50.

163 “Oklahoma,” *Arkansas City Traveler* 15 September 1886; Malin, 12-14; “Cattle Diseases: Mystery Connected with the Appearances and Disappearances of Disease Among Animals,” *Arkansas City Republican*, 20 June 1883. The history and epidemiology of Texas fever is quite fascinating. The disease most likely arrived on the shores of the West Indies in the 1600s from Spanish colonies, transmitted by the cattle tick. In order to survive, the tick necessitates at least 200 frost-free annual days, thus its infectious boundaries are limited to the southern United States, namely Texas. Since beef was not the primary choice of protein for Americans until after the Civil War, most took little notice of the effect this tick-born illness had upon livestock, nor did they study it. In regions where Texas fever was endemic, like Texas, mortality rates remained very low. The problem, however, was that the characteristic signs and symptoms of the illness remained as well—including lethargic, anorexic-looking livestock that could not produce milk. All three of these attributes drastically reduced a rancher’s profitability off of his livestock. Most Texas ranchers realized that their livestock had built up a natural immunity to the tick-vector and had no problem selling cattle; it was when their livestock came in contact with other animals, especially those north of Texas that mortality rates skyrocketed for unexposed creatures. Fear and hatred of Texas fever was so widespread that in 1866 armed men met Texas cowboys at the borders of Kansas and Missouri to prevent them from driving their herds into the territory. When they persisted, they were killed. In the 1860s, Kansas had passed quarantine laws against infected cattle passing through certain parts of the state. By 1885, New Mexico, Wyoming, Arizona, Colorado, Montana, and Nebraska had all done the same. The most northern state connected to the railroad industry still accepting Texas cattle was Oklahoma’s Indian Territory. Some of the most favored grass
The symbiotic relationship between Texas ranchers and Osage Indians in a faltering economy is extraordinary. According to cattle historian Jimmy Skaggs, post-Civil War markets were ideal for Texas cattle ranchers to ship off their livestock since it was actually cheaper to drive them up into that state than sell them down in Texas. The favored Santa Fe railroad running through Ellsworth, Kansas to a large scale market in St. Louis charged only $3.50 per head of cattle while newer lines running of the Pacific running through Texas running from Dallas to St. Louis charged $5.50 per head, even though the difference in distance was minute due to stops along the way. Once Kansas instituted quarantine laws, as did Missouri, Colorado, and New Mexico, cattlemen quickly surmised that the last stop on the Kansas-Oklahoma border for their livestock was the Cherokee Outlet, some of which the Osage nation owned and was willing to lease out for a fee.

A major problem with this quarantine law was many Texas cattlemens’ longstanding practice of utilizing bluestem grasses on the Kansas side of the vertical bluestem strip to increase the profit margin of their livestock. A favored spot for last-minute feedings centered around Emporia, Kansas which dubbed itself “Bluestem Capital of the World” due to its popularity. But now that legislatures banned some of Emporia’s most valued customers, upon that land remained in Osage hands, who were slowly leasing it to distraught ranchers for a price. Strom, 50-53; Stephanopoulos; Skaggs, The Cattle-Trailing Industry, 93.


165 Walter M. Kollmorgen and David S. Simonett, “Grazing Operations in the Flint Hills Blue Stem Pastures of Chase County, KS,” Annals of the Association of American Geographers 55 no 2 (June 1965): 264; While Emporia was known for its precious grasslands, Wichita was known as a leading center for livestock and grain shipping in the Midwest. At the height of one cattle season in the Reconstruction Era, for instance, two thousand cowboys drove two hundred thousand cattle into Wichita—years before ranchers took
Texas ranchers dreamt up a scheme to travel around Kansas for driving and grazing purposes in order to reach major railroads like the Union Pacific. With time many states, including Colorado and New Mexico, joined Kansas’ precedent, outlawing Texas cattle.  

Grassland Associations. The grass which grew on Osage soil was not entirely the same as that which grew on Cherokee land. It was much thicker, more nourishing, and fattened cattle quicker than those on the Cherokee reserves. Robert M. Burrill, “Grassland Empires: The Geography of Ranching in Osage County, Oklahoma: 1872-1965,” Ph.D. diss., University of Kansas, 1970.

Now stranded in the Southwest, Texas stockmen reached out their dollars to the Osage nation who, by the mid to late 1870s, was heading for poverty. Seizing the financial opportunity, Osage Indians accepted Texas longhorns onto their expansive grasslands with a

\[166\] Malin, 14.

\[166\] Dee Brown and Martin F. Schmitt, Trail Driving Days (New York: Charles Scribner’s Sons, 1952), 86.

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clever way of removing whatever infectious agent was causing them to spread Texas Fever: cattle dipping. As recollected in *History of Chatauqua County* (located across the border from Osage land), before crossing into Kansas, the Osage would team up with ranchers and force stock to pass through a viaduct directly on the state line. One participant remembered that “We drove em’ to the viaduct, they went over the line not across it; we made em swim to Kansas, just to be sure they were not driven across.” The statement creates quite the chuckle, but also abides by the Kansas quarantine law quite well. To ensure obedience to the law’s requisites, Osages, ranchers, and those living in the border city of Elgin, Kansas, set up cowpens on the border in order to prevent possibly infected cattle from straying into the fields of an angry farmer. At one point a ‘quarantine wall’ built of stone was created around the town to enforce stationary movement of the longhorns—in other words, the cattle were permitted to stand and minimally walk, but not graze over large pastures beyond this encircling partition.\footnote{\textsuperscript{167} Louis F. Burns, “Jim Town: Elgin, Kansas,” *History of Chatauqua County*, vol. 1, Chautauqua County Heritage Association (Chautauqua, Co., KS: Curtis Media Corporation, 1897), 48; At the time of Elgin’s developing cattle industry came Gen. James S. Brisbin’s text entitled *The Beef Bonanza or How to get Rich on the Plains* published in 1881. Its wild popularity inspired numerous individuals in the Panhandle to cash in on the cattle trade, especially those driving their stock through the Cherokee Outlet. Brisbin’s impact on the development of the western cattle trade was substantial to say the least. Brown and Schmitt, 144.}
The Big Dipper Continued. Elgin men drudging Texas longhorns through the dipping stations to remove infectious ticks off their bodies. *History of Chautauqua County*, vol. 1 (Chautauqua County Heritage Association, Chautauqua, Co., KS: Curtis Media Corporation, 1987).
Osage ranching had a tremendous impact on the dynamics of the town of Elgin. Not only did ranching make Elgin a profitable place for railroads to contract with, it also gave numerous unemployed or poorly employed men lucrative jobs. Dipping, driving, and loading cattle all required locals to complete each process since a steady supply of longhorns came to the area, especially in the summer months. One train of cattle, for instance, carried thirty cars,
which could hold about sixty animals each. Citizen Victor Noe mentions that on a good day his group of men could load up to eighteen trains during night hours and eighteen trains during the day as a standard for them. Elgin was one of the most important cattle towns in Kansas because it was the last stop for railroads before heading back North to the slaughterhouses.

Subsequently, Osage ranching transformed the town from a fumbling, agriculturally dependent community to one focused on the rapidly expanding American industries of beef production and railroads. As one Indian, noticing the profit whites had made in the beef industry, wrote in 1885, “If those men who are there can make fortunes off of the land there is no reason why [Indians] could not do the same thing. It is their land and they are intelligent enough to use it.”168

Now that the Osages knew their cattle business was extremely profitable, they once again looked towards the government-friendly Cherokee nation to work out the bugs in this newly organized system of ranching on the Outlet. As the Cherokees began negotiations in 1880, perhaps out of jealousy, the U.S. Department of the Interior created regulations for the Indian Department to follow—a good section of which focused on grass leasing. In short these regulations stated that Indians had no legal authority to lease their lands whatsoever. They also gave a perplexing argument that whites (like Texas cattle ranchers) could use Indian grasses if those cattlemen were granted consent by the specified Indian Agent, the Indian tribe, and provided rent to the agent for the use of the land. The agent would then have to approve a negotiated rate for use of the tribe’s land that subsequently needed to be sent to the

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Commissioner of Indian Affairs for final approval. The long-term effect of this runaround basically indicated to cattlemen that they were not permitted to give their American-made dollars to a group of people whose citizenship was in question with the government.

By 1881 the Cherokee nation, sick of federal games, began talks to try a businesslike approach to ranching. By 1883 they had chartered the Cherokee Strip Live Stock Association (CSLSA) in Caldwell, Kansas, aiming “to promote ‘improvement of the breed of domestic animals by the importation, grazing, breeding, selling, bartering, and exchange thereof’ in places most advantageously located.” The society was comprised of ranchers whose assets grazed in the Cherokee’s portion of the Outlet. Following several negotiations, the CSLSA managed to sign an agreement leasing the entire area of the Outlet owned by the Cherokees—some six million acres—to various stockmen in 1883. The remarkable feat spawned several ‘state of the land’ meetings with CSLSA members. What is so interesting about this process is that less than one year after the six million-acre agreement transpired, ranchers located in surrounding tribes, namely the Osages, began attending the frequent CSLSA meetings. These tribes learned how to emulate the success of the CSLSA and put the structure of this organization into practice within their own reservations. After the shock wore off from the fact

169 Given the timing of the Department’s tightening restrictions on grass leasing, such jealously may stem from the notion that in 1880 Washington was still in the process of reorganizing and restructuring the entire United States. The American economy was still healing from Southern wounds where slave labor no longer existed and war debts were sky-high since citizens across the land in some way had been embroiled in the Civil War. Coupled with the embarrassing presidential years of Johnson and the ever-corruptible Grant administration, it is arguable that the stable, prosperous industry of grass leasing along the Cherokee Outlet was, according to the government, either an American business which should support America’s redevelopment or cease to exist so that some wholly-American version of it can be created in its place. Department of the Interior, Bureau of Indian Affairs, Regulations of the Indian Department, (Washington, D.C.: GPO, 1884), No. 532; Ibid., No. 529; Burrill, , “The Establishment of Ranching on the Osage Reservation,” 528.

170 Savage, Jr., 47-48; Miner, The Corporation and the Indian, 126.
that there was no legal way for the government to harass the CSLSA (though they had tried mightily to do so), Osage ranchers formed their own, independent group entitled the Osage Live Stock Association (OLSA) in 1884.¹⁷¹

In regard to the backgrounds of OLSA ranchers, many of them possessed upstanding histories. Ed M. Hewins, one of the most successful of the Osage ranchers, was a Kansas State Senator living in southern Kansas near Elgin and was part of the CSLSA, though he also leased about 75,000 acres from the Osages. Elgin merchant and stock dealer, Louis C. Wait, partnered up with Richard B. King to hold 46,000 acres of Osage land. Another Elgin man, George M. Carpenter, was a banker, businessman and rancher simultaneously, even bequeathing land to build Elgin upon. He was so loved by the community and those industries that ran through it that when he died in 1921 the last funeral train to run in America, sent by the Santa Fe line, took Carpenter’s corpse to Independence to be buried. Together with William T. Leahy they took over 54,000 acres of Osage territory. John Florer traded with the Osages since 1871 while his partner, William J. Pollock served as their Indian agent and mayor of Arkansas City, Kansas. They utilized 75,000 acres of territory. J.M. Hall opened the first store in Tulsa, Oklahoma for the Osages, whose trading license for the establishment was paid for by the inspiring William Larimer. Together Larimer and partner Horrace Crane employed 80,000 acres of Osage territory. Larimer also founded Denver, Colorado (hence Denver’s county—Larimer). William Osage Brown and his sons rented 30,000 acres of the Osage region. Brown

¹⁷¹ Les Warehime, *The Osage “Its Ranching Legacy,”* (Tulsa, OK: W.W. Publishing, 2005), 153-154; Savage, Jr., 60; Those non member lessee Osage ranches represented at the CSLSA’s meeting in 1884 were as follows: Florer and Pllock, Hewins and Titus, Crane and Larimer, Wait and King, Carpenter and Leahy, Soderstrom and Shoals, and Osage Brown and Sons ranches. Ibid., 154; *The History of the Cherokee Strip and the Cherokee Strip Museum—Arkansas City, Kansas,* 6-7.
taught his sons the value of banking, especially when dealing with the American economy.

Two of his three sons, Charles and Alpheus, became Osage Chiefs.¹⁷²

What may have pushed the Osage nation to create a livestock association more than any other factor was the sharp rise in prices cattle ranchers were willing to pay for premium grasslands between 1881 and 1882. Apparently over the previous ten years, beef vendors noticed the positive reaction of their customers to cattle coming from grasslands on the Outlet. When prices rose at meat markets, butchers returned some of their profits to ranchers who then used that money as capital to buy more acres of grass on in the Outlet.¹⁷³ The fencing-in of one’s cattle became common practice during the summer of 1881, which greatly reduced the hassle of certain Outlet ranchers from relocating fugitive stock that had grazed on into the lands of another leasee in the spring and summer months.¹⁷⁴ In conjunction, this period also witnessed the signing of the Osage’s first organized, written constitution, much in the style of the U.S. Constitution. After December 31, 1881, many Osage landowners felt more at ease with the stability of their tribe, thereby allowing them to direct more attention towards improving the economic state of their people.¹⁷⁵


¹⁷⁴ Ralph H. Records, “The Round-Up of 1883: A Recollection,” *Chronicles of Oklahoma* 23 no 2 (December 1945): 119-138. What is unique about Ralph Records’ record of fencing on the Cherokee Outlet is its firsthand detail of the event. Because this article was published six decades ago, Records was able to use many more primary documents than what is available to today’s researcher. He also lived in the Cherokee Outlet area and later became a Professor of History at the University of Oklahoma where he published and researched many aspects of ranching life in Indian Territory—including the history of formal fencing that commenced, as he recalled, in 1883.

¹⁷⁵ This information can be found in the Department of the Interior, Bureau of Indian Affairs, *Annual Indian Report of the Commissioner of Indian Affairs*, 1900 (Washington, D.C.: G.P.O., 1900), 173-174, which not only explains the nature of the constitution from 1881, but also explains reasons for its demise less than two decades.
So with this reassuring prosperity, the Osages and their newly created livestock association took shape. Several meetings determined that an OLSA member named Horace Crane of the Crane & Larimer Ranch would be president of the association while W.J. Pollock of Florer and Pollack became his secretary. Wisely the OLSA made clear reference to the notion that they would work in harmony—a traditional Osage value—with other like-minded groups (particularly the CSLSA) and had no qualms about permitting its own Osage people who legally owned cattle to become OLSA members as well. According to Les Warehime, author of *The Osage: “Its Ranching Legacy,”* the principle difference between the structure of these two organizations, the CSLSA and the OLSA, was that the Cherokees’ process was a bit more involved. In order to obtain a lease on Cherokee Territory in the Outlet, the CSLSA had to acquire a lease from Cherokee Indians on the desired land and then act as an intermediary to serve the agreement to an associated member for confirmation. Those requesting lands held by other Outlet nations, like the Osages, bargained directly with the tribe.\(^{176}\)

Though the difference in methodology is not specified in the 1884 CSLSA contract with the Cherokees—which is when and where the OLSA formed—it may be inferred that Cherokee people, persuaded by their long, troubled history with American citizens, simply grew tired of broken, undocumented agreements. The Cherokees wanted an explicit organization to deal with citizens for them instead of continuing unproductive direct contact. By employing the CSLSA to negotiate between the owners of land and prospective ranchers, they weeded out...

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unreasonable demands by ranchers so that the Cherokee people would receive only reasonable agreements—accepted for review by only those in the CSLSA they knew and trusted. Those agreements were also subjected to a uniform set of standards which no rancher could manipulate, for instance, by negotiating with a Cherokee land owner who spoke only broken English. If this was the Cherokees’ reason for the structure of their association, it is no wonder that the OLSA and its members ran into fewer disputes over land with its ranchers and, more ominously, with the federal government later on.\textsuperscript{177}

What was also different about the OLSA was its willingness to work with other Indian nations in the area. When the OLSA had its first formal meeting in September of 1884, member, Ed Hewins, advocated and passed a decree stating that any Osage Indian, any stock owning Indian, and/or anyone with ranges on Indian territory could become members of the OSLA. All they had to do was pay a fee of $2 to its treasurer, rancher, John Floret.\textsuperscript{178} The CSLSA, on the other hand, was created exclusively for the dealings of ranchers with the Cherokee Indians and their land. In spite of this stipulation, the OLSA still invited the Cherokee nation to join their association and benefit from its network of people.

\textsuperscript{177} Ibid., 155-156.

\textsuperscript{178} Warehime, \textit{The Osage “Its Ranching Legacy,”} 156-157; Those Indian nations joining the OSLA soon after its creation were the Osages, Cherokees, Kaws, Nez Perce, and Poncas. Ibid., 157.

The exclusiveness of the CSLSA is probably related to their longer, more negative history with the federal government concerning cattle leasing practices. Since the Cherokee were unable to purchase their Outlet land as the Osages were, they were subject to more bylaws and congressional reviews of their leasing practices. This resulted in numerous trips to Washington for the Cherokee to explain, renew, and justify their annual revenue to Congress, not to mention countless written petitions to change any current conditions in practice with regard to those leases. Tribal loyalty was also questioned amongst the Cherokees concerning their leader in Congress, mix-blood Chief Bushyhead, whose choices and signature was not always given in the best interest of his tribe. The Osages, on the other hand, had less federal influence on their land, in large part because it was legally purchased, giving them more autonomy over what to do with that territory. Aside from the historical difference of the
Cherokees’ longstanding federal relations in Washington since the 1800s and the Osages’ relatively few meetings with Congress, another major difference exists. The Osages consistently waited to enact their leasing practices and livestock association until the Cherokees had done so and come back with written rulings from Congress. Thus, the Osages could be more open with the OLSA because they knew exactly where the pitfalls lay in Washington, since they were now spelled out in black and white.

In addition to maintaining the OLSA’s treasurer, Florer was also asked to create a book describing, listing, and picturing the brands held by each of its members. The benefits of this publication were two-fold. First, ranchers could identify and keep track of their own stock easily, also reporting which ranchers permitted their wandering cattle to graze in another’s territory. The text served as a means of recognizing all possible stock held within Osage land so that fugitive cattle from unregistered ranchers, like the Texas cattlemen whose livestock grazed in leased land in Texas, could be returned quickly. Ranchers in violation of grazing rules could be sanctioned for their lack of attention—inadvertently eating up the potential profits carried within Osage grasses. Second, the text served to identify where unusually nourishing grass existed in Osage land so that beef suppliers, like butchers and market managers, could price meat accordingly for its customers. In other words, if a slaughterhouse vendor could recognize that well-received beef came from the Hewins ranch in Osage territory, he could indicate that to an interested butcher easily, based on the brand symbol left on the cow at the time of slaughter. Vice versa, if a particularly poor meat product came from a certain ranch, the vendor could sell it to a customer for less money.

As for the organization of the book, association members had about one and a half months to submit their brand symbols and information to Florer in order to be alphabetized and categorized. In the interest of good faith, Florer also included a list of miscellaneous brands from ranchers who did not pay the $2 membership fee (and subsequently were not part of the association) but wanted to be listed in the comprehensive volume. The fee for non-members to be included was double the cost of membership--$4. The advantage of allowing these non-registered ranchers into the book was in building an interstate network of stockmen.


Another benefit of being in the OLSA was the information members received about other stockowners residing throughout the United States, not just in Texas. Seven delegates of the association were chosen to attend the National Live Stock Association conference held in

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St. Louis that year. They reported back to Osage ranchers on the state of the livestock industry on a national scale, they tried to bring new interest to their lands, and they saw what, if any, new developments had been made in the grazing enterprise such as potential railroad paths or new trends in raising and herding cattle. With all of the advantages ranchers and cattlemen gained by joining the OLSA, it is safe to say that their business ventures would not have been as prosperous had it not been for the help of that special Osage association.

But in the midst of the Osage tribe organizing itself, both internally and externally, and beginning to profit from the unforeseen value of its land, came a quiet storm from Washington. In the early 1880s grass leasing, in some form, by Indian tribes was employed on a national scale so much so that congressmen and leaders of the government began establishing rules based on one tribe’s problems with leasing, which eventually applied to the Indian ranching community as a whole. This became the focus of tribal-governmental relations in the Midwest since debates between the Cherokees and Congress had already proven that Indian nations would find some way to profit from their land legally.

By 1883 a man named Edward Felon petitioned the government, especially Secretary of the Interior, Henry M. Teller, to uphold his lease agreement with the bellicose Cheyenne and Arapaho nations. In response to Felon, Sec. Teller explained that “it is not the present policy of the Department to affirmatively recognize any agreements or leases of the character you mention.” Thus indicating to the distraught rancher that the government would not defend

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181 Ibid., 157.

182 U.S. Congress, Senate, “Letter from the Secretary of the Interior, transmitting in compliance with Senate resolution of December 4, 1883, copies of documents and correspondence relating to leases of lands in the
him, nor any other rancher leasing in Indian lands, in broken contracts since, according to Sec. Teller, they were created illegally. In juxtaposition to this statement, Sec. Teller went on to say that he saw “no objection to allowing the Indians to grant permission to parties desiring to graze cattle on the reservation to do so on fair and reasonable terms, . . . . [And only be] recognized when granted by the proper authority of the tribe, [where] benefits must be participated in by all the tribe, not just a favored few.”

In other words, according to the U.S. government, as long as the Indians leasing their grasses were happy with their arrangements with cattle ranchers, they could continue. If those Indians were not pleased with the state of their relations, they could immediately repeal the signed lease agreement without a legitimate reason or process.

Ranchers now clearly understood that they had no protection for their grazing investments either from the government nor from Native Americans. Other stockmen could steal their cattle, re-brand them, or use that rancher’s rented land for their own cattle to graze upon, free of charge--and there was nothing they could legally do about it. United States courts would not handle their livestock suits had they leased on Indian Territory, like the Osages’ land, though Indian justice was unreliable in the eyes of these ranchers, if in existence at all. Technically, small time farmers and squatters, sometimes known as “boomers,” could race into Indian Territory to citizens of the United States for cattle-grazing and other purposes, January 14, 1884,” Senate Executive Document 54, 48th Congress, 1st sess. (Washington, D.C.: G.P.O., 1884), 99.

183 Ibid.

a rancher’s land and settle upon it without sanctions taken against them by the rancher or the government.  

David L. Payne. A Prominent Boomer of the 1880s and known for his outrageous tactics in order to achieve certain goals—many of which resulted in various visits to the local jailhouse facility. Sodbusters, Sidewinders & Dandies: Two Decades in the Territories (Tulsa, OK: Western National Bank, 1982).

185 Perhaps Sec. Teller’s perplexing remarks concerning ranching were said in protest to having white Americans enter into a lucrative business with individuals (Indians) who were not American citizens and did not have to give back to the economy to the same extent as citizens. Thus, Sec. Teller’s view on the enterprise may have been an attempt to make ranchers realize a better investment of their cattle could be found in leasing with other American citizens owning similar prairies in the Midwest. “Oklahoma,” Arkansas City Republican, 14 July 1886; “Favored Oklahoma: Ninety Miles Through Its Grasses,” Kansas City Evening Star (Kansas City, KS), 31 July 1885; “Leasees In Council: The Secret Meeting of Cattlemen,” Kansas City Evening Star, 28 July 1885; “The Boomers,” Kansas City Evening Star, 8 May 1885.
She Held It Down. Land along the Outlet, such as the Osages’, was thought to change a person’s life so drastically that even women became involved in the movement. Some, as pictured above, took up residence on any plot of land they could find in order to establish a better sense of freedom and independence in their domestic lives. Some say the woman in this picture later went off to Hollywood to pursue a career in film instead of farming on the Outlet! *Sodbusters, Sidewinders & Dandies: Two Decades in the Territories* (Tulsa, OK: Western National Bank, 1982).
Hell’s Half Acre. Many citizens, such as these from Hell’s Half Acre, actually made fun of Boomers’ crazy antics in order to obtain local land. Some say, however, that these boys were only half joking. *Sodbusters, Sidewinders & Dandies: Two Decades in the Territories* (Tulsa, OK: Western National Bank, 1982).

With this spat between boomers/farmers and cattlemen (and boomers having the ear of the government most often), many Indians, including the Osages, seized this opportunity to increase their annual income even more. As boomers and ranchers argued, the Osages came to realize that ranchers with large cattle herds could best deliver rent quickly by paying relatively large portions of the total lease price since they had the money kept in secure, interstate banks and readily dispensable. Small ranchers and farmers/boomers did not have this financial
advantage to pay in full or when asked, leaving the Osages to carve out liberal portions of their land to a few wealthy cattlemen with large herds.

And so in September of 1883, five months after Felon’s depressing correspondence with Sec. Teller, the Osage began signing lease agreements to large cattle owners. In total six ranchers were permitted formal use of Osage grasses, absorbing some 380,000 acres of land for ranching.  

The First Six Leases. These are the first leases signed between cattle ranchers and the OLSA. Notice how the majority of leased lands are chosen from the prime Osage bluestem region in the western portion of Osage territory. Leased areas were chosen on the borders of the reservation so as not to disturb Osage citizens living in the reservation (they did not have the Cherokees’ luxury to have an independent living area separate from their prairies). Border leases also eased a cattlemen’s attempts to drive his cattle on and off the reservation for seasonal selling. Robert M. Burrill. “Grassland Empires: The Geography of Ranching in Osage County, Oklahoma: 1872-1965,” Ph.D. diss., University of Kansas, 1970.

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Their Indian agent, Laben J. Miles, was known to fight vehemently for the rights and privileges of the nations he represented; his character in the early-mid 1880s was no exception. When giving his report to the Commissioner of Indian Affairs in 1885, Miles, a government agent, clearly supported the use and legality of grass leasing in order to build Osage revenue. In his 1883-1884 report, he announced to the commissioner that the Osages made over ten times the amount of money initially brought in from utilizing the land before grass leasing was permitted. Furthermore, the pesky problem of stray cattle never bothered Osage ranchers because, upon signing the agreement, ranchers were required to set up fences along the exterior borders of their rented lands. Since leased grass was located on unused portions of Osage land, most leases lined up against the borders of their reservation where, without fences, fugitive cattle could have become a serious problem, probably pushing away cattle drivers instead of luring them into the territory. So for varying amounts, each of the original six rancher’s lease was eligible for renewal after five years of grazing on the Osages’ contracts. Yet as cattlemen began to see the rewards of their Osage leases after the first year, federal threats of closing down Indian grass leases, permanently, were upon them.

Only a stone’s throw away from the Osages were the Cheyenne and Arapaho tribes, originating in the northern Midwest and recently relocated to a reservation in the Oklahoma

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187 As an interesting side note, during the economic prime of the Osages on the Outlet, Agent Miles decided to bring his nephew along one summer to show him the prosperity, sophistication, and intelligence of Indians in an ubiquitous fashion. The visit arguably impacted the young boy’s positive views of Native Americans which may have lessened government-Indian friction in the early twentieth century. The reason for the far-reaching conclusion is that the young boy grew up to become the thirty-first president of the United States—Herbert Hoover. Rainey, The Cherokee Strip, 88.

188 Department of the Interior, Bureau of Indian Affairs, Annual report of the Commissioner of Indian Affairs to the Secretary of the Interior for the Year 1885 (Washington, D.C.: G.P.O., 1885), 90.

189 Burns, A History of the Osage People, 374.
area. In order to help establish the Amerindians financially, the government began permitting
the Cheyenne-Arapahos to lease their lands to interested ranchers in the 1870s, with a large
emphasis on trading grazing land for actual cattle to feed the tribes, a feature of leasing not
commonly found in Osage Territory. But when compared to most Amerindian-government
relations, the Cheyenne-Arapahos and their ranchers began to have problems in the sweltering,
tense summer months of 1885. It all began a few years earlier when the Cheyenne-Arapaho
Indian agent, John D. Miles,\(^\text{190}\) was not only denied permission by the federal government to
use their lands for grass leases modeled after the success of the Outlet, but was ordered to
remove all cattle from the reservation that the Indians did not own privately.

\(^{190}\) John D. Miles was actually the cousin of the Osages’ Indian agent, Laben J. Miles. Edward Everett Dale,
The government’s change of heart regarding grass leasing probably related to the fact that at the time Miles petitioned the government for such permission, Congress had seen the astonishing financial success of the Osages and other Cherokee Outlet tribes, many of whom required less and less federal stability the longer they leased their land. The Osages in particular were successful since they had bought their land and enjoyed less government interference as they took their money all the way to the bank each month. Repeating this strategy with the Cheyenne-Arapaho tribes would only reduce federal influence in the Plains area and Congress’s ability to absorb a share of profits made on the reservations. After intense protest over the tribes’ serious financial strains, Miles’ boss, Sec. Teller, allowed $34,000 to be sent to him for the purchase of livestock.\footnote{Department of the Interior, Bureau of Indian Affairs, “Letter from J.D. Miles to G.M. Randall, July 21, August 3, 1882,” found in Osage Agency Archives, Pawhuska, OK. (Washington, D.C.: G.P.O., 1882); “Cattle Men Must Go,” Omaha World Herald (Omaha, NE) 24, July 1885.} Subsequent agreements were made with prospective cattlemen in the Midwest, one of which was Edward Felon\footnote{Cheyenne Transporter (Darlington, OK) 26 January 1883.}—who later wrote that famous letter concerning his ranching rights to Sec. Teller.

Unlike the Osage grass-leasing business, Cheyenne-Arapaho dealings with cattlemen were much less organized and less respected, probably because ranchers knew the likelihood of being reprimanded for violating agreements was incredibly low. Part of the Cheyenne-Arapaho cattle trail was very remote in respect to the location of the agency allocating leases, so enforcing regulations or catching rule-breakers was more challenging than in other reservations. Trail drivers also let their herds loiter on good patches of grass much longer than

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\footnote{Department of the Interior, Bureau of Indian Affairs, “Letter from J.D. Miles to G.M. Randall, July 21, August 3, 1882,” found in Osage Agency Archives, Pawhuska, OK. (Washington, D.C.: G.P.O., 1882); “Cattle Men Must Go,” Omaha World Herald (Omaha, NE) 24, July 1885.}
they had agreed to and even drove their herds off course so as to find a fresh, succulent prairie to fatten up assets faster. Many Indians who discovered these breaches of contract would enter into private, possibly illegal, bargains with ranchers, exchanging beef and money for further grazing on the desired land. By 1882 there were over 22,000 head of cattle roaming on their reservation. Formal lease agreements would not be initiated with ranchers for another year when federal restrictions reducing cattle on their land made the reservation’s ‘food and money for prairies’ accord unworkable since the tribes were now starving from an unequally allocated food supply that was.\textsuperscript{193} The reason as to why the Osages were not faced with this dilemma is because they \textit{immediately} entered into some type of written agreement with ranchers so that they could legally buy their food with cash made in leasing deals. Though the Osages did suffer economically upon removal, much like the case with the Cheyenne-Arapahos, it appears to have been to a lesser extent than the latter tribes.

Cheyenne People. These were the faces of Cheyenne Indians who witnessed the Indian war in 1885. Some were too small to remember. \textit{Sodbusters, Sidewinders \& Dandies: Two Decades in the Territories} (Tulsa, OK: Western National Bank, 1982).

\textsuperscript{193} Dale, 363-364.
Due to this lack of formal organization early in their leasing history, when the Cheyenne and Arapahos did initiate such contracts, stockmen grew angry since they had entered into paid, private agreements with the tribes previously and still felt that those arrangements should be honored. When ranchers did comply with new contracts ungenerously, certain groups of Cheyennes and Arapahos also grew angry and made dialogue difficult with ranchers continuing this process with them since they were forced to lease lands for less money in order to obey new federal terms for continuing a system of grass leasing. Subsequently, as ranchers set up fences to distinguish their acreage, Indians would tear them down or set fire to enclosures with cattle in them. Coupled with neighboring Kiowas’ disputes over correct borderlines, Agent Miles, whose dedication and constant petitions to the Departments of the Interior and War had done nothing to effect a positive change for the restless Cheyennes and Arapahos, saw the impending conflict between his tribes and locals. On April 1, 1884, he resigned.194

His replacement was D. B. Dyer—an unruly, obstinate man whose role in the tribal-rancher disputes only served to augment, rather than mediate them.195 As he announced to Commissioner Price in the Annual Indian Report, “I have here as poor and ignorant [a] class of people as it has been my lot to meet. They are not only hungry for the lack of wholesome food but they are in need of clothing.”196 They were also in dire straits, ready to react violently in

194 Ibid., 364-365.
order to obtain such necessities of life—supported by the reality that they were the largest Plains Indian tribe in the Oklahoma Territory, thereby possessing the best numbers to defend their grievances on the battlefield.\textsuperscript{197} By the summer of 1884, Agent Dyer had made repeated requests to Washington for federal troops to come to the territory and restore the rapidly deteriorating state of the reservation. He was repeatedly ignored. Even when he convinced Congress to investigate the situation that winter, it only prolonged Cheyenne-Arapaho mischief, so that by the summer of 1885, the Department of War was called in by the Department of the Interior to thwart the horrid chaos within Agent Dyer’s domain.\textsuperscript{198}

Just to the north of the Cheyenne-Arapaho territory were the Osages, who, at this time, had absolutely no major problems with the workings of their grass-leasing business and were actually making money hand over fist by doing so. While they in no way aided, abetted, or instigated the Cheyenne-Arapahos in causing chaos against Americans, they were nonetheless affected by the aftermath of such destruction. Historically, the Cheyenne and Arapaho tribes were known as two of more the cantankerous Indian nations in America, in part due to their strong bond with each other. Even during the final phases of Indian removal in the 1870s and 1880s, many of the northern Cheyennes, whose homes were hundreds of miles away from Oklahoma, fought to return to their sacred lands. After numerous attempts by the Bureau of Indian Affairs to set up extra restrictions on the Amerindians, such as extra military posts on their reservation, with the help of their Arapaho friends, the northern division of the Cheyennes returned to the northern Midwest in the 1870s. What is just as important is the fact that the Cheyenne-Arapaho reservation in Oklahoma was located within the nourishing grasslands of

\textsuperscript{197} Sodbusters, Sidewinders & Dandies: Two Decades in the Territories, 13.

\textsuperscript{198} “Kansas Gov. Martin’s Letter to Washington,” Arkansas City Republican, 11 July 1885; Dale, 365.
the Cherokee Outlet. This lack of a profitable use for their region only hurt the Cheyenne-Arapahos’ ability to adapt to their new environment since they, like the Osages, were skilled in buffalo hunting and not agriculture, let alone on rocky, stagnant soil. While these tribes did engage in grass leasing and mirrored many Osage practices in the business, their success with the industry was nowhere near that of the Osage nation.199

As General Philip Sheridan gradually closed in on the combative tribes with his army, it still took over a month after the ordeal until relative peace settled in on this Indian war. By the middle of July, 1885 President Grover Cleveland had received word of the pandemonium in the Midwest and ordered General Sheridan to go directly towards the center of the attack, not so much as to subdue the Indians but to secure the tranquility of neighboring tribes, like the Osages, in order to continue to ship cattle to the slaughterhouses. This was, after all, the peak season for cattle growers. Coming to grips with the notion that Cheyenne-Arapaho grass leases were utterly meaningless, President Cleveland promptly ordered all herds to be removed from their reservation within forty days which, by 1885, consisted of over 200,000 heads of cattle. In the 1904 publication of “Prose and Poetry of the Live Stock Industry” one author’s recollection of Cleveland’s executive order laments how “the stock business was [now] in a state of collapse . . . the country was full of cattle, the range land everywhere seemed to be crowded . . . . Hundreds of thousands of cattle had to be taken out of the Territory immediately.”200 Nearly four million acres of soil vanished right from under the ranchers’ noses—and there was nothing any of them could do about it. Due to the urgency of the matter, cattle ranchers were ordered to

199 Dale, 362.

move their assets to adjacent ranches, many of whom chose land on the well-known Cherokee Outlet, like the Osages’. Outlet territory was also attractive due to its extremely close proximity to a rancher’s original lands—i.e., the grueling task of driving herds to far off pastures was not necessary since the Outlet was usually less than 75 miles away from a cattlemen’s original leased lands. Those ranchers not as fortunate to settle on Outlet lands due to severe overcrowding had an exceptionally arduous journey to recover from the 1885 cattle losses over the next decade.  

To understand the uniqueness of President Cleveland’s situation and his views towards tribes like the Osages and Cheyenne-Arapahos, a deeper examination of the interplay between the two groups is warranted. Despite the United States’ difficult past with Indian tribes, it appears that President Cleveland’s papers pertaining to the group speak of an improvement in the treatment and understanding in Native Americans issues. In his first inaugural address, President Cleveland declared that “The conscience of the people demands that the Indians . . . shall be fairly and honestly treated.” Even an ailing Helen Hunt Jackson, writer of the eye-opening book *A Century of Dishonor*, wrote to Cleveland, “From my deathbed I send you messages of my heartfelt thanks for what you have already done for the Indians. I am dying happier for the belief that I have that it is your hand that is destined to strike the first steady blow toward lifting the burden of infamy from our country and righting the wrongs of the Indian race.” Within a month of this letter, Cleveland received word of Indian violence in Oklahoma Territory.

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In relation to the Cheyenne-Arapaho War, President Cleveland maintained a correspondence with General Sheridan now in the field and unmistakably asks Gen. Sheridan to obtain Indian “statements on their part as to any real or fancied injury or injustice toward them, or any cause that may have led to discontent.” The president furthers his concern for the plight of these Amerindians by remarking that Gen. Sheridan must assure “them that any cause of complaint will be fully examined by the authorities here, and if wrongs exist they shall be remedied.” To heighten the support for Pres. Cleveland’s desire to improve Indian relations, it must be stated that this correspondence with Gen. Sheridan was never to be shown to the public, let alone the warring Cheyenne and Arapaho nations. Cleveland’s remarks were purely his thoughts on the matter and an appeal to Gen. Sheridan to uphold the utmost respect to Indian grievances while in Indian territory, regardless of his personal feelings on the situation.\textsuperscript{203}

Since cattle grazing was an ongoing process, many ranchers began their grazing schedule in late Spring so that their herds would be ready for the slaughterhouses in late August and September, not July when the Cheyenne-Arapaho War commenced. Thus, many ranchers leased with the two combative tribes complained to newspapers continuously about their rather substantial loss in profits because they were forced “to put their cattle on the market for whatever they will bring.” In fact, “The ranchmen suffered severely last season from the ravages of the Texas fever, the severity of the winter, and depredations of the Indians.” Those

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who were not able to lease with tribes located on the Cherokee Outlet, including the Osages, continued to suffer in the 1880s, with many ranchers never fully recovering from the abruptness of President Cleveland’s order.  

As if the state of grass leasing could not reach a new low, by the winter of 1885, Mother Nature came around to prove otherwise. This time, she brought friend Jack Frost to do the damage. Just when Cheyenne-Arapaho ranchers had settled in to their new lands and accepted a huge financial loss for their families, one of the worst blizzards in history came to the land of Lady Liberty. Some areas went to thirty-one degrees below zero while others took the brunt of snow drifting down from south from Montana and east from the Colorado Rockies. By January of 1886, snow and wind became so violent, coupled with temperatures like “21-degrees below zero” in mid-morning that trains were literally stopped in their tracks. It would take emergency trains at least twenty-four hours to dig out of the icy mess they had found themselves in at numerous times during this harsh winter. To the Southeast of the Osage reservation, a distressing tale unfolded where nine people and four horses were frozen to death after getting lost in the snowdrifts around them. They were only twenty miles from their destination. Even the calm climate of south Florida reported millions upon millions of fresh fruit frozen and inedible by daybreak.

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The typical pattern of this winter revolved around several days of a deep, penetrating snow following by an even longer period of sleet, freezing rain, and in severe cases, huge sheets of ice covering nearly the entire reservation. Combined with the established Outlet problem of lands being overstocked and overgrazed, the winter of 1885-1886 was unpredictably devastating. According to Les Warehime’s *History of Ranching the Osage*, the Osage nation did not suffer nearly as badly as other neighboring tribes, though cattle losses were no less appalling. Osage rancher, Ed Hewins, for instance, estimated that about 15,000 of his 75,000 heads of Osage cattle would make it through the winter. When the snow melted and the ice cracked away, only sixty-two were left standing. Other ranchers reported that they found numerous heads of cattle all huddled together in knee-deep snow when, suddenly, rain and sleet turned to massive sheets of ice so stiff that it literally locked the cattle in place as they froze to death like popsicles. Part of the problem of mortality was the ranchers’ foolish belief that the undergrowth of the bluestem grass (cured stems) would be enough to stabilize their stock until Spring—assuming that the undergrowth would not be covered with a thick sheet of ice. Though it was a cold, hard lesson to learn, cattlemen largely stopped this practice after the winter of 1885 and supplemented the stem-cured grass with feed enriched with a high protein content. The problem with the original practice related to a lack of nutrients and a lack of access to get to the food due to considerable sheets of ice frozen on top of the winter rations.  

The impact of the closing of the Cheyenne-Arapaho ranches and the severe 1885-1886 winter significantly impacted the prosperity of the Osage nation, regardless of its unprecedented success in the ranching business for years. According to the *Osage Red Book*—the Osage standard in important records and statistics for its tribe, from 1880 to 1885, the tribe was making a steady annual profit—found to be at least twenty-five to fifty percent of the previous year’s earnings—from $10.50 recorded in 1880 to $107.75 recorded in 1885. Published earnings for the 1885-year (released in 1886) reveal no increase in revenue, but rather a *sharp decrease* to less than sixty-three dollars per person—roughly *half* of expected earnings for the previous year. George Rainey’s *The Cherokee Strip* documents this immense hardship by commenting on how many ruined cattlemen and families in 1885 began picking up the bones of those animals scattered along the Outlet, dead and decaying from the horrid winter, and depositing them at the nearest railroad so that they could be sold as fertilizer in the East.  

207 In spite of these losses and hardships, through hard work and an increase in leasing, probably from their new Cheyenne-Arapaho immigrant ranchers, expected revenue for the 1886 shot up to a remarkable $157.85. In 1887 this number skyrocketed to an incredible $243.35, though credit for this sudden hike in revenue can, once again, be traced back to the federal government. 208 To complicate the lives of many Amerindians even more, in 1887 the Dawes Act sailed through Congress demanding Indian tribes break up their mutual land

207 “Osage Head-right History (Per Share)” *Osage Red Book* (Pawhuska, OK, 2006); Rainey, *The Cherokee Strip*, 174-175.

208 Ibid.
holdings and reorganize them into allotted, individual plots owned by singular members as private property. In short this policy radically changed the way in which most Indians passed on land to their families in a selfish attempt by Congress to compel them to acculturate into the American lifestyle. It also narrowed a tribe’s ability to freely lease land to ranchers, who were on a tight, annual schedule to produce profitable cattle and had no time to sort out new grazing issues with affected nations.

What negatively impacted other tribes’ ability to remain financially stable while respecting the Dawes Act revolved around two conditions. First, only 160 acres could be given to each Indian head of household which later would be divided up into continuously smaller plots of land for descendants to own . . . until land was sectioned into areas too small to be given to the next generation. Secondly, the act stated that any surplus land resulting from the new allotment process would be sold away—a clever idea given the numerous land speculators and homesteaders on the front door of the open territories in the Midwest. The key here between the Dawes Act of 1887 and the Osage’s spike in revenue by the end of that year is that there were only two groups of Amerindians in the Outlet area exempt from having to abide by the new allotment procedures—the Five Civilized Tribes (Choctaws, Chicasaws, Seminoles, Creeks, and Cherokees) and the Osages. Hence, ranchers who were either locked out of existing agreements with other tribes or simply did not wish to go through the hassle of new Dawes Act stipulations began ranching with those few nations exempt—only two of which settled on the prized bluestem grass in Oklahoma Territory.\(^{209}\) Compounded by the recent

influx of Cheyenne-Arapaho ranchers who were now recovering from the 1885-1886 winter, the upsurge in Osage revenue was almost an expected event.

Consequently, one of the major contributions of the Osage nation to the American economy correlates with the development of the American cattle industry. According to Osage expert and mixed-blood, Louis F. Burns, with the implementation of the Dawes Act, actual prairie lands available for leasing located off Osage or Cherokee territory were severely reduced due to the invasion of homesteaders and restrictions placed on other tribes. Thus, Osage and Cherokee lands “were about the only available grass between Texas and the packing plants at Kansas City and Chicago”²¹⁰ to plump up ranchers’ profits. In point of fact, if Texas ranchers wanted to venture northward past the Osages’ preferred prairie cuisine in Oklahoma, they would have no place making a home for themselves in Kansas since the Sunflower state enforced their strict quarantine laws against Texas livestock. In part because of their strategic

concludes, a major reason as to why the Dawes Act did not initially apply to the Five Civilized Tribes nor the Osages was “because of the fear of tribes there that allotment would ratify the railroad land grants” (116). A noteworthy observation of the Osages’ exclusion from the Dawes Act is that the event serves as a reminder of the bitter debate between Indians and the government over their control and removal, stemming from the presidency of Andrew Jackson in the 1830s. Whether they were foreign peoples, recognized citizens, or wards of the government, it is clear that Congress’s determination to obtain complete control over Native Americans would be achieved by any means necessary, however long it took. Miner also points out that in 1893, some six years after the Osages and Five Civilized Tribes’ original exclusion from the Dawes Act, came the Dawes Commission developed by Congress “to negotiate with [the said tribes] to accomplish allotment. . . . [since] allotment was terribly central to the plans of the U.S. for the Indian Territory” (116). After all, the breaking up of communal lands inherently created social, political, and cultural rifts among tribal members—where disunity and commotion only encouraged the government and its economically significant businesses, like cattle slaughtering and railroad building, to thrive and expand.

²¹⁰Burns, A History of the Osage People, 384; “Railroads for Kansas,” Weekly Kansas Chief (Troy, KS) 14 February 1886; By 1891, grass leasing on the Outlet had become so profitable that the federal government felt it necessary to make a separate section of an updated version of the Dawes Act to address this popular business venture since many of those Indians practicing it, like the Osages, were exempt from Dawes Act provisions. Section 3 reads, “Where lands are occupied by Indians who have bought and paid for the same, which lands are not needed for farming or agricultural purposes, and which are not desired for individual allotments, the same may be leased by authority of the Council speaking for such Indians for a period not to exceed five years for grazing.” U.S. Department of the Interior, Bureau of Indian Affairs, Report of the Commissioner of Indian Affairs for the Year 1892, (Washington, D.C.: G.P.O.: 1892), 71.
location in the Midwest and their favorable feeding grounds, the Osage Territory was destined to expand the American cattle industry, substantially.

Kansas City Stockyard. “Kansas City was the Point where Kansas Pacific railroad unloaded cattle from the west for feeding and watering before shipment to Chicago. Local citizens lost no time in building a stockyard to handle the business. Buyers on the fenced-in photograph above are inspecting a pen of varicolored rangy Longhorns.” Dee Brown and Martin F. Schmitt, Trail Driving Days (New York: Charles Scribner’s Sons, 1952).

Likewise, while most Amerindians were sorting out the impact of the Dawes Act on their leasing businesses, the Osages also managed to tap into very important advances in American transportation systems. It was during this time of Osage grass leasing that the
American railroad industry was booming and building at an exponential pace. The Santa Fe, Midland Valley, Missouri, Kansas, Katy (from Texas) and even Frisco rail lines all served Osage cattle ranchers from afar—perhaps touching Oklahoma Territory in order to dip into the rising meat market in Osage lands. Like a domino effect, railways were drawn up to drive cattle through Texas, Oklahoma, and Kansas in order to feed the citizens of America and increase the population of the West since the voyage, via the railroad, was now easier, faster, and more affordable to settlers.

Arguably, without Osage grass leases, Oklahoma’s modern economy may not have reached its admirable level since fewer homesteaders and businesses would have been able to settle there due to a lack of available transportation. In order to accommodate the relatively large size of the Osage reservation, and therefore its widespread ranches, major rail lines began to stop off at the northern and southern borders of the reservation. The northern, Kansas border, as mentioned previously, permitted cattle shipment via the Santa Fe line in Elgin, and sometimes Hewins, Kansas (named after the prominent Osage rancher). For ranches located in the southern portion of the reservation, Tulsa, Oklahoma, served as the drop-off point for the Pacific and Atlantic lines to transport cattle. Realizing the profitable nature of grass-leasing on the Outlet, the Pacific and Atlantic rail lines finished their first productions to Tulsa by August of 1882—a full two years before the Osages even created the OLSA. Though railroads going


212 Warehime, *History of Ranching the Osage*, 30; Cattle buyer for Chicago packing houses, Joseph McCoy, realized the importance of railroad assistance for Texas ranchers in Oklahoma long before the success of the Cherokee was known nationally. In 1867 he convinced the Kansas Pacific railroad to build a switchline in Abilene, Kansas, though the line refused to help McCoy fund a cow town or even shipping pens for that matter. Nevertheless, McCoy soon went to talk with the Chisholm family and direct ranchers up to Abilene for national distribution. By the time McCoy completed such talks, Chisholm Trail had only been open for one complete year.
directly into Osage land were eventually built, the steady flow of people and goods stemming from rail traffic dramatically boosted Tulsa’s status as a developing, prosperous town to reside in and boosted Oklahoma’s revenue and population during those pivotal years when it was slowly preparing to apply for statehood.

With respect to the growth of railroads, the expansion of the cattle industry, and their own necessity to overcome poverty, the development of Osage grass leasing of the 1880s was a necessary business venture for the Osage nation in hopes of preventing their economic demise. Their success as businessmen was remarkable by Amerindian standards and became even more extraordinary at the peak of their annual leasing revenue when, in 1896, they discovered what was making the water on their land taste so bitter . . . oil.\textsuperscript{213}

\textsuperscript{213} Burns, \textit{A History of the Osage People}, 417-418; It was the brilliant success of grass leasing coupled with the discovery of oil which made the Osages the richest Native Americans alive and some of the richest individuals in the entire United States of America. Ponca City Chapter of the Daughters of the American Revolution, 343.

With time Abilene did develop into a known cattle depot for western transportation of livestock. By 1871, Abilene’s feat as a prosperous cow town was still said to be weak at best. In spring of that year the Santa Fe line took over cattle shipping to Kansas City and opened a port in Newton, Kansas, since Newton was some sixty-five miles closer to Texas than Abilene. Likewise, as Newton’s prosperity declined Ellsworth, Kansas became yet another cow town with a focus not on the Santa Fe line but that of the Kansas Pacific again. Brown and Schmitt, 22-24, 80; Henry B. Jameson, \textit{Miracle of Chisholm Trail} (Stockton, CA: Tri-State Chisholm Trail Centennial Commission, 1967), 6-10.
CHAPTER 5
DISCUSSION AND CONCLUSION

As was shown, the Nineteenth Century was the most harrowing, dramatic, and complex hundred years in the economic history of the Osage Indians. When Lewis and Clark first met the Osages in 1804, the tribe’s financial status was of the highest echelon when compared to other natives in the Plains region. The Osage’s large size and physical prowess enabled them to outwit and outhunt competing members of other tribes for resources in the region such as buffalo, deer, elk, and beaver hides and nuts and berries. This natural superiority quickly caught the eyes of traveling European traders who aided the Osages in obtaining and trading weapons within the Louisiana Territory, arguably facilitating the weapons exchange from Canada to Mexico. Many of these arms are said to have gone to other tribes, only promoting America’s policy of Indian removal since intertribal warfare was that much more deadly. For the Osage, the acquisition of arms made their status among other Amerindians that much more untouchable.

Once Osage-American contact transpired following Jefferson’s purchase of Louisiana, a drastic reduction in the territory of Osage land was observed due to Jefferson’s need to meet the deadlines demanded in the Georgia Compact of 1802, which stipulated that Georgian Indians must be removed to another location immediately. Under Jefferson’s Treaty of 1808, that location was Osage land. More importantly, Jefferson’s initial reaction to the Osages was that “They are the most gigantic men we have ever seen,” indicating his fear that an entire nation

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of these people could overtake the young United States if they so chose. As he continued “we must stand well, because in their quarter we are miserably weak.”215 Thus, the most expeditious manner by which to remove the Osage threat was to reduce the land they could roam so that the United States government could keep track of their force easier. Simultaneously, the decrease of territory significantly decreased the Osage’s desirability to fur and weapons traders, not to mention the fact that simply hunting and trading in a smaller area posed a greater challenge to the endurance of Osage commerce. Internally, the lack of hunting grounds depleted the variety found in the Osage diet, thereby leaving their bodies unable to fend off future plagues.

Unlike most American-Amerindian treaties, those federal-Osage negotiations transpiring in 1808, 1818, 1825 and 1839 sought to take territory from the Osage Indians and redistribute it not to white settlers, but to a myriad of unwanted eastern Indian tribes. Hence, Osage lands became both Jefferson and Jackson’s repository for Native Americans with respect to the Indian Removal plan of the Nineteenth Century. This radical increase of Indians into former Osage territory during the Antebellum Period produced a number of problems for the tribe, all of which contributed to the decline of their economy. Several non-native tribes, including the Kickapoos, Delawares, and Cherokees engaged in intertribal warfare with the Osages to the point where Louisiana Territorial Governor Lewis attempted to release the Osages from United States protection, hoping that this message would permit other tribes to either drive the Osages away from their homeland or kill them off. Though Gov. Lewis’s proposition was completely illegal, intertribal warfare did seriously deplete Osage resources. Osage villages were burned, most notably during the Osage-Cherokee Wars of the 1810s and

214 Jackson, ed., Letters of the Lewis and Clark Expedition with Related Documents, 1783-1854, 199 # 127.
215 Ibid., 200 # 127.
1820s, forcing the tribe to redirect their extra energy from profit-making tasks, like men hunting for extra hides and women preparing them for sale, to the reconstruction of their homes. Since the United States effectively removed the Osage’s closest European allies, the British, following the War of 1812, the tribe had no substantial support to drive out the massive influx of Indian tribes pouring into their lands, nor fend off American encroachment onto their territory, despite Gov. Lewis’s proclamation. This preliminary era of Osage-eastern Indian contact required the Osages to thwart their business in the Missouri Valley in order to maintain their livelihood as new competition and tribulations arose with this new communication.

The indirect consequence of Amerindian contact was an unimaginable surge in disease for the Osage nation between 1829 and 1870. Five to six plagues are known to have cycled through the tribe during this era, traced back to their close contact with incoming tribes and their unnaturally close contact with one another. Smallpox, influenza, black measles, and so on took the lives of thousands of Osages and subsequently removed much of the Osage workforce for decades. Of those men and women who could work or hunt, many had to divert their attention to caring for the sick, only stagnating any unexpected economic growth the Osages may have seen during this time. Even the community’s birthrate declined, perhaps due to a combination of stress, bodily systems too weakened from infections to perform properly, and the simple desertion of Osage member from the tribe in order to survive in a more stable, safe environment in another location. In turn, one less child meant one less pair of hands to pick the berries and prepare the leather for sale. Due to a combination of reduced land and hunting grounds, increased resource competition and intertribal warfare and disease of epidemic proportions, by 1837 federal reports were made that the Osage diet consisted of only acorns.
Gathering nuts required little energy, were quickly consumed, were calorie dense, and unlike most other property on the Plains, were abundant in the forests. It was this period, coupled with the Osage’s federally endorsed confinement on their land from 1850-1870, in which their economic decline had reached rock bottom. Tribesmen chose sides in the Civil War not because of their personal beliefs, but based on their own belief as to which choice gave them the best chance at a stable future with food, water, and shelter.

The Osage’s descent into financial agony came as the product of unavoidable contact with the United States—a western power whose sheer technology and international connections propelled them past any Osage war party, regardless of its size or inner strength. America’s weapons, quick-thinking leaders like Jefferson and Jackson, and fast-acting plans like the Georgia Compact of 1802, the Treaty of 1808, and the Indian Removal Act of 1830, overwhelmed the Osages. Due to their location in the western United States, by the time the costs of these federal proceedings were realized, the influx of eastern Indians were already arriving in Osage land and hunting their buffalo. The Osage’s early decision not to acculturate into the white man’s world and ‘civilize’ themselves with Jeffersonian agrarianism also left them uneducated as to the way in which American capitalism would be employed through their land—via removing unwanted Indians. Had the Osages learned of American economics prior to their problems in the 1800s, their own nineteenth century decline may have been avoided. The problem with this argument is that the tribe would have sacrificed their heritage to do so and inherently lost the battle to remain themselves anyway. The price of preserving their culture was the cost of the economic stability.
Thus, the typical Osage of the mid-1800s was most likely poverty-stricken and trying to remove himself from this bottom rung by exploring new hunting grounds in Kansas and employing the cultivation techniques taught by agrarian instructors sent by the federal government. Annuity money commonly was spent on the white man’s drink—whiskey, which, in many respects, became only another epidemic on the Osage reservation. Since most annuity money failed to be dispatched by the United States in the 1860s and 1870s to the Osages, despite their hunting and agricultural practices, poverty never left their doors. Serendipitously, white settlers hungered for the Osage’s Kansas lands in order to farm their rich soils en masse since the Osages, by nature, never took to the agrarian lifestyle. Now realizing their deprived state and understanding the interplay between their past mistakes in the treaty making process and how to become successful in the society of American capitalism, the Osages negotiated a federal treaty in 1865 and a ‘capitalistic agreement’ in 1868. This time the Osages demanded that the government actually buy their Kansas lands from them and put their money in the federally protected U.S. Treasury, with five percent interest, so that the Osages could then buy a piece of land nearby to reside upon indefinitely. This piece of land turned out to be in the Cherokee Outlet—part of the Osage’s original homeland. Also unforeseen was the expansive market for the Outlet’s vast prairies of Bluestem grass, which proved to be very desirable to Texas cattle ranchers.

The Osage’s act of buying their land in the Cherokee Outlet removed an enormous amount of federal input concerning the details of grass leasing and the particulars of checking up on the Osage Indians in general. This act granted the Osages a substantial amount of autonomy over their Oklahoman land and their ability to maintain both their culture and their
economic status concurrently without government repercussions. This wisdom of the Osage’s seventy-year history with the federal government was also found in their relative quietness when setting up their grass leasing business to bounce back from decades of depravity.

In short, the Osages consistently watched the Cherokee nation, whose people were much more tied to Congress for land ownership than the Osages, petition and argue for acceptable business practices with ranchers in the Outlet. Cherokee Chief Dennis W. Bushyhead did much of this bidding for the tribe and was loathed by some members for having dual-loyalties for both Cherokee and congressional motives. As these kinks were worked out in the Cherokee leasing business, the Osages simply modeled their system after the neighboring tribes. In 1883, for instance, the Cherokee Strip Live Stock Association was established. The following year, in 1884, the Osages formed their Osage Live Stock Association as well. Just like before the Osages met the United States, as soon as relative autonomy was restored to the tribe, their ability to pull themselves out of poverty and into economic success rapidly is astounding. Despite the horrid winter of 1885 and neighboring Cheyenne-Arapaho intertribal warfare, the Osages were still able to increase their profit margin during the latter part of the Nineteenth Century consistently and without much federal support, if at all—keep in mind that the Osages argued in court for late annuity payments into the mid-late 1900s. To illustrate, in 1886, immediately following these terrible events, the Osage’s annual head right per share was calculated at a generous $157.85; the following year it soared to $243.35.216 There was no teacher sent out by the government to ‘civilize’ the Osages on the ways of American economics, nor was there a teacher sent out to guide them in the field of accounting.

216 “Osage Head-right History (Per Share)” Osage Red Book (Pawhuska, OK, 2006); Rainey, The Cherokee Strip, 174-175.
The successful economic return of the Osage nation was the product of reduced
government involvement in their affairs and their recovery from the effects of the American
Indian Removal policy, such as intertribal warfare, disease, and reduced territory. In sum, the
journey of the Osages through the 1800s was a scourge on many levels, given to them by those
hands that held the quill . . .
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