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Alice Cunningham Fletcher Papers- Winnebago allotment correspondence Box: 4A, 1887-89

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2 CLAIMS OF OMAHA INDIANS

upon other Indians or upon citizens of the United States; to conduct themselves at all times in a peaceable and orderly manner; to submit all difficulties between them and other Indians to the President, and to abide by his decision."

In view of this provision of the treaty, this Department is now informally advised that it is the opinion of the Senate Committee on Indian Affairs that the "decision" of the President is required authorizing the settlement of these claims from the funds of the Winnebago Indians before any legislative action can be taken looking to their payment from moneys belonging to said Winnebago Indians.

This matter has my approval, and I have caused an item of appropriation to be prepared in the sum of \$5,000 for the object herein set forth, which I respectfully request may be presented to the Congress for the favorable consideration of that body.

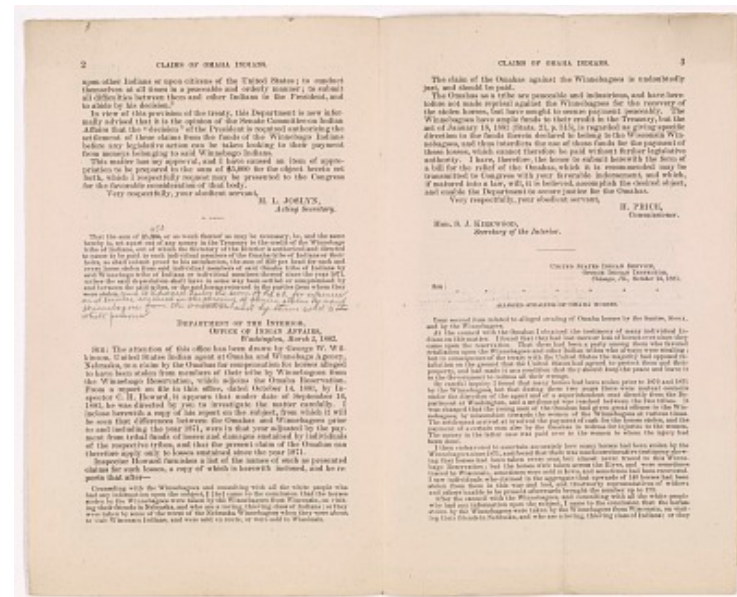
Very respectfully, your obedient servant,

M. L. JOSLYN,
Acting Secretary.

That the sum of \$5,~~000~~ ⁴⁵⁰, or so much thereof as may be necessary, be, and the same hereby is, set apart out of any money in the Treasury to the credit of the Winnebago tribe of Indians, out of which the Secretary of the Interior is authorized and directed to cause to be paid to such individual members of the Omaha tribe of Indians or their heirs, as shall submit proof to his satisfaction, the sum of \$30 per head for each and every horse stolen from said individual members of said Omaha tribe of Indians by said Winnebago tribe of Indians or individual members thereof since the year 1871, unless the said depredation shall have in some way been settled or compromised by and between the said tribes, or the said horses returned to the parties from whom they were stolen. [^][[and to Edward Farley the sum of \$260. for expenses and services rendered in the recovery of ponies stolen by sad Winnebagoes from the Omaha and by them sold to white persons]]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 2, 1882.

SIR: The attention of this office has been drawn by George W. Wilkinson, United States Indian agent at Omaha and Winnebago agency, Nebraska, to a claim by the Omahas for compensation for horses alleged to have been stolen from members of their tribe by Winnebagoes from the Winnebago Reservation, which adjoins the Omaha Reservation. From a report on file in this office, dated October 14, 1881, by Inspector C. H. Howard, it appears that under date of September 16, 1881, he was directed by you to investigate the matter carefully. I inclose herewith a copy of his report on the subject, from which it will be seen that differences between the Omahas and the Winnebagoes prior to and including the year 1871, were in that year adjusted by the payment from tribal funds of losses and damages sustained by individuals of the respective tribes, and that the present



claim of the Omahas can therefore apply only to losses sustained since the year 1871.

Inspector Howard furnishes a list of the names of such as presented claims for such losses, a copy of which is herewith inclosed, and he reports that after--

Counseling with the Winnebagoes and consulting with all the white people who had any information upon the subject, **I** **he** came to the conclusion that the horses stolen by the Winnebagoes were taken by the Winnebagoes from Wisconsin, on visiting their friends in Nebraska, and who are a roving, thieving class of Indians; or they were taken by some of the worst of the Nebraska Winnebagoes when they were about to visit Wisconsin Indians, and were sold en route, or were sold in Wisconsin.

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CLAIMS OF OMAHA INDIANS. 3

The claim of the Omahas against the Winnebagoes is undoubtedly just, and should be paid.

The Omahas as a tribe are peaceable and industrious, and have heretofore not made reprisal against the Winnebagoes for the recovery of the stolen horses, but have sought to secure payment peaceably. The Winnebagoes have ample funds to their credit in the Treasury, but the act of January 18, 1881 (Stats. 21, p. 315), is regarded as giving specific direction to the funds therein declared to belong to the Wisconsin Winnebagoes, and thus interdicts the use of these funds for the payment of these losses, which cannot therefore be paid without further legislative authority. I have, therefore, the honor to submit herewith the form of a bill for the relief of the Omahas, which it is recommended may be transmitted to Congress with your favorable indorsement, and which, if matured into a law, will, it is believed, accomplish the desired object, and enable the Department to secure justice for the Omahas.

Very respectfully, your obedient servant,

H. PRICE,
Commissioner.

Hon. S. J. KIRKWOOD,
Secretary of the Interior.

UNITED STATES INDIAN SERVICE,
OFFICE INDIAN INSPECTOR
Chicago, Ill., October 14, 1881.

SIR:
* * * * *

ALLEGED STEALING OF OMAHA HORSES.

Your second item related to alleged stealing of Omaha horses by the Santee, Sioux, and by the Winnebagoes.

At the council with the Omahas I obtained the testimony of many individual Indians on this matter. I found that they had lost more or less of horses ever since they came upon the reservation. That there had been a party among them who favored retaliation upon the Winnebagoes and other Indian tribes who always were stealing; but in consequence of the treaty with the United States had agreed to protect them and their property, and had made it as a condition that they should keep the peace and leave it to the Government to redress all their wrongs.

By careful inquiry I found that many horses had been stolen prior to 1870 and 1871 by the Winnebagoes, but that during these two years there were mutual councils under the direction of the agent and of a superintendent sent directly from the Department at Washington, and a settlement was reached between the two tribes. It was charged that the young men of the Omahas had given great offence to the Winnebagoes, by misconduct towards the women of the Winnebagoes at various times. The settlement arrived at involved the payment of cash for the horses stolen, and the payment of a certain sum also by the Omahas in redress for injuries to the women. The money in the latter case was paid over to the women to whom the injury had been done.

I then endeavored to ascertain accurately how many horses had been stolen by the Winnebagoes since 1871, and found that there was much corroborative testimony showing that horses had been taken every year, but almost never traced to this Winnebago Reservation; but the horses were taken across the River, and were sometimes traced to Wisconsin, sometimes were sold in Iowa, and sometimes had been recovered. I saw individuals who claimed in the aggregate that upwards of 140 horses had been stolen from them in this way and lost, and trustworthy representatives of widows and others' unable to be present afterwards brought the number up to 173.

After the council with the Winnebagoes, and consulting with all the white people who had any information upon the subject, I came to the conclusion that the horses stolen by the Winnebagoes were taken by the Winnebagoes from Wisconsin, on visiting their friends in Nebraska, and who are a roving, thieving class of Indians; or they

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