

based. The proceeds of sale of said land shall be carried to the credit of said Indians on the books of the Treasury, and shall bear interest at the rate of five per cent. per annum." (16 Stat., 362.)

On May 9th, 1872, Congress passed an act for the relief of settlers on Osage lands, with a proviso as follows:

"That the twelfth section of said act of July 15th, 1870, is hereby so amended that the *aggregate amount of the proceeds of sale*, received prior to the first day of March of each year, shall be the amount upon which the payment of interest shall be based." (17 Stat., 91.)

From this it will be observed that by article 1 of said treaty the Osages ceded to the United States a tract of land 30 by 50 miles on the east end of their reservation in Kansas, to be surveyed and sold, and "after reimbursing the United States the cost of said survey and sale, and the said sum of \$300,000 to be placed to the credit of said Indians, the remaining proceeds of sales shall be placed in the Treasury of the United States to the credit of the 'civilization fund,' to be used, under the direction of the Secretary of the Interior, for the education and civilization of Indian tribes residing within the limits of the United States."

The act of July 15th, 1870, above quoted, (which was passed subsequent to the treaty of 1865) says: *And the United States, in consideration of the relinquishment by said Indians of their lands in Kansas, shall pay annually interest on the amount of money received as proceeds of sale of said lands, at the rate of five per centum. And for this purpose an accurate account shall be kept by the Secretary of the Interior of the money received as proceeds of sale, and the aggregate amount received prior to the first day of November of each year, shall be the amount upon which the payment of interest shall be based. The proceeds of sale of said land shall be carried to the credit of said Indians on the books of the Treasury, and shall bear interest at the rate of five per cent. per annum.*