

Section 13 of the same act says :

"That the *public lands* in the Territory of Kansas to which the Indian title shall have been extinguished shall constitute a new land district. \* \* \* And the President is hereby authorized to cause the surveyed lands to be exposed for sale from time to time in the same manner and upon the same terms and conditions as the other public lands of the United States." (10 Stats., 310.)

By act of March 3, 1857, the land district created by the act above quoted was divided into three districts, and the "public lands"—*i. e.*, the lands to which the Indian title had been extinguished—were again directed to be sold as "other public lands." (11 Stats., 187.)

By a joint resolution of Congress approved April 10th, 1869, it was provided that the Osage ceded and trust lands in Kansas should be sold to *bona fide* settlers residing thereon, except the 16th and 36th sections, which were to be reserved for school purposes. "*in accordance with the act of admission.*" (16 Stats., 55.)

The act of May 9th, 1872, provides for the disposal of the Osage trust and diminished reserve lands to active settlers, except the 16th and 36th sections, *in accordance with the general principles of the pre-emption laws.* (17 Stats., 91.)

By act of June 23d, 1874, time was extended to settlers on the Osage trust and diminished reserve lands to complete their purchases, and all the remainder of the "*diminished reserve*" was made *subject to entry, &c.* (18 Stats., 272.)

This is the legislation by Congress relative to the Osage Indian lands in Kansas, which form the basis of almost the entire amount of the pending claim.

By the treaty of June 2d, 1825, (7 Stats., 240,) the Osage reservation was established and boundaries defined. As will be observed, it gave them simply the right of occupancy, leaving the fee-simple title in the United States.