

CULTURE CLASH: A CASE STUDY OF THREE
OSAGE NATIVE AMERICAN FAMILIES

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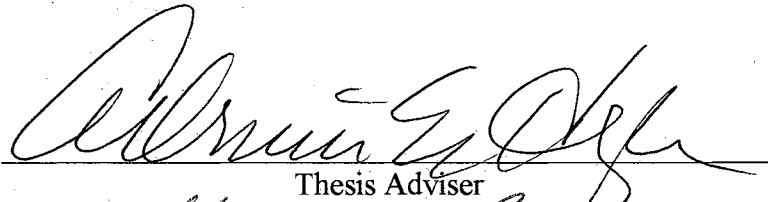
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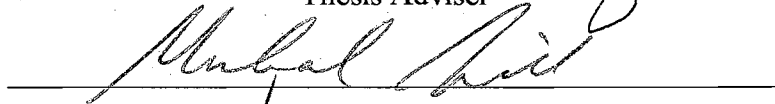
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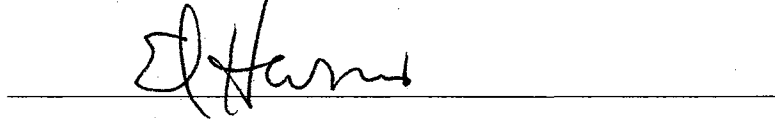
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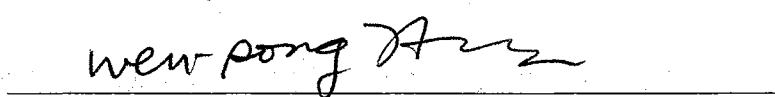
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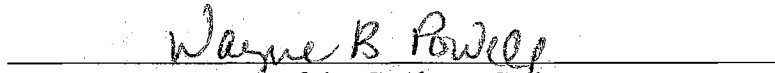
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The Osage

by Will Ferrell
Poet Laureate of the Oil Fields



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I can see, from my windows, a sky-line of gray,
To the North and the West - just a trifle away
And, below, where a river of chrome and of dun
Crawls lazily South in the slant of the sun,
There's a jumble of hills climbing up, like a stair
Or as Pilgrims, belated and kneeling in prayer
In a land that is voiceless and barren and cold
And a land that has lied in its promise of gold.

A joke, as it were, and a satire of Time
Was this junk-yard of black-jack and sandstone and lime.
A joke for the reason - that, back in the years
When the red man gave way to the van of his peers,
He was given this parcel to hold as his own
As the dog of tradition was given the bone
And, Lo of the legend; of song and of lore,
Accepted the haven - he wanted no more.

The whites hurried by in a feverish quest
For the mythical lures of a beckoning West
And the region was shunned in the greed of the hour
And the scramble for wealth and position and power
And the Osage, neglected, remote and forlorn
Was old long before Oklahoma was born.
Lo's vision of wealth, springing out of his soil,
Was idle, indeed, and it wasn't of OIL.

Then sharp, like a blast, o'er the ridges it came,
A sound indefinable - lacking a name.
The shriek of a siren, the clank of a chain;
The honk of a motor truck out on the plain
And, presently, up from a thicket of oak,
A derrick arose through a feather of smoke.
Then Manitou struck through the stratas of stone
And "Lo, the poor Indian," comes to his own.

Instead of the "calico" pony of old;
The flapping red blanket to shield from the cold;
A motor roars out from a cleft in the hills,
A squaw at the wheel - in her flounces and frills.
Instead of the flicker of campfires a gleam
On pinnacled ridge or the banks of a stream,
There blazes an arc on the curtain of night
And derricks stand forth in an aura of light.

The Osage - that once was a land of despair;
A waste-land of cactus and creeper and tare;
A drear isolation, avoided by men;
A place rarely mentioned by tongue or the pen,
Today is a beacon to wealth and to toil -
To those who exploit and who labor in oil.
A joke, as it were, in the annals of old,
Now glaring with TRUTH - when the sequel is told.

Source: Fister, R. G., & Labadie, G. V. (1958). Golden Book of the Osages. Private publication by Osage Agency Superintendent, Fister and the Osage Tribal Council.

CHAPTER I

DESIGN OF THE STUDY

For thousands of years the Osage Indians owned, controlled, and lived in most of what is now Missouri, the northern halves of Oklahoma and Arkansas, and the southern half of Kansas. However, not long after the 1803 Louisiana Purchase, the United States (U.S.) government coerced the Osage to start what has been called a "Trail of Treaties" (McAuliffe, 1994, p. 38) that sequestered the Osage to a 12 million acre reservation in the southeastern part of Kansas. Over a 17 year period, the Osage sold 96.8 million acres of their forefather's land to the United States government for \$166,300; this amounts to one penny per six acres. "The United States paid less per acre for Osage land than the Dutch had paid two hundred years earlier for Manhattan Island" (McAuliffe, 1994, p. 39).

In 1870 the Osage made a fortuitous deal with the United States government by selling their Kansas reservation for \$1.25 per acre. The tribe made nearly \$9,000,000 which was deposited in the U.S. Treasury drawing 5 percent interest annually. By signing this Kansas removal treaty on September 10, 1870, the Osage became the wealthiest Indian tribe in the United States (McAuliffe, 1994).

What the Osage did with this money was atypical of any other North American Indian tribe. They purchased a new reservation in the northeastern section of Indian Territory, current day Oklahoma, which was their original land. They paid 74 cents an

acre for 1.47 million acres to a former hostile adversary, the Cherokee Tribe, who were coerced by the government into selling this land as a punishment for siding with the south during the Civil War (McAuliffe, 1994). The Osage Tribe has continued to live on this reservation for over 100 years.

In 1906, one year before Oklahoma's statehood, the Osage negotiated their own allotment act with the U.S. government. What was so very unique about the 1906 Osage Allotment Act was individual members were deeded more than 160-acre sections of land. Land in excess of the usual 160-acres deeded to individual tribal members was divided again amongst these same tribal members (McAuliffe, 1994). Each Osage member was granted an additional 496.5 acres for a total of 656.5 acres (Bailey, 1970), four times more than what other Indian tribal members were allotted under the 1887 Dawes Severalty Act (McAuliffe, 1994).

Another unique characteristic to the 1906 Osage Allotment Act was that individual ownership of land only applied to the surface; what was underneath the land, the minerals, were owned by the tribe as a whole. Therefore, if a non-Osage gained ownership of the land, the tribe still profited from what was underneath, the oil and gas (McAuliffe, 1994).

On July 1, 1907 the Osage Tribal roll was finalized. The roll consisted of 2,229 tribal members known as the original allottees. The individual members' age or Osage blood quantum was not an issue at the time the tribal roll was finalized. Whoever was alive and considered an Osage Indian, even infants, were among the 2,229 original allottees. Each member received an allotment called a headright. "Each headright was

worth 657 acres of land. . .one annuity share, or 1/2,229 of the total, of the tribe's yearly bonuses and royalties from the production of oil and natural gas beneath the reservation, regardless of who owned the land" (McAuliffe, 1994, p. 47). These headrights remained indefinitely and when the owner of a headright died it was passed on to her/his heir(s), even if they were non-Osage or white. If there were more than one heir, the headright was divided equally among them (McAuliffe, 1994).

Between the years of 1921 to 1925 individual headright shares were worth anywhere from \$8,600 to \$13,400 annually; these were dollars generated from the production of oil and gas. These shares were paid in quarterly installments. In 1925, the average quarterly share was worth \$3,350, the highest royalty payment for that era. This amount of money would have buying power in excess of a million dollars today (McAuliffe, 1994).

In the late seventeenth century the Osage population numbered 17,000. By 1815, it had been reduced to 12,000, and in their last years on the Kansas reservation it had dwindled to 3,000. Disease from white people and war with other Indians were the causes of this population decline (McAuliffe, 1994).

Today, there are 12,000 Osages. Of the original 2,229 headrights, 1,670 are held by Osage Indians, 142 are owned by non-Osage Indians, and 417 are owned by non-Indians (J. Vale, personal communication, April 30, 1996). The 1,670 headrights are held by approximately 6000 shareholders. An annual headright share in 1996 was approximately \$7,000 (M. J. P. Webb, personal communication, January 1, 1996).

Not only were the Osage wealthy, they were well-educated. Many Osage sent their children to private schools in the U.S., as well as abroad. In the early 1900's, Ida Soldani Anthony attended Georgetown University in Washington, D.C. and studied music in Paris indirectly under Cortot. George Labadie, attorney-at-law, attended the University of Michigan in Ann Arbor from 1911-1916. He was the captain of the university's baseball team in 1916. Thomas Rogers Leahy, attorney-at-law, graduated from the University of Oklahoma, Norman, in 1921 (Sanders, 1928).

Kate Conner, a talented musician, received her high school education at the well-known Conservatory of Music at St. Mary's Academy in Notre Dame, Indiana. Her daughter, Angela, appeared in one of Cadman's operas in New York at the Metropolitan Opera House. Another daughter, Sybil, first studied at the Notre Dame all girls' school in Philadelphia and then enrolled in 1922 at the School of Fine Arts at the University of Kansas. Both Angela and Sybil studied music in Italy as well (McAuliffe, 1994).

During the 1920's, another Osage, Charles Curtis, was the first Native American vice president of the United States. He served under Herbert Hoover's administration. He was also the first Native American elected to the Senate and House of Representatives. John Joseph Mathews, educated at Oxford, wrote Wah'Kon-Tah: The Osage and the White Man's Road (1932), "the first university-published book to be sold by the Book-of-the-Month Club" (McAuliffe, 1994, p. 39). Esther Quinton Cheshewalla, another Osage, was one of the first Native American women to join the United States Marine Corps during the second World War (Wilson, 1988). Tinker Air Force Base in Midwest City,

Oklahoma is named after the first Native American general, Clarence Tinker of the Army Air Corps, an Osage, who was shot down and killed during World War II. Two sisters from Fairfax, Oklahoma, Maria and Marjorie Tallchief, were world famous ballerinas during the 1950's and 1960's (McAuliffe, 1994).

Educational opportunities still exist for Osage Tribal members. Last year, the Osage Nation Higher Education Program reported the receipt of 129 applications for grant money; 39 Osage Indians were actually funded for the 1995-96 academic year. For the 1996-97 academic year, 108 Higher Education Grant applications were received; however, 51 applications were either incomplete or did not meet the deadline (Osage Nation Bureau of Indian Affairs Higher Education Program, 1996, p. 1).

Statement of the Problem

Historically, the Osage have been known for their education, wealth, and prominence as leaders among the American tribal nations. However, today, despite quarterly royalty payments from long ago negotiated oil and gas production agreements, and education scholarship and grant monies, the Osage have lost their position of prominence among the tribal nations.

Becher and Kogan (1992) would posit that this has happened because of changes in their social system for one of two reasons: The social system changed in response to disequilibrium between internal values and expected behaviors within the tribal system or, external pressures resulted in "obviously, more drastic and radical forms of change" (p. 16).

Purpose of the Study

The purpose of this study was to explore the loss of prominence of the Osage through the lens of Becher and Kogan (1992). Specifically, this study:

1. Examined the experiences of the Osage from the 1870's through the 1920's and the perceived impact this era has had;
2. Described the internal disequilibrium and external pressures evidenced; and,
3. Assessed the usefulness of Becher and Kogan's (1992) model for exploring these realities.

Theoretical Framework

From a review of the United Kingdom's higher education system changes during the 1980's, Becher and Kogan (1992) created a model that explained the present day functions and interconnectedness of the system (Figure 1, Appendix A). Their two-dimensional model consists of two modes and four levels. The normative mode is defined as the way in which values are monitored and maintained and what it is that people in the organization feel is important. This mode deals with the "collective and individual values, aspirations and loyalties" (Becher & Kogan, 1992, p. 8) the people within the system possess and believe to be of great importance. The operational mode, on the other hand, refers to those tasks an individual is compelled to do regardless of agreement between the task requirement and the individual's values. This mode deals with what tasks people do or are required to do by the organization itself. Even though the two modes interact, Becher and Kogan (1992) compare them to Argyris and Schon's (1974) "espoused

theories and theories in action" (p. 8), the division between belief and practice, or value and fact.

Each of the modes possess an internal and an external feature. Internal norms and operations are those which are essential to the establishment and purpose of the system; external norms and operations are those that encroach the system from the outside. Many times the external forces can dictate the tasks carried out internally whether or not an individual values that particular task. The terms external "pressures" and external "tasks" will be used interchangeably when discussing external "operations."

The boxes in Figure 1 are numbered parenthetically. In their original model, Becher and Kogan (1992) numbered the boxes from left to right beginning with the individual level as number one, the basic unit as number two, and so on. For the purposes of this study, the boxes are also numbered parenthetically; however, number one will begin with the central authority level and will flow vertically. All figures will be explained in this order. Horizontal relationships between levels will be explained at the appropriate location. Also, it must be noted the quotes from Becher and Kogan (1992) contain words with British spelling.

The four levels in the higher education model are the central authority, the institution, the basic unit, and the individual. The central authority is the level of governance that makes decisions affecting the institution such as the allocation of resources, regulating academic standards and practices, and the planning required for the institution to run properly. From a higher education standpoint, the level of central authority refers to the governing body which oversees the universities and colleges. An example of this in the United States would be the Regents for Higher Education. The

institution would be the university itself as defined by law. The basic units are the various academic departments within the college or university. And finally, the individuals consist of the faculty, students, administrators, and other workers. Becher and Kogan (1992) focus their work on the university or college teachers because they deal directly with academics. Each of the four levels in the system are depicted as having an internal and external normative mode and an internal and external operational mode, thus comprising a 16-cell matrix.

Becher and Kogan's (1992) framework assumes that individuals in higher education institutions value certain standards and act accordingly. They stress the importance of equilibrium between the internal normative and operational modes or those values and tasks which are essential to the social system itself. The internal norms and operations are those functions that people value and carry out on a day-to-day basis. Accordingly, it is imperative that what the people in the organization or social system feel is important and what they are actually required to do coincide to maintain equilibrium so that normal functioning can take place. Becher and Kogan believe the internal normative and operational modes are the key elements in maintaining order within a social system. It is when these two aspects are in disarray that changes either in values or operations will occur so that balance or equilibrium can take place once again. When a balance between the two is re-initiated the system will once again return to a state of equilibrium.

External norms and operations also affect a social system. Becher and Kogan (1992) stated, "herein lies one of the major sources of innovation within the system, although, obviously, more drastic and radical forms of change, perhaps derived from

external pressures, also occur" (p. 16). Pressures from the outside can influence what individuals in a social system value.

In principle, one would expect the normative level to exercise dominance over the operational, in that value preferences tend to be represented through actions, rather than actions defining value preferences. However, given that external factors also affect the normative-operational relationships, there are many instances in which internal operations arguably condition internal norms. (Becher & Kogan, 1992, p. 16)

Beginning with the central authority, a description of the vertical relationships between the normative (internal and external) mode and operational (internal and external) mode follow.

Central Authority

Much as academic institutions monitor - and to some extent guide - their basic units, the central authorities have the internal normative task of overseeing the standards of the institutions and, in periods when academic values are not stable and assured, of attempting to change the system itself to match external normative expectations. The external pressures to which the central authorities are subject tend to be predominantly economic, insofar as higher education makes substantial demands on public funds: but there are also political pressures and general social expectations of quality and relevance which they are called upon to meet. (Becher & Kogan, 1992, p. 13)

The central authority operational mode is described by Becher and Kogan (1992) as having

responsibilities internal to the system in accounting for the public funds made available for higher education and optimising the use of existing resources by allocating them between their constituent institutions. They are also in certain instances charged with authorising proposals for new developments of laying down specifications for new courses. (pp. 14-15)

Institution Level

Becher and Kogan (1992) define the internal normative feature at the institution level as an establishment which meets

the requirements of the central authority, in setting and monitoring rules of procedure and in the maintenance of 'due process'. They seek to ensure that proper behaviour is observed by their constituent basic units in relation to academic appointments, the use of funds, the selection of students, the protocols of assessment and the like, and that the activities of such units conform to the shared interests of the collective to which they belong. However. . . partly as a result of pressure from the central authorities, institutions are increasingly likely to develop their own portfolios of values, related to such policies as the enterprise culture or management of efficiency, and to lay down their own criteria of excellence. (p. 12)

Of institutional external norms, they note that "institutions are expected - as are individuals and basic units - to take cognisance of the current social, economic and cultural values" (p. 12).

Operationally, the institutional level internally has a concern for the maintenance and development of its constituent elements and its range of established activities, mainly through the differential allocation of money and personnel between basic units. It has a key role to play in forward planning, insofar as a changing environment will allow any meaningful planning to take place. The institution is further called upon to implement policy decisions at the central level in return for the resources required for development. (Becher & Kogan, 1992, p. 14)

The institutional level also has external operational pressures which

may be local or national in form: they might include proposals for industrial research contracts, demands that the institutions concerned should play a more active role in solving current social problems, or expectations that they will promote or contribute to aspects of cultural development. (Becher & Kogan, 1992, p. 14)

Basic Unit

Becher and Kogan's (1992) normative mode for the basic unit is defined as having the

internal requirement of maintaining, and indeed promoting, its own distinctive disciplinary or subject values. To this end, it must fall in with the demands of its parent institution and accommodate these with its own particular sectional interests, as defined by the peer group immediately concerned. As in the case of the individual, its external norms are twofold, deriving in part from those of its wider professional community and in part from those of contemporary society at large. The societal norms are important in sustaining and underwriting the values of the basic unit, as against questioning their acceptability. The professional norms are important in comprising the collective credit system through which members of the immediate peer group, in concert with the network of comparable groups in the wider national and international community, obtain rewards, advancement and recognition. (p. 12)

The internal and external operational mode for the basic unit is defined by Becher and Kogan (1992) as follows:

The key internal function of the basic unit is to define the nature and content of the unit's everyday practice, and especially that relating to teaching and caring for students. It is thus concerned primarily with issues of the curriculum, teaching and learning, but also with the collective research profile of its members of staff. It has to specify the working programme in sufficient detail to make it capable of implementation, and to translate the results in terms of individual tasks. The basic unit is in its turn subject to external operational pressures in terms of the requirements of its potential clients outside the higher education system: pressures which may take a variety of forms - economic, social and cultural - according to the context in question. (p. 14)

Individual Level

The main internal characteristics at the individual level in the normative mode comprise meeting the expectations of the role in two ways. The teacher or researcher seeks to fulfil personal wants and realise personal expectations, linked with a general concern to maximise job satisfaction. In so doing, however, he or she will meet such role expectations as conducting original and non-trivial research, engaging in a disinterested pursuit of the truth, or teaching with an

altruistic regard for students' development. However, there are also two distinguishable sets of external characteristics. . . . Most individuals derive some sense of support from the main professional reference group to which they belong, and reciprocate by subscribing to the group's norms. This reference group is represented. . . as being external to the system itself, because it is cosmopolitan in its composition. In applied fields, it may embrace professional practitioners as well as academics; in pure fields it will commonly have an international constituency. (p. 11)

Of the operational mode, Becher and Kogan (1992) note:

At the individual level, the main internal operational demands lie in the performance of the traditional academic tasks of teaching and research and scholarship: but individuals may also have calls on their services in both institutional and extra-institutional contexts, as when they act as members of internal committees or are concerned in placing their knowledge and expertise at the disposal of the outside community. The external operational pressures which affect the activities of individual academics derive from the social, economic and cultural requirements imposed on the overall pattern of work. (pp. 13-14)

Equilibrium

Becher and Kogan (1992) emphasize the importance of harmony between the internal norms and internal operations within the system.

Links between the internal normative and the internal operational modes should be taken to represent a state of dynamic equilibrium. When norms and operations become, for whatever reason, significantly out of phase, this will usually give rise to changes in belief or practice designed to restore normal functioning. Once the necessary degree of congruence has been re-established, the system reverts to equilibrium once more. (p. 130)

Equilibrium assumes that stable activity in a social system "requires a reasonable continuity of values, an organic accretion of knowledge, and patterns of power and authority which allow both" (p. 130).

Changes experienced by a social system may also derive from external sources.

External norms and pressures can alter internal norms and internal operations. Becher and

Kogan (1992) posit that when internal norms and operations are out of balance, some form of change will occur; in which ideally, the system will move forward to a state of equilibrium. However, if the change that occurs, whether in belief or practice, does not return the system back to a state of equilibrium, the system will then remain in a static state of disequilibrium.

Types of Change

Both minor and major forms of change are explained in this model. Minor or organic changes are those that have "little or no impact on the prevailing value configuration or the overall operating pattern" (Becher & Kogan, 1992, p. 133). Major or radical changes are those "demanding a noticeable shift in existing normative assumptions or established practice or both" (Becher & Kogan, 1992, p. 133). However, Becher and Kogan state,

there are also - though more rarely - quite dramatic reconfigurations in the current map of knowledge arising from what Kuhn (1962) labelled as major paradigm shifts. What is perhaps the majority of far-reaching changes come, however, from sources outside the pursuit of knowledge as such: many of them are occasioned by pressures from the outer framework [external norms and pressures] rather than the inner core [internal norms and operations]. . . . It is such large-scale innovations - those which have the effect of calling into question, and demanding changes in, the prevailing values and activities. . . which are most liable to arouse controversy and to give rise to defensive reactions. But in due time, the changes enforced from outside are either absorbed or rejected by the academics concerned, who then move again to a period of relative stability, a normative steady state, but with a changed framework and mandate. (pp. 134-135)

Planned and unplanned (inexorable) change are explained as well. Unplanned inexorable change is "that type of adjustment which the system, or its institutions or basic units or individuals, find themselves forced to make in their pattern of everyday activity as

a result of external forces which are largely or entirely beyond their control" (Becher & Kogan, 1992, p. 137). Those involved in this type of change will make the necessary changes, for mere survival, if for nothing else.

However, planned change based on force will certainly cause a great deal of dissension and struggle within an institution. Becher and Kogan (1992) stated these changes

typically stem from a higher level within the system itself, commonly in response to environmental pressures. . . . The central authorities have become increasingly prone to the introduction of coercive reforms along these lines. . . . Coercive changes, particularly when they conflict with strongly held internal norms, are inherently unstable. They are implemented, if at all, under a sense of duress, with its attendant overtones of resentment, rejection and, in some cases moral outrage. Operational compliance may consist in no more than 'going through the motions', if not of deliberate subversion. Unless there is an eventual acceptance in the normative mode that the change is in some genuine sense justifiable, the operational procedures which embody the prescription are likely in the longer term to be regarded as of no real significance and to be bypassed or tacitly ignored. (pp. 137-138)

Responses to Change

Becher and Kogan (1992) also describe responses to change. These may result in hostile reactions especially if the pressure to change is coming from a top-down position.

The degree of resistance to change depends largely on the way the change is initiated.

The precondition for any change process is that - as a result of one or other form of 'driving force' - an existing system should begin to show 'cracks'. Impulses from the environment then flow into these cracks, causing the system to 'unfreeze', and hence creating a potential for movement. (Becher & Kogan, 1992, pp. 136-137)

Becher and Kogan (1992) found if people in organizational settings have change forced upon them without the opportunity to absorb it and relate it to their own

experiences, they will not accept the change and react in a way to deflect it from their daily activities.

Becher and Kogan (1992) believe, "the most effective - because ultimately the most stable - changes depend on an alignment between normative and operational modes, the one having interacted with the other to achieve a state of equilibrium" (p. 140). They also stated, "that significant normative change depends on a process of adjustment... in which the new norms... can be seen to have some continuity with, or bear some discernable relationship to, existing ones" (p. 140).

Procedures

The goal of this research was to describe the internal disequilibrium and external pressures experienced by the Osage Tribe. Given the speculation that Becher and Kogan's (1992) model would explain the tribal changes over time, the explanatory case study methodology was particularly useful (Yin, 1994).

The single-case embedded design with multiple units of analysis was chosen for three important reasons. According to Yin (1994) a single-case design is appropriate when the case "represents the critical case in testing a well-formulated theory. . . .A single case is one in which the case represents an extreme or unique case. . . .A single case study is the revelatory case" (pp. 38-40). When a case study consists of more than one unit of analysis within a single case, Yin (1994) refers to this as embedded multiple units of analysis. The units in this study consisted of the government, the Osage Tribe, the families within the tribe, as well as individual tribal members.

Researcher

I am one-fourth Osage Indian and was born and raised in Fairfax, Oklahoma, Osage County. Mary Jo Peace Webb is my mother. She is one-half Osage. My great grandfather, Paul Peace, and great grandmother, Clara Tallchief Peace Nash, were both full-blood Osage. When the 1906 Osage Allotment Act was established they were placed on the Osage rolls as original allottees. My grandfather, David Peace, was also full-blood Osage.

As an educator and member of a tribe with a rich history, it is my responsibility to research the experiences of my ancestors so members of my family and extended family can understand the past and look to a better future.

Research Criteria

Careful attention must be given to the overall design of the study to ensure quality at every phase of the research process. Yin (1994) discussed four tests that are commonly used to judge this quality: construct validity, internal validity, external validity, and reliability.

Construct validity, or confirmability, deals with designing the proper measures for what is studied. Critics argue that case study researchers often do not instill sufficient measures into their design to enhance objectivity (Yin, 1994). From a naturalistic perspective, Erlandson, Harris, Skipper, and Allen (1993) define confirmability as a measure to authenticate the findings, "the product of the focus of its inquiry and not of the biases of the researcher" (p. 34) by the provision of data can be traced to its original

source. They state that objectivity is not realistic and that no method or design can be completely separated from the investigator who developed it.

Internal validity, or credibility, deals with the problem of determining causal relationships and making inferences about situations that are not directly observable (Yin, 1994). Erlandson et al. (1993) define it as ensuring that the findings are true for those who have supplied the researcher with the necessary data. "Because these persons represent different constructed realities, a credible outcome is one that adequately represents both the areas in which these realities converge and the points on which they diverge" (Erlandson et al., 1993, p. 30).

External validity, or transferability, deals with generalizing the results of the study (Yin, 1994). Erlandson et al. (1993) maintain that "no true generalization is really possible" (p. 32). Traditional research methodology attempted to ensure the findings could be generalized to the larger population; however, qualitative researchers desire that the results be used by those people who can apply it to their individual settings.

Reliability, or dependability, is concerned with the replication of the results (Yin, 1993).

Thus, the quest is not for invariance but for "trackable variance" (Guba, 1981), variabilities that can be ascribed to particular scores (error, reality shifts, better insights, etc.). Consistency is conceived in terms of "dependability," a concept that embraces both the stability implied by "reliability" and the trackability required by explainable changes. (Erlandson et al., 1993, p. 34)

Overall "trustworthiness is established in a naturalistic inquiry by the use of techniques that provide truth value through credibility, applicability through transferability, consistency through dependability, and neutrality through confirmability" (Erlandson et al., 1993, p. 132). This study ensured trustworthiness through the use of triangulation,

referential adequacy materials, peer debriefing, member checks, thick descriptions, and dependability and confirmability audits (Erlandson et al., 1993).

The data was triangulated through the use of open-ended interviews, focused interviews, documents, and interviewing more than one source (Yin, 1994). The referential adequacy materials that provided "background meaning to support data analysis, interpretations, and audits" (Erlandson et al., 1993, p. 139) were tape recordings and newspaper clippings. Peer debriefing occurred at various times during the course of the study by allowing Dr. Adrienne Hyle and Mary Jo Peace Webb to analyze the materials, listen, explore, and address any issues and concerns.

Member checks occurred each time audio cassette tapes were transcribed. The typed transcript was given to the interviewees for verification. Each interviewee had the opportunity, either orally or in writing, to respond to the transcribed data. The data was then analyzed. Member checks also occurred informally as needed directly after an interview to verify the interpretation of the information revealed.

Thick descriptions were provided by taking notes when appropriate while interviewing respondents and recording everything possible about the surroundings and the body language of the interviewees including both verbal and nonverbal gestures. Sufficient records were also kept and organized during the course of the study to provide an accurate audit of the processes and products of the study which enhanced the dependability and confirmability of the findings.

Data Needs

Given the problem and purpose of this study, data about the Osage Tribe was needed so an account of what the tribe experienced from the 1870's through the 1920's and the perception of the impact this era had on present day situations could be revealed. From tribal families, viewpoints were needed to see how they perceived the norms and operations, both internally and externally, of the government, the tribe as a whole, the family, and individual tribal members, both today and the era prior to the turn of the century.

Data Sources

The sources used in this study were Federal Bureau of Investigation (FBI) documents, transcripts of Oklahoma State Supreme Court hearings, laws pertaining to the Osage Tribe (Barney, 1929), newspaper clippings, and Osage families that have resided in Osage County most of their lives.

Documents. FBI files were used as important documents that revealed what life was like for the Osages during the 1920's. The Oklahoma State Supreme Court hearings exposed the attempt made by a white woman to capitalize on her deceased Osage husband's estate and what Osage family members did to save their inheritance during this time frame. The laws (Barney, 1929) pertaining to the Osage described the amendments to the 1906 Osage Allotment Act and the impact these reforms had on the tribe. Newspaper clippings from the early 1900's provided a rich source of information in terms of how news was reported to the public.

Osage Families. Osage families were the focus of the interviews. These particular families have lived in Osage County, Oklahoma most of their lives and, therefore, have a full understanding of Osage history, culture, politics, and life. These families are direct descendants of Osages that experienced the traumatic years of Osage history, notably from the early 1870's to the mid 1920's.

Data Collection

Yin (1994) emphasized three principles of data collection when doing case studies. The first was to triangulate your evidence through the use of multiple sources of data. The author stressed the importance of triangulation because of the "converging lines of inquiry" (Yin, 1994, p. 92) that will occur as a result of multiple data sources. The second principle was to keep separate, in database form, the evidence gathered and the final report of the case study. Yin (1994) contended when the evidence was readily available to other researchers, separate from the evidence presented in the report, this practice enhanced the dependability issue of the case study.

The third principle was to "maintain a chain of evidence" (Yin, 1994, p. 98). The reader of a case study report should be able to trace the research process from beginning to end or end to beginning and be able to follow the steps of the evidence presented. Multiple sources of data were used in this study to achieve these principles.

The Interviews. Interviews are a vital source in gathering evidence for a case study. Yin (1994) believed, "well-informed respondents can provide important insights into a situation. They also can provide shortcuts to the prior history of the situation,

helping you to identify other relevant sources of evidence" (p. 85). McCracken (1988) also believed, "the long interview is one of the most powerful methods in the qualitative armory. . . . The long interview gives us the opportunity to step into the mind of another person, to see and experience the world as they do themselves" (p. 9). The main method of data collection employed was the open-ended interview. All interviews were recorded using a cassette tape recorder and transcribed by a transcriptionist.

Direct Observation. Direct observations of participant behavior were used as well (Yin, 1994). Body language and voice inflection were helpful data. The direct observation of environmental conditions documented current day living situations (Yin, 1994). All observations were written down following the interviews.

Documents. All FBI documents were obtained from Scholarly Resources, Inc. The Oklahoma State Supreme Court hearings transcripts were obtained from the federal archives in Fort Worth, Texas. The Osage laws (Barney, 1929) were obtained from the Osage Tribal Museum, Pawhuska, Oklahoma. The newspaper clippings were from The Osage Chief, the Fairfax, Oklahoma newspaper during the early 1920's.

Data Analysis

"The purpose of the qualitative interview is not to discover how many, and what kinds of, people share a certain characteristic. It is to gain access to the cultural categories and assumptions according to which one culture construes the world" (McCracken, 1988, p. 17). The analysis procedure was the fourth step in a four-stage process. Stage one involved an in-depth literature review in which cultural categories

emerged based on previous research. Stage two entailed a review of my own cultural categories and my experiences with the topic at hand. This "familiarization" and "defamiliarization" (McCracken, 1988, p. 33) process enabled me to be cognizant of my own personal experiences as well as what the literature did and did not reveal which allowed the subculture to describe their world as they saw it, not as I perceived it to be. Understanding my perception of the Osage Tribe allowed me to "'distance'" (McCracken, 1988, p. 33) myself from the categories and assumptions as they unfolded which diminished the chance of bias.

Stage three involved the actual interview process and the unleashing of the actual cultural categories as described by the respondents. Stage four was the analysis process which revealed the respondent's perceptions of the world in which they live. The "categories, relationships, and assumptions" (McCracken, 1988, p. 42) unfolded in this section.

Significance of the Study

This study tested the usefulness of Becher and Kogan's (1992) model in a different system. The findings of this study added to what is already known about the treatment of Native Americans in the United States, but also shed a different light in terms of the interrelationships and interconnectedness of the government, the tribe, tribal families, and individual tribal members.

This study added to the body of literature exploring change of underrepresented groups, specifically the Osage Tribe. The results may help push toward the resolution of this underrepresentation, not just its illumination. It is anticipated that Osage Tribal

members as well as other tribal nations will use this information to understand, cope, and accept the past. In this way, a healing process can begin which will enable these people to feel capable and worthy of higher education degrees and positions of leadership.

Summary

The purpose of this study was to explore the loss of prominence of the Osage through the lens of Becher and Kogan (1992). Explanatory case study procedures as outlined by Yin (1994), Erlandson et al. (1993), and McCracken (1988) were used to guide data collection and the analysis process.

Reporting

Chapter II reviews the related literature. Chapter III presents the interview data and documents. Chapter IV analyzes the data through Becher and Kogan's (1992) framework. Chapter V provides the summary, conclusions, recommendations and implications, and commentary.

CHAPTER II

REVIEW OF THE RELATED LITERATURE

This review of literature will be within certain boundaries. For the purpose of this study and the time frame of interest regarding Osage Tribal life (1870's - 1920's), I found very few chroniclers. However, the well-known authors used for the literature review include Bailey (1970, 1973); Bonnin, Fabens, and Sniffen (1924); Burns (1989); Chapman (1942, 1943); Finney (1972); McAuliffe (1994); White (1997); and Wilson (1985, 1988). The government documents used were Letters Received by the Office of Indian Affairs, Neosho Agency, Department of the Interior (1848-1871); The Report of the Commissioner of Indian Affairs, Washington, D.C., (1838, 1857, 1884, 1885, 1889, 1900); and Senate Documents, Washington, D.C., from the 21st and 23rd Congress, 1st and 2nd Sessions.

The accuracy of the primary source documentation can be assured through the chronicler's credibility. Bailey's (1973) work has been cited the most because of his extensive research on all aspects of the Osage Tribe, but particularly from the early 1800's through 1906.

Specifically, this chapter outlines the United States (U.S.) government's many attempts to civilize and Christianize the Osage Tribe. First, several treaties are discussed

along with the 1830 Indian Removal Bill. Missionary and Bureau of Indian Affairs (BIA) influence, farming, and increases in white settlement are also discussed. Then, the removal to Oklahoma and what followed are described. Early tribal politics and the constitutional government creating the Osage Nation are reported. The 1906 Osage Allotment Act and the effects the non-Osage and mixed-bloods had on the birth of this act are also reported. The wealth as a result of the discovery of oil on the Osage reservation and the guardianship law and guardians as a result of this wealth are also summarized. The amendments to the 1906 Osage Allotment Act are reported. The notoriety and murders experienced by Osage Tribal members are also discussed.

The United States Government: 1803-1865

The Osage Tribe has had many dealings with the U.S. government.

In the beginning of relationships between the two cultures, there was no question of whether Indian Nations were sovereign or not. They possessed full sovereignty. . . .As the power to enforce the Euro-American will over Indians grew, the sovereignty of Indian Nations was eroded. Finally, the point was reached where Indian sovereignty became more fiction than fact. Continuing the fiction of sovereignty made dealing with Indians a matter of dealing with a quasi-foreign power. Thus, treaties were necessary to legalize Indian policies. Following the Civil War, large corporate entities largely ran the United States by influencing the selection of Senators in Congress. Thus, the Indian treaties were heavily slanted to corporate interests. . . .We find that Indian policy was primarily made by corporate interests, settlers, intruders, reformers and government personnel. (Burns, 1989, pp. 275-276)

In 1803, for \$15 million, the government purchased land from the French, known as the Louisiana Purchase. This land encompassed the Osage terrain. The Louisiana Purchase marked the beginning of many tribal/government relations. Over a 17 year

period (1808 - 1825), the Osage sold millions of acres to the government for \$166,300, one penny per six acres of land (McAuliffe, 1994).

The Treaty of 1808

Eager to make more land available for white settlement in the eastern states and territories, American presidents from Thomas Jefferson to Andrew Jackson espoused a policy of removal. The lands of the Osages were among those that Jefferson promised as compensation for southeastern homelands ceded by the Five Civilized Tribes. (Wilson, 1985, p. 6)

In 1808 the Osage sold 50 million acres, almost all of current day Missouri and the northern half of Arkansas, to the government. Wilson (1985) reported, "In May 1808 Jefferson met with a delegation of Cherokee chiefs and offered them land in the Louisiana Territory where a few Cherokee families already lived. That the lands were claimed by the Osages was conveniently ignored" (pp. 6-7). The Osage gave up this land "in exchange for the federal government's promises of friendship, protection. . . and \$2,700 in trade goods" (Wilson, 1985, p. 7).

The Treaty of 1818

The 1.8 million acres purchased by the U.S. government as a result of the 1818 treaty was sold to the Cherokee Tribe, an enemy of the Osage. This land is where present day Oklahoma and Arkansas border each other along the Arkansas River (Wilson, 1985).

The Osages were incensed when the federal government almost immediately sold it to the Cherokees for \$2,000,000. No one had told the tribal leaders that the Osages were being eased out of their homeland to make room for the Cherokees, who were themselves being ousted from their homes in Georgia and North Carolina. (Wilson, 1985, p. 8)

The Treaty of 1825

In the 1825 treaty, the Osage relinquished 45 million acres in present day northern Oklahoma and the southern half of Kansas (Wilson, 1985). At this time, most of the Osage Tribe were moved to a 12 million acre reservation in the southeastern part of Kansas (McAuliffe, 1994). The remaining members eventually joined the rest of the tribe on their Kansas reservation (Bailey, 1973).

The 1830 Indian Removal Bill

In 1830 the U.S. Congress passed the Indian Removal Bill; all Indians still living east of the Mississippi were forced to move westward. Several of the eastern tribes included the Delaware, Illinois, Iowa, Kickapoo, Missouri, Ottawa, Peoria, Piankashaw, Potawatomi, Sac and Fox, Seneca, Shawnee, Wea, and Wyandot. Over a ten year period, over 60,000 Indians from the east were coerced to settle on the Osage hunting lands, what is now eastern Oklahoma and Kansas (Bailey, 1973).

The invasion of the eastern Indians affected the Osages livelihood, their dependence on wild game for food and furs for trade (Bailey, 1973). In 1831 it was found "the Buffalo have disappeared. . .and such is the growing scarcity of game, that even the aboriginal tribes of that region are annually thinned by famine" (Senate Document No. 71, p. 2). In 1832, it was reported the Osage pleaded with President Jackson by stating, "our hunting is destroyed. . .and [we] cannot procure a sufficient quantity [of food] for our own use" (Senate Document No. 512, III, pp. 354-356). A fur trader reported, "these Indians. . .are now overrunning the former hunting grounds of the Osage. . .in fact hunting

has become so laborious that the privations and dangers they suffer in pursuing the chase is not compensated for by the sale of their skins" (Senate Document No. 512, IX, pp. 256-257). Difficulties with the Osage and eastern tribes had existed for years prior to the 1830 Indian Removal Bill, but the Removal Bill resulted in further invasions of their hunting lands (Bailey, 1973). In 1808 the Cherokee Tribe moved west of the Mississippi, which was the beginning of major warfare between them and the Osage over hunting grounds. The last major attempt the Osage made at driving out eastern tribes was in the early 1830's. "An Osage war party moved against the Kiowa and destroyed a large Kiowa village at Cut-Throat Gap in the Wichita Mountains" (Bailey, 1973, p. 57). It was believed this assault was contrived so the Kiowa and Comanche Tribes would retaliate resulting in a major war that would discourage other eastern tribes from resettling (Bailey, 1973).

The Treaty of 1839

When the Osage Tribe signed the Treaty of 1825 which moved them to a 12 million acre tract of land in southeastern Kansas, there were many tribal members who refused to relocate. The remaining Osage camped "on the lower Neosho and Verdigris Rivers" (Bailey, 1973, p. 56), modern day northeastern Oklahoma. Therefore, in 1833, a government commission attempted to bargain another treaty with the remaining Osage which would remove them to the Kansas reservation with the rest of the tribe. Many tribal leaders would not sign a treaty or move to this reservation because of the many times the government had failed to follow through with the stipulations in other treaties (Bailey, 1973).

However, by 1837, the wild game of the Osage hunting territory had been depleted and many tribal members went to hunt for food in the southern parts of Missouri, as well as the Neosho River area. As a result, the government was afraid the Osage would steal or kill in order to survive; so, they sent cavalymen to force the Osage back to their reservation. The cavalry found the Osage Tribe very weak and hungry; acorns were their main source of food. The cavalry experienced no opposition from the Osage (Bailey, 1973).

By 1839 most of the eastern tribes had been moved west. The Osage population had dwindled to 5,500, while the eastern tribes that had settled in modern day eastern Oklahoma and Kansas totaled more than 73,000. In 1839 the Commissioner of Indian Affairs commented on the eastern tribes. He stated, they have "little fear of the wild Indians [the Osage]. The number of emigrants has been so great, and they are pushing their settlements to the west" (Report of the Commissioner of Indian Affairs, Washington D.C., 1838, p. 487).

With the invasion of their territory and wild game hunted by other tribes, the remaining Osage signed the 1839 treaty which moved them to the Kansas reservation with the rest of the tribe. "In addition to the annuities which they were receiving under the treaty of 1825, the entire tribe was to receive 1,000 calves and cows, 2,000 hogs, 1,000 ploughs, 1,000 axes, 1,000 hoes, and instructors in farming and animal husbandry" (Bailey, 1973, p. 59).

The Treaty of 1865

As soon as the more fertile farm land was taken, other white farmers started demanding that the Osage reservation be opened up for settlement. In 1861 Kansans pleaded for the abolishment of the Osage Indian reservation. Kansas politicians were faced with the dilemma of removing the Osage and the other remaining tribes so their voters would have land to farm; therefore, with the 1865 treaty, the Osage sold several acres of their reservation. Evidently, the Osage were destitute and desperate for money due to the expiration in 1859 of the funds paid to the Osage by the government. These funds were called annuity payments; and they were a result of the treaties the Osage had made with the government in ceding their lands. The land the Osage gave up in 1865 was to be held by the U.S. government until it could be appraised and sold to white farmers. The profits from the sale of this land were to be deposited in the U.S. Treasury and exercised as a resource in assisting with the civilization of the Osage. The Osage remained on the small strip of land they had not yet ceded to the government.

The Osage Tribe occupied the Kansas reservation from 1825 to 1871. During this time, "they came in contact not only with agents and missionaries who wanted to civilize and Christianize them, but also with whiskey traders, horse thieves, and squatters who were eager to degrade and defraud them" (Bailey, 1973, p. 66).

Summary

Burns (1989) described the early Indian's situation well when he stated:

There is little need to touch upon the ethics of the agreement by the European powers to recognize the discovering nation as sovereign over the area. The fact that Indians did not concede this right until Euro-Americans were capable of enforcing their claims, serves a single purpose. It clearly shows that Indian lands were taken by force instead of by purchase. The situation is much like the school yard bully who offers a smaller child five cents for a ten dollar agate marble. If the smaller child refuses to sell his agate for a nickel, he gets thrashed by the bully and the bully takes the marble anyway. (p. 274)

Missionaries and Farming: 1840-1868

Prior to 1840, Catholic and Protestant missionaries made efforts to convert the Osage to Christianity and attempted to persuade them to give up hunting and become farmers, however, the Osage were not interested. During the 1840's, the BIA and missionaries united in their first attempt to civilize the Osage and turn them into Christian farmers (Bailey, 1973).

[It was] a long and pain-filled effort by agencies of the Roman Catholic Church to bring Christianity and white civilization to the Native Americans. . . . The missionaries came at the request, even the insistence, of the Indians, yet they were received with a strange wariness that belied the Indians' eagerness to have them. The Osages wanted missionaries, but they did not want to be converted. Misunderstanding this, the church marshalled its resources--which in those days were extremely hard to come by--and spent them prodigally upon a largely unresponsive tribe. . . . They [missionaries] were burdened as well by the limitations of their own native cultures, which were chiefly European. They also found themselves in the awkward position of being in effect agents for the American government, and for the uncertain and continually shifting policies of that government. (White, 1997, p. 2)

Since the Osage were furnished farm animals, equipment, and instructors, the government was determined to civilize this tribe. The Osage Tribe resisted the government's attempts. However, a few Osage families did take up farming (Bailey, 1973).

The government believed the civilization attempts failed because of the lack of resident BIA agents to supervise and the lack of consistent agricultural instruction. The government agent resided at Fort Scott, at least a day away from any Osage campground. Therefore, in an effort to provide proper and consistent agricultural instruction the government subsidized mission schools on the Osage reservation. In the spring of 1847, an all boys manual labor and mission school was established by the Jesuits. The missionaries were responsible for providing instruction in academic courses, such as reading, writing, and arithmetic, as well as hands on skills, such as agriculture and carpentry. That same year a convent for girls was established by the Sisters of Loretto. The intervention of the missionaries proved to be somewhat more effective than the government agents. The mixed-bloods were more apt to become farmers; however, the full-bloods refused farming as well as Christianity (Bailey, 1973).

Not only did the Osage have to contend with the government civilizing and Christianizing them on a continual basis, they also had to struggle with the invasion of white settlers. Bailey (1973) reported it was during the 1840's time frame when the Osage and whites began to have increasingly more contact with each other. It was during this decade whiskey traders were prevalent on the reservation, marking the beginning of alcohol problems for the tribe. In May of 1842, the BIA agent reported the Osage had consumed more alcohol in the past 30 days than they had in the previous several years. The whiskey traders continued their business with the Indians oftentimes unmonitored by the government, and the alcohol problem continued for the tribe. Several livestock and valuables were sold to the whiskey traders in order to obtain alcohol (Bailey, 1973).

During the 1850's the white farmer became more of a problem for the Osage than the whiskey traders. White settlers had made their way to the eastern sections of Indian lands and eventually crossed over onto Indian reservations to set up farms. The white people eventually insisted the Indian reservations be moved elsewhere. Therefore, in 1854, 18,000,000 acres were given up to the government as a result of 12 different treaties and Kansas was opened up for settlement.

The Osage reservation was not affected by these treaties; however, white people settled on Osage territory anyway and farmed. In 1859 the Osage BIA agent had some of the white people removed but several stayed on the reservation anyway.

White people invaded Osage lands, killed the game they hunted, and stole their horses. A BIA agent reported there are a "great number of people passing through their [Osage] country, since the establishment of Kansas Territory, in every direction, killing and destroying the buffalo and other game" (Report of the Commissioner of Indian Affairs, Washington, D.C., 1857, p. 206)

The Civil War had little impact on the Osage, however, after the war, around 1866, the white settlers flocked into the newest addition of the Kansas Territory. The white people who had not yet obtained any land paid no attention to the Osage reservation boundaries. They settled where they wished on the Osage's remaining land. Bailey (1973) stated, "at first the government tried to remove the squatters" (p. 72). However, a BIA agent reported, "for every one leaving five come in" (Letters Received by the Office of Indian Affairs, Neosho Agency, 1848-1871, Roll No. 534, Frame No. 661). Bailey (1973) found the white settlers formed a large army in hopes of an Indian raid. He stated the

reason for this was so the militia men would anger the Osage and provoke them to a malicious act. If this occurred, the government would then be forced to remove the tribe.

By 1867 and 1868, the Osage was still waiting for full payment for the land sold in 1865. These delays in annuity payments, along with the tribe not being able to go on their 1868 summer hunt due to unfriendly western tribes, resulted in the Osage selling their horses because of the food shortage they were experiencing (Bailey, 1973). Animosity from the whites continued during 1868.

The rabble-rousing activities of "leading men" in the surrounding communities, and editorials proclaiming that the Osage lacked any legal rights, caused the increased hostility. The agent reported that more than one hundred of the best Osage horses were stolen in a three-month period by the settlers, and that thefts had reached the rate of five to 20 daily. The local courts were of no help; although the identity of the thieves was known, not one was brought to trial. (Bailey, 1973, p. 72)

Removal to Oklahoma - The Treaty of 1869

As a result of all of the pressure placed on politicians, another treaty, the treaty of 1869, was negotiated between the Osage and the U.S. government. All of the Osage Kansas reservation was sold to the government; and, as with the treaty of 1865, the government held the property in trust until it could be sold to the white settlers. The cash was to be placed in the U.S. Treasury drawing five percent annually. A portion of this money was to be spent on buying another reservation in Oklahoma, the western territory of the Cherokee tribe, former Osage property (Bailey, 1973).

Although the treaty of 1869 had been signed, Congress did not approve it until 1870 and new land was not approved for the Osage until 1872. However, once signed in

1869, the white settlers immediately and illegally descended upon Osage territory and set up farming (Bailey, 1973). The whites were

hoping that they could hold the property until the reserve was opened and then make their claims legal. The result was that several thousand whites moved onto the reservation while the Osage were gone on their summer hunt. When they returned, they discovered that their cabins and fields were occupied by squatters and that cattle were eating their horses' winter feed. Some whites had even burned one of the vacant villages and destroyed a large amount of corn stored there. The timber which the Osage depended upon for winter fuel was being cut and stolen. (Bailey, 1973, p. 73)

At the very least, the Osage believed the white settlers should pay them rent for use of their property. The Osage retaliated by killing livestock, stealing horses, and burning fields of wheat. The settlers took revenge by stealing Osage horses as "compensation" for damages" (Bailey, 1973, p. 73) and beating Osages at gun point.

For the most part the government stayed out of the conflict and supported neither the whites nor the Osage. Only after two chiefs, Hard Rope and Chetopa, threatened to drive out the whites by force did the government take any official action. An ineffective attempt was made by the military to remove the squatters. (Bailey, 1973, p. 73)

After the Osage completed their annual bison hunt in January, 1871, they did not go back to their Kansas reservation. They moved to their new 1,500,000 acre reservation bought from the Cherokee Nation in present day Oklahoma, former Osage territory. And to no one's surprise, there were white people illegally living in the northern section of the new Osage reservation (Bailey, 1973). Finney (1972) described the reservation as follows:

Lavishly she distributed her beauty on noble tree covered hills, fertile valleys, and wide open spaces of luxuriant grass covered prairies. . . . From the eastern border, the land lay in a succession of rock ribbed hills, with numerous streams, and high rolling prairies, these receding as the western border is reached, across a vast expanse of high rolling prairies, high bluffs again appearing on the Arkansas river, which is the western and southern boundary. The streams and hills were well

timbered, and groves of walnut, oak, elm, hickory, and pecan, cottonwood and sycamore, were found. Groves of the wild plum, and grapes were found in profusion, and mistletoe clung to the branches of the tall oaks and elms. Wild roses, verbenas, and tulips, and a profusion of other varieties, covered the prairies, while the compass plant raised its friendly blade from the tall grass, and acres of wild strawberries were found in the meadow land. Beautiful ferns grew in secluded places among the rocks, bordering the streams, while the sweet briar, and red bud, and white dog wood, added to the loveliness of the charming landscape. Wild game and fowl of unlimited numbers were abundant as were deer, wild turkey, geese, ducks, prairie chickens, quail, snipe, plover, and wild pigeon, while the streams were well stocked with game fish. The otter, beaver, raccoon, opossum, coyote, and timber wolf, were trapped and hunted for their pelts. . . . To this 'Land of Promise,' overflowing with nature's best gifts, and holding back her rarest gift, as a greater surprise for the future, in the untold wealth which she so zealously guarded beneath the soil. (p. 9)

Other Government Interventions: 1870's

In 1872 only 3,956 Osage were left, all but 277 were full-bloods. During this time, the BIA repeated its efforts in trying to make the Osage take up farming. But, the bison were still plentiful so the Osage were not at all interested in becoming farmers. By 1873 there was a growth in the amount of land being farmed due to the insistence from the government agent (Bailey, 1973).

In the summer of 1874 the southern plains Indians and the U.S. Cavalry went to war. The Osage had already left for their summer hunt so their BIA agent sent a message to them to come back to the reservation so they would not get mixed up in the war. The Osage complied and as a result the tribe experienced a shortage of meat. Since the war was still going on the following winter, the War Department forbid the Osage to go on their winter hunt. To make matters worse for the tribe, their crops were affected by drought and an invasion of grasshoppers. Consequently, "they were forced to live on rations issued by the agent and paid for out of their tribal funds" (Bailey, 1973, p. 79).

The white Kansas farmers were experiencing the same hard luck with the drought and grasshoppers eating away at their crops. "Groups of armed farmers patrolled the border looking for Indians to rob and kill in the hope that an Indian war would result, and that they would then be enrolled as paid militiamen" (Bailey, 1973, p. 79). Eventually, four Osage lost their lives as they were hunting for food near Medicine Lodge, Kansas. To evade a war, the Osage BIA agent kept the tribe from retaliating. The agent was able to do this because of the rapport he had with tribal members during that time (Bailey, 1973).

The following year the Osage were again not allowed by the government to hunt "and were ordered to remain on the reserve unless they secured special permission to leave" (Bailey, 1973, pp. 79-80). Rations were once again distributed but only to the "civilized" (Bailey, p. 80) families; the rest of the tribal members practically starved to death. Bailey discovered, "The agent thought that by withholding rations he could force the 'wild Osage' into taking up farming" (p. 80).

During 1875, the Osage BIA agent felt threatened by the tribe because of the rations that had been withheld from the tribe and certain requests that were denied the chief from the agency. As a result, the cavalry came to guard the agency from any possible attack by the Osage. "The Osage leaders found themselves completely powerless. The presence of the cavalry, although only for a short time, effectively broke the power of the Osage. Except in a few minor cases the Osage no longer openly opposed the agent" (Bailey, 1973, p. 80).

In the fall of 1876 a priest visited the tribe and sent word to the "Commissioner of Indian Affairs that they had to go hunting or face starvation" (Bailey, 1973, p. 80).

A few days later the agent wrote the commissioner and reported that the agency was out of money for rations. Though the Osage had at this time more than one million dollars in the United States treasury, they could use only the interest from the money. The Commissioner did send them \$500 for food and \$2,500 for the school (Bailey, 1973, p. 80).

Illustration Farms

According to Bailey (1973), "the only hope for the Osage, in the minds of government officials, was to take up agriculture and become educated so that they could survive in what was rapidly becoming a white man's world" (p. 80). To reform the Osage Indian into a white American farmer or stockman, the government came up with an elaborate plan. The Osage reservation was split into four regions. Each of the four areas was provided a white farmer with numerous helpers. An illustration farm was set up in the middle of each of the four regions. The white farmer and his helpers lived on the illustration farm. The agency strongly encouraged each Osage family to set up a farm and even supplied the families with livestock, farm equipment, and instructors as necessary. However, the families had to first "claim" they were going to cultivate a specific area of land and "register the claim with the agency" (Bailey, 1973, p. 81).

The BIA agents were determined to get rid of anything that would keep the old Indian way of life, including trading the Osage's horses for mules so the ground could be plowed appropriately. Bailey found:

The agents looked upon horses, or 'Indian Ponies', as useless, heathenish, and something that should be disposed of as soon as possible. . . . The little influence the chiefs retained would disappear, the religious ceremonies would no longer be performed, and the 'objectionable' Indian ways would die. (p. 81)

Many Osage by the mid to late 1870's took up farming, or at least claimed to have taken up farming. Several full-bloods leased their land to white farmers and many Osage land owners found white farmers, especially those from Kansas, to cultivate their land on a sharecrop agreement (Bailey, 1973). "A great majority of the Osages had from one to six farms in the family and gave personal and intelligent attention to the collection of rents" (Chapman, 1942, pp. 375-376).

"The Osage found ways to exist without hunting or agriculture" (Bailey, 1973, 82). Bailey (1973) found by the late 1880's sharecropping was common. A BIA agent reported that ranching and farming were done mainly by white people. The Osage kept from 33 to 50 percent of the crop. Sharecropping and the money received from annuity payments made the "Osages almost independent of labor" (Report of the Commissioner of Indian Affairs, Washington D.C., 1889, p. 55). The Osage believed work was demeaning and felt "to plow and hoe only fit occupations for poor white men" (Report of the Commissioner of Indian Affairs, Washington D.C., 1885, p. 89).

By 1878, the Osage finally began receiving annuity payments from the sale of their Kansas reservation, which had been in the U.S Treasury drawing five percent annual interest.

Early Tribal Politics and Government:

1870's - 1900's

Because the BIA agents were not successful with their attempts in working with the Osage, in 1876 the agency established its own form of tribal government. The tribe at this point was at the mercy of its agents and felt compelled to comply with the

government's change in Osage political structure. The agent had the power to choose the members of this new way of political life for the tribe. A governor, a chief counselor, and a five-member Tribal Executive Committee were chosen and paid by the agency to operate this newly founded Osage political structure. Anything that affected the Osage Tribe had to first be approved through this new political organization.

...the band chiefs were no longer recognized as legitimate political figures. Since the agents controlled the distribution of all rations and other items on which the Osage were now dependent, they could make this system work. In addition an Osage police force was organized which made possible the use of physical force to help the agent and his council enforce unpopular actions. (Bailey, 1973, p. 83)

Constitutional Government

By 1884 the European model of tribal government, already adopted by the Five Civilized Tribes, was forced upon the Osage. The agent appointed system of tribal government was done away with and a constitution was approved, creating the Osage Nation. The constitution spelled out a new government for the tribe in which executive, legislative, and judicial branches were formed. This early council consisted mainly of mixed-bloods and the full-bloods that appeared to support the agency. The BIA agent believed this new government would "gradually but surely destroy the old chieftainship and Indian forms of government" (Report of the Commissioner of Indian Affairs, Washington, D.C., 1884, p. 73).

For policy created by the agency to be legal, laws were passed and enforced. A compulsory education law went into effect which allowed annuity monies to be withheld from any child who failed to go to school. Bailey (1973) found the law was strictly enforced by the BIA agents because the full-bloods at this time opposed education and

needed "a large amount of coaxing or some other incentive" (Report of the Commissioner of Indian Affairs, Washington D.C., 1884, p. 82). "The policy of coercion was successful enough so that by 1900, of the 514 Osage between the ages of six and sixteen, 488 were attending school" (Bailey, 1973, p. 84).

Additional White Settlers - 1889

The Osage reservation, as did many other Indian reservations, became inundated with white people by the mid 1880's. The 1887 Dawes Severalty Act, also known as the General Indian Allotment Act, did not help the white invasion problem. Even though this law did not impact the Osage Nation directly, the pressure was building on Washington politicians to open other territories for white settlements. The famous Oklahoma land run took place in April of 1889 and approximately 50,000 white people engaged in the run onto property that was not assigned to any tribe as part of their reservation. In just a few short years, several other Indian reservations were disbanded, allotted to tribal members, and their remaining lands were opened up for settlement. However, the Osage reservation remained intact because the tribe had not yet agreed to allot its land (Bailey, 1973). Of this period it was noted that

these openings [other reservations] brought a flood of whites into the territories and even onto the reservations which were not open for settlement. Many of these whites were of the opinion that it was only a matter of time until all of the reservations would be opened to homesteaders. (Bailey, 1973, p. 84)

"As early as 1885 it was reported that a large number of whites were illegally on the Osage reservation" (Bailey, 1973, p. 84). They were disguised as "laborers, farmers,

etc." (Report of the Commissioner of Indian Affairs, Washington, D.C., 1885, p. 91).

Bailey (1973) stated,

land and per capita payments attracted many "mixed-blood Osages" who had not been on the reservation. Citizenship in the tribe became valuable and a great many names were added to the tribal roll. . . .Between 1879 and 1892 the "mixed-bloods" increased from 263 to 641. By the early 1890's the reservation was overrun with whites and mixed-bloods (both groups supporting allotment), and the Osage found themselves a minority group on their reservation. (pp. 84-85)

Summary

The traditional Osage culture had undergone many changes throughout the decades. The government agents found the full-blood Osage to be stubborn and difficult to conform to the white man's way. During the 1890's many full-bloods were still engaging in their traditional religious ceremonies and continued to wear Osage dress. However, for the tribe in general, Bailey (1973) found: "By 1890 many of the Osage had become thoroughly demoralized. Their religious organization had become a patchwork of alterations. The political organization had been replaced. The reservation was overcrowded with whites who were demanding that it be opened for settlement" (p. 88).

By 1906 the conventional Osage ways were almost completely extinct. "The decline of the Osage culture involved three major factors: population decline, economic changes, and pressure from the agents. Missionary influence was of little importance except as approved and supported by the agent" (Bailey, 1973, p. 85).

The 1906 Osage Allotment Act

From the early 1890's to 1906 the Osage were in constant disagreement over the allotment of their reservation. "In the 1890's pressure for allotment of the Osage reservation steadily increased from the local white population, the Bureau of Indian Affairs, and some mixed-blood Osage as well" (Bailey, 1973, p. 89). The Osage full-blood membership decreased from 3,679 to 1,064 between 1872 and 1887, a 15 year span. The larger the number of mixed-bloods on the tribal roll, the greater the push for allotment. The 1887 General Indian Allotment Act did not apply to the Osage Tribe so it was required that the tribe's National Council approve allotment of the reservation. A commission, sent by the government, had visited with the Osage on more than one occasion to discuss allotment. The 1894 meeting between the commission, Black Dog and James Big Heart, two Osage leaders representing the full-bloods, resulted in the tribe giving six major arguments why they should not agree to allotment. Bailey (1973) outlined the six reasons as follows:

- (1) the Osage were not ready for allotment;
- (2) the Osage did not desire allotment;
- (3) they could not agree on how the land, in case of allotment, was to be divided;
- (4) they had not been fully paid for the Kansas Land;
- (5) there were individuals on the tribal roll illegally;
- and (6) the real issue [sic] remained the presence of non-Osage on the roll. If they were not eliminated, then the full-bloods would not agree to allotment. (p. 89)

Non-Osage

The commission believed the enormous number of non-Osage listed on the roll was the major reason the tribe refused allotment. Bailey (1973) stated: "they [full-bloods] claimed that nearly every name put on the roll since 1881 was that of a non-Osage" (p.

89). The full-bloods wanted these names removed, so in 1895 the Secretary of the Interior asked for a record of all people unlawfully listed on the tribal roll be sent directly to him.

In February of 1896 a list of 446 names was sent. The full-bloods claimed that over half of the approximately 800 mixed-bloods on the roll were not of Osage descent. A few were purged, but the vast majority remained on the roll. (Bailey, 1973, p. 89)

The government knew this investigation would satisfy the full-bloods and was a necessary step toward the push of allotment.

Mixed-Bloods

It was during this time "it became obvious to the full-blood leaders that the mixed-bloods, both real and alleged, would soon control the National Council" (Bailey, 1973, p. 90). The outcome of the 1898 council election kept the full-bloods in control; however, the mixed-bloods insisted upon an inquest of the election results, granted to them by the Department of the Interior. As a result of this investigation, a full-blood remained chief, but a mixed-blood became the assistant chief. Also, the 15-man council ended up with pro-allotment members, but the anti-allotment full-bloods were still the majority.

The Bureau of Indian Affairs had a difficult time dealing with the National Council being managed and dominated by full-bloods who opposed the allotment. Bailey (1973) stated, "it [the BIA] played its trump card by abolishing the council" (p. 90). The following were the reasons given found in the Report of the Commissioner of Indian Affairs, Washington, D.C. (1900):

(1) Acrimonious disputes between the factions over elections; (2) entire absence of harmony between the Osage tribal officers and the Indian agent in the administration of tribal affairs; (3) the selection of ignorant men as officeholders, and (4) the profligate use of monies received from permit taxes. (p. 174)

Allotment Victory

By 1900 it was reported for the first time in Osage history there were a greater number of mixed-bloods than full-bloods. The tribal roll indicated there were 917 mixed-bloods and 866 full-bloods. Bailey (1973) stated, "The purge of 1896 seems to have been forgotten, and names of new "mixed-bloods" were being added to the roll" (p. 90).

Many mixed-bloods were practically white and by keen business instincts of the white man they secured possession of the greater part of the improved lands of the reservation. The non-progressive full bloods as a rule were content to live in camps and villages in the south central and southwestern part of the reservation where they clung to tribal customs and the theory of communal property. As the full-bloods, gradually outnumbered by mixed-bloods, ceased to play the leading role, the matter of allotment became vital. (Chapman, 1942, p. 376)

The abolishment of the National Council resulted in a new government. By 1904 the elected chief and his council of eight committee members were mostly pro-allotment mixed-bloods. In June 1906, the United States Congress passed the Osage Allotment Act (Bailey, 1973).

Oil and Wealth

At the turn of the century the Osage Tribe was considered the wealthiest Indian tribe in the world due to the 1870 sale of their Kansas reservation and the 1894 discovery of oil on their Oklahoma reservation (Wilson, 1988). As early as 1896, Henry Foster, an

oil tycoon from the east, was granted an exclusive lease by the BIA "to explore for and extract oil and natural gas on the Osage reservation" (Wilson, 1988, p. 61).

By 1904 there were 155 oil-producing wells and 18 gas wells on the reservation. A pipeline connected the reservation wells to a Standard Oil refinery at Neodesha, Kansas. Foster's lease was to expire in 1906, but well in advance Congress voted to extend it. The new terms doubled the royalty rate on gas wells, gave the Interior Department the right to set the oil royalty, and limited Foster's exclusive claim to the eastern half of the reservation, where his wells were located. (Wilson, 1988, p. 61)

Around 1916, the Osage agency began auctioning off the tribe's mineral leases to various oil companies under the famous "million dollar elm" (Wilson, 1988, p. 64) in Pawhuska, Oklahoma near the BIA agency. Tycoons such as "Bill Skelly, E. W. Marland, Frank Phillips, G. F. Getty, and his son J. Paul Getty, attended frequently" (Wilson, 1988, pp. 64 & 73). The Osage finally agreeing to the land (the surface) being allotted to individual families and the mineral rights (beneath the land) being owned by the tribe as a whole allowed the Osage to still have control of the rich oil and gas fields (McAuliffe, 1994).

Guardianship

Many Indians believed to be incompetent were assigned a legal guardian.

Lawmakers were convinced that Osages were illiterate and needed guardians to manage their money and resources (McAuliffe, 1994).

The 1906 allotment act had given the secretary of the interior discretionary power to issue certificates of competency to adult members of the Osage tribe. Those found to be of sound mind and demonstrating an ability to read, write, and speak English well enough to conduct business transactions could be declared legally competent. (Wilson, 1985, p. 135)

Wilson (1988) discovered

between 1907 and 1929, thousands of acres of formerly restricted land were sold or leased to non-Indian farmers and ranchers. Thousands more were leased without formal contracts by Osage, certified as "competent," who did not understand the actual value of their land or the obligations of contracts. In addition, the Indians lost much of their land through numerous swindles contrived by non-Indians seeking to gain control of the property. Swindles also drained the Indians of vast sums of money. Investigations revealed that millions of dollars were misappropriated by "guardians," the local lawyers and business owners appointed to handle the business affairs of Osage who were declared incompetent. Some storekeepers sold their Indian wards goods they did not need at three and four times their actual price. Bankers who were guardians made loans at outrageous interest rates. Other guardians took kickbacks for bringing in business to car dealers, who sold cars to the Osage at premium prices. Even doctors had a higher fee schedule for Osage than non-Indians. Of 25 lawsuits filed in 1924 by the Interior Department against dishonest guardians for recovery of Osage money, none went to trial--all the defendants made out-of-court settlements to avoid criminal prosecution. (p. 77)

In researching the effects of the Oklahoma probate courts and guardianship situations with the Five Civilized Tribes, Bonnin, Fabens, and Sniffen (1924) issued a report to The Office of the Indian Rights Association in Philadelphia, Pennsylvania. They reported:

Let oil be discovered on an Indian allotment, and one of the profession [sic] will promptly file a petition in Court to have the individual declared incompetent (if it is the case of an adult) and ask to be appointed guardian. Of course, as the court wants to "protect" the Indian, the petition is usually granted. There are probably 4000 of these professional guardians, and the estates intrusted to them vary from a few thousand dollars up into the millions. (p. 14)

Guardians most always had an attorney (if they were not one themselves, and many were). Many believed it was so they could be advised as to how far they could bend the law and get by with it. Many also believed, if they were honest, righteous guardians wanting to do what was in the best interest for his Indian ward, they would not need an attorney. Bonnin, Fabens, and Sniffen (1924) reported:

The professional guardian is catered to by banks, who desire his account; by the merchants who want to secure the ward's trade; his friends want liberal loans on

questionable security--and in this way the whole community is interested--not forgetting the judge, who is anxious to be re-elected. (p. 15)

Another common practice was that guardians charged their wards a fee for their time and energy in "managing" their money. It would cost a restricted Osage an average of \$1,200 a year to pay this guardian who was forced upon this incompetent Indian by Congress (McAuliffe, 1994).

The following case in point of guardianship control is a verbatim account of a report issued to the Office of the Indian Rights Association:

On November 19, 1923, I attended the court hearing of the case of Martha Axe Roberts (nee Washington), in Osage County, held in Pawhuska, Oklahoma. Martha,--a Shawnee, and widow of an Osage from whom she inherited one and one-half shares in the Osage Nation,--did not appear in person. She was represented by her attorney, Mr. T. A. Chandler, a former Congressman from Oklahoma. This case involved an effort to remove the present guardian and transfer jurisdiction over Martha's estate from the Osage County Court to the Craig County Court. It was surprising at the outset when her attorney, identifying Martha, offered a government record of her enrollment that the Court would not allow it. The continued protest of Judge Sturgill, attorney for L. T. Hill, guardian of Martha, made it next to impossible to give any evidence for the Indian woman. The court would not hear the story of her deprivations and poverty. Though Martha had inherited wealth (an annual income of at least \$15,000), it was so manipulated by her white guardian, L. T. Hill, of Hominy, Oklahoma, that instead of her weekly allowance of \$75, she was told she had no money. Mr. Hill let her have \$1.50 and sometimes as much as \$2.50, claiming it was a personal loan to her. . . . Her guardian went to Vinita, a nearby town, and there finding Martha in her Packard car, put her out on the street and took her car away under a writ of replevin. Martha got a conveyance, through the kindness of a friend, and went home only to find an empty house. Her household goods had been taken by her guardian, even to the kitchen stove. For her and her two small children there was not a bed nor a chair nor food in the house. Her "professional" guardian further placed a notice in the newspaper warning the public against giving Martha any credit. . . . During these troubled times her fourteen months' [sic] old baby got sick. In her extremity, Martha again telephoned to her guardian for money, as she could get no one to attend her child except a negro doctor who, upon hearing of

the notice in the newspaper, left the case. Mr. Hill refused to pay Martha any of her money. . . . Without proper food and medical care, the baby died. (Bonnin, Fabens, & Sniffen, 1924, pp. 29 & 30)

Act of April 18, 1912

All acts passed by Congress had to first be amended to the 1906 Osage Allotment Act. In 1912 Congress amended the 1906 act by awarding all Osage financial and probate matters to the county court. The legal guardian of an incompetent allottee had to first gain approval from the county court judge on monetary spending or probate issues concerning the Osage ward. Bonnin, Fabens, and Sniffen (1924) reported:

In the absence of Federal supervision, the Indian heirs were robbed in a wholesale manner, virtually with the aid of these county Courts [sic]. The abuses became a notorious scandal, and as a means of affording some protection to the Indian, Field Agents were authorized by [sic] Act of Congress, to represent the Department. They had no standing in the courts, however, and were in reality nothing but painful witnesses to wholesale graft. Even so, they saw too much, and Congress, in 1912 (at the behest of the Oklahoma delegation) refused to make the necessary appropriations to maintain them and the service was virtually abolished. (p. 11)

Bonnin, Fabens, and Sniffen (1924) quoted a prominent Creek County attorney when he described the county probate situation: "If the machinery of the government had entered into a conspiracy to cheat, rob and defraud its Indians in Oklahoma, it could not have done it in a better way than by the laws it passed" (p. 9).

Act of March 3, 1921

In 1921 Congress voted on another amendment to the 1906 Osage Allotment Act. This law defined who would be considered restricted and non-restricted and placed a limit on the amount of headright income of restricted Osages. "Under the act of March 3, 1921

(41 Stat. 1249), all adult Osage who were less than one-half Indian in ancestry were automatically non-restricted, while everyone over one-half was restricted unless certificates had been issued" (Bailey, 1970, pp. 168-169). Non-restricted Osage were considered competent and were allowed to sell or lease their land; the restricted or incompetent Osage were required to gain approval from the BIA Osage Agency Superintendent. Prior to 1921, all Osage were restricted from selling their land for a twenty-five year period (from 1906 to 1931). They could lease their land with the approval of the BIA. The only way they could have these restrictions eliminated were to obtain a competency certificate.

The certificate meant that the individual was completely competent to handle his or her affairs, and could dispose of land holdings or other property without the approval of the agency. In most cases the certificate was granted only if the applicant had a legal guardian, a non-Osage spouse or, commonly, a local lawyer, appointed by the local court. The Osage who have such certificates are commonly called non-restricted Osage while the ones still directly controlled by the agency are called restricted Osage. (Bailey, 1970, p. 168)

This new law benefited those Osage less than one-half Indian blood quantum, but placed further restrictions on Osage over one-half in Indian ancestry. Beginning in 1921, the amount of money paid to restricted or incompetent Osage was also limited. They were only allowed \$1,000 per quarter; their surplus funds were invested in bonds.

The debts of the restricted Osage were paid at an adjusted rate. The act limited the quarterly payments for restricted Osage to a maximum of \$1,000 for adults and \$500 for minors. The remaining income, called "surplus income" or just "surplus" by the Osage, would be placed in the hands of the superintendent of the agency for investment in U.S., state, county, or school bonds or in banks under the regulation of the Secretary of the Interior. (Bailey, 1970, pp. 177-178)

Bailey (1970) believed the Act of March 3, 1921 had two weaknesses:

First, it did not make any provision for the individual to use the funds for his own economic improvement. The money could only be invested for interest, and the interest had to be reinvested. Funds could not even be used for the development of a farm, ranch or business. The second major problem was that the act did not cover future indebtedness and thus did not affect Osage spending habits because merchants were still generous in extending credit. (p. 178)

McAuliffe (1994) believed

the key word in the new law was "courts." These were not federal courts, striving to fulfill Congress's trust responsibility toward the Indians, but the courts of Oklahoma, striving to fulfill their trust responsibility toward the whites who ran the state. . . . So the people who ran the courts for the people who ran the state (read "lawyers") saw to it that they would keep Oklahoma's best interests at heart by appointing themselves the Osages' guardians. The new law elevated petty swindling to the big leagues, and created a perfect circle of corruption: The Osages' money was now enriching the white men who ran the system of justice in Oklahoma and the Osages had no legal recourse besides the Oklahoma courts to fight the corruption against them. The man who would determine whether each Indian got a certificate of competency or a guardian was Osage Tribal Attorney A. T. Woodward. And although the guardians were officially appointed by the county court, accounts suggest that it was Woodward who matched the lawyers with their wards, with the court merely approving a done deal. Woodward himself, conflict of interest be damned, even became the guardian of four full-blood Osages, all of whom managed to die before 1923. (p. 235)

The Osage were at the mercy of their tribal attorney. As McAuliffe (1994) stated:

"Their tribal attorney was the most important U.S. government official--read 'white'--working for their benefit" (p. 232). The superintendent of the agency was an appointment from the BIA commissioner, which meant these men came and went and dealt mostly with the BIA and Washington rather than individual tribal members. "It was to the tribal attorney, their outside link to the white man's system of law and justice, that they came with their problems" (McAuliffe, 1994, p. 232).

McAuliffe (1994) found between the years of 1921 to 1925 an individual's annual headright was worth anywhere from \$8,600 to \$13,400. Osages received their headright payments in quarterly installments. According to the law, the guardian only had to allow

the restricted Osage \$1,000 per quarter or \$4,000 per year. The guardians were keeping the rest for themselves and became very wealthy in the process. "A government study estimated that by December 1924, about 600 guardians had managed to make \$8 million in surplus funds disappear" (McAuliffe, 1994, p. 236). And, there was no limit to the number of wards a guardian could have.

According to Bonnin, Fabens, and Sniffen (1924), the Oklahoma legislature finally passed an act which allowed the guardians to only have five wards, none could be considered a minor. They reported:

Indian children have been allowed to die for lack of nourishment because of the heartlessness and indifference of their professional guardians, who had ample funds in their possession for the care of the wards. That young Indian girls (mere children in size and mentality) have been robbed of their virtue and their property through kidnapping and a liberal use of liquor. That in the case of smaller estates, in many instances when the ward becomes of age he is in debt to his guardian; his property has been squandered and nothing is left for him. (pp. 6 & 7)

They also stated, "still, with five good estates, the professional guardian is able to assume the role of a 'leading citizen,' own a fine house, and a high-priced automobile, and live in luxury" (Bonnin, Fabens, & Sniffen, 1924, p. 14).

Act of February 27, 1925

In 1925 another amendment to the 1906 Osage Allotment Act took place. Osage guardianship hearings were held in 1924 and as a result a law went into effect in February of 1925 that put the guardianship program back in to the hands of the federal Department of Interior. "Guardians would be forced to submit to the agency annual statements of their wards' accounts, and seek written approval of any purchases for restricted Osages that would require withdrawals from their savings" (McAuliffe, 1994, p. 237).

The law was also passed to rectify the weaknesses of the Act of March 3, 1921. Surplus funds could be used for medical expenses, livestock, farming equipment, furniture, housing and other necessities under the provisions of the new act. All of these expenses were, however, subject to the approval of the superintendent. In addition, further debts contracted by restricted Osage were invalid unless approved by the superintendent. The agency also received more power to control the use of royalty payments by the Osage. The agency could substitute weekly or monthly payments for the normal quarterly payments, or in extreme cases withhold payments altogether. (Bailey, 1970, p. 178)

"Although the act was designed to protect the Osage, the availability of surplus funds for the payment of medical expenses made possible exploitation by the medical profession, and health expenses rapidly increased" (Bailey, 1970, p. 179). The amount of money the Osages paid for medical expenses between 1926-1930 ranged from \$252,054.31 to \$846,623.04 (Bailey, 1970). "Thus in the short space of five years, the restricted Osage, who numbered slightly more than one thousand persons, paid \$2,333,508.78 in medical bills. There was no review of the charges; bills were simply paid for the amount" (Bailey, 1970, p. 179).

Though laws were passed to protect the Osage from exploitation by merchants, guardians, and other whites in the community, and fraudulent practices were investigated, the agency employees were never investigated. Some Osage believe that these employees have over the years actually defrauded them of more money and property than all the other combined. Lands of restricted Osage have been sold without the knowledge of the owners and for no apparent reason. It is also charged that lands were and still are being leased at extremely low prices. By empowering them to release surplus funds, the act of 1925 gave the agency officials a great deal of power over individual Osage. To get approval of expenditures, some Osage had to bribe agency officials or purchase items from particular merchants, knowing that the officials received a "pay off" from the merchants. (Bailey, 1970, p. 180).

Bailey (1970) found that "although they [the Osage] were well aware that the [surplus] funds were their property, they had no control over the funds and could not utilize them as they wished" (p. 181). He also stated, "in some cases the Osage actually

made agreements with merchants and doctors to be billed for services and goods not received in return for cash; this was the only way that they could get money out of their surplus funds" (Bailey, 1970, p. 181).

The Act of February 27, 1925, had other provisions as well. One in particular stated that a murderer of an Osage could not inherit any property from the deceased. The act also declared that a person must be an heir by Osage Indian blood to inherit the deceased Osage's property. This act applied to Osage decedents of one-half or more blood quantum. However, this law did not apply to the spouses of marriages in existence at the time of this act. Wilson (1985) stated, "the patient, long-lived non-Indian marital partners could still eventually reap their anticipated profits" (p. 147).

Osage Notoriety

Very little was known about this tribe until around 1919 when the press decided to exploit them for about a ten-year period because of their wealth and spending sprees (Wilson, 1988).

Newspapers called them "the richest group of people in the world" and printed story after story about the reckless spending of the Osage, who built large houses but preferred to live in their traditional tipis and who bought expensive automobiles without knowing how to drive them. (Wilson, 1988, p. 13)

However, "when the market for petroleum collapsed during the 1930s, the tribe's income was drastically reduced and the Osage's fame faded as rapidly as their money disappeared" (Wilson, 1988, p. 13).

Osage Murders - 1920's

National and international newspapers during the 1920's depicted the Osage reservation as "The Osage Reign of Terror" (Wilson, 1985, p. 145). Bailey (1970) stated, "during this period it was relatively common for an Osage to be robbed and murdered since they often carried large sums of money with them. Most of the murders were committed by migrant cowboys or oil field workers" (p. 180).

Several Osages were either murdered or died mysteriously preceding and during the 1920's. The Federal Bureau of Investigation (FBI) went undercover in Fairfax, Oklahoma, Osage County to investigate the Osage murders. In 1926, five men were eventually convicted of the murders of five people, three Osage and two whites (McAuliffe, 1994).

An FBI report had cautioned that any agent venturing into the area have "a great deal of experience in handling desperate situations, as there is no question but that Osage County, Oklahoma, has more criminals in it than perhaps any other county in the state or any state in the Union." (McAuliffe, 1994, p. 262)

Chapman (1943) summarized the Osage situation well by stating:

Whether the Osages were made happier and better by the new "way of life," introduced to them perhaps by imposition, by a race supposedly of superior culture may be easier for us to answer than for generations yet unborn who will read better than we the trend of times. Whatever will be the verdict of more mature vision than we now have, we can rest assured that the story of the dissolution of the Osage reservation of one and a half million acres will remain an interesting chapter in Oklahoma History [sic]. (p. 182)

Summary

The 1803 Louisiana Purchase marked the beginning of several treaties the Osage made with the U.S. government. This was also the period in which other Indian tribes began to invade their territory. The Osage sold millions of acres of land to the

government with several treaties. With the Treaty of 1808 the Osage ceded 50 million acres of land. The Treaty of 1818 required the Osage to relinquish 1.8 million acres of land and with the Treaty of 1825 the Osage were compelled to give up 45 million acres to the government. The 1830 Indian Removal Bill required all Indian tribes living east of the Mississippi to move west, which resulted in an increase of intrusions on Osage hunting grounds.

When the Osage agreed to the Treaty of 1825 they were moved to a reservation in the southeast part of Kansas. Several Osage resisted this move and stayed where they were, present day northeastern Oklahoma. With the Treaty of 1839, the remaining Osage who refused to resettle on their Kansas reservation were required to relocate to this territory.

During the 1840's the Osage began to experience government pressure to become civilized and Christianized. There were many attempts by BIA agents and missionaries to transform the Osage into Christian farmers. There was also an influx of white settlers on Osage territory during this time. As a result of white settlement, whiskey became a problem for the Osage

The 1850's brought more pressure from white settlers. They wanted possession of Osage land so they could farm. Consequently, in 1854 Kansas was opened for white settlement. The Osage reservation was not affected at this time; however, politicians were under pressure from their constituents to open Osage land for settlement. There was a lot of hostility between the Osage and whites; and, as a result, another treaty in 1865 was signed with the government. The Osage sold all but a small strip of their Kansas reservation to the government.

The Treaty of 1869 moved the Osage to a 1.5 million acre reservation in modern day Oklahoma. Although this treaty was signed in 1869, it was not approved by Congress until 1870, and a new reservation was not found for the Osage until 1872.

Government interventions continued after the Osage moved to their Oklahoma reservation. In 1874 the Osage were not allowed to go on their summer hunt due to a war between the U.S. Cavalry and the southern plains Indians. Their crops were ruined this same year as a result of a drought and an onslaught of grasshoppers. Therefore, they had to survive on government food rations. They were required to pay for these rations out of their own funds. Again, in 1875 they were not allowed to go on their hunt, therefore, they were rationed food by the government for a second year. This time rations were given to "civilized" Osage; others almost starved to death. This was another government attempt to civilize the Osage.

During the 1870's the government continued its efforts to convert the Osage into farmers. Illustration farms were set up so the Osages could learn the white man's vocation.

The Osage also began to experience a disintegration in their political structure during the 1870's. In 1876 the BIA agency established their own form of tribal government. In 1884 this government was abolished and a new European constitutional government was established.

For many years the Osage experienced government pressure to allot their reservation and open remaining land for white settlement. The tribe negotiated their own allotment act with the government for several years. As more and more mixed-bloods and

non-Osage were placed on the tribal roll, allotment became inevitable. In 1906, one year before Oklahoma statehood, the Osage agreed to their own allotment act.

By the early 1900's the Osage Tribe was considered the wealthiest Indian tribe in the world. This was a result of the sale of their Kansas reservation and the discovery of oil on their Oklahoma reservation.

The Osage, like other Indian tribes, were subject to the control of guardians. Those Osages deemed incompetent were required to have a legal guardian. As a result, many Osages were victims of fraudulent practices. There were several amendments to the 1906 Osage Allotment Act that either gave the county court or the BIA the ultimate power over incompetent allottees financial affairs and probate matters.

Osage notoriety was common in the early 1920's. They were exploited not only by the whites of the state, but by the news media as well. Their wealth and spending sprees made headline news. However, the Osage paid a heavy price for their inherited wealth. Many Osages were murdered for money. The FBI eventually investigated these murders and convicted five men for the murders of three Osage and two whites.

CHAPTER III

PRESENTATION OF THE DATA

The purpose of this study was to explore the loss of prominence of the Osage by examining the history of the tribe. Specifically, the experiences of the Osage were studied from the 1870's through the 1920's and the perceived impact this era has had. A single-case study with multiple units of analysis (Yin, 1994) was the design used to research the problem. The data is presented as a single-case with three Osage families presented as multiple units of analysis within the single-case.

These three families were chosen because of their knowledge and understanding of Osage history as well as their individual family history. Within the Osage Tribe there is an oral history with a long tradition in which these individuals were a part. They have lived in Osage County most of their lives and, therefore, had knowledge and understanding of factors that affected the Osage Tribe, particularly from the 1870's to the mid 1920's. They also had a full understanding from their families of the many government interventions which impacted the tribe in various ways. Each family member was a descendant of an Osage that was either murdered or died a mysterious death during the tumultuous

1920's. They also had family members that accepted and practiced the Euro-American ways. All three families were from Osage County, Oklahoma, where I was born and raised. This granted me easy access to each of the three families.

Case Study Procedures

On April 7, 1997, Oklahoma State University's Institutional Review Board (IRB) evaluated and approved the submitted proposal for this study. Appendix B contains a copy of the IRB approval form.

Interviews

When appropriate, notes were taken during the interviews to record the body language and environment so a thick description could be provided. Appendix C contains a copy of the interview questions. Federal Bureau of Investigation (FBI) reports, transcripts of Oklahoma State Supreme Court hearings, laws pertaining to the Osage Tribe, as well as newspaper clippings were integrated when appropriate as sources of information with this data presentation.

The data presented as quotes are from the interviews. Each quote is followed by a citation to reference the data source. Other data from the respondents is referenced as personal communication. The FBI documents, the transcripts of Oklahoma State Supreme Court hearings, the Osage Tribal laws, and newspaper clippings are also referenced.

Living in Osage County, Mary Jo Peace Webb, my mother, initially contacted each respondent for me. She explained the purpose of the study and set

up the interviews. I mailed a letter to each respondent explaining the study and the importance of interviewing tribal family members that remain who understand the past and how it has impacted the present. When I arrived at each respondent's home, I had them sign a consent form allowing me to use the information from the interviews in my study. Appendix D contains a copy of the consent form given to each participant. Although anonymity was offered, all respondents requested their real names, as opposed to pseudonyms, be used in the study.

After the interviews were conducted and the tapes were transcribed, copies of the transcripts with a follow-up letter were mailed to the respondents for their review. They were allowed the opportunity to edit any part of the transcript they felt was necessary. No participant requested that his/her transcript be edited. Appendix E contains a copy of the initial letter and follow-up letter sent to the participants.

Document Review

Four different sets of documents were reviewed: FBI files, transcripts from an Oklahoma State Supreme Court case, laws pertaining to the Osage Tribe (Barney, 1929), and newspaper reports from 1920 to 1923.

FBI files were examined to reveal descriptions of the Osage during the time frame of the study, the 1870's through the 1920's. The files were placed on three separate rolls of microfilm by Scholarly Resources Incorporated. All FBI reports are cataloged with the file number, 62-5033. Some of the files contain a serial number after the file number, 62-5033; it is documented when given. Most of the

FBI files do not include page numbers; however, they are provided when given. I have indicated the roll number of each FBI file documented in this research. The FBI documents contained newspaper clippings from various towns and cities across the country. It is apparent that Scholarly Resources Incorporated included these when they compiled all of the information on the Osage. A few of these news clippings were used to give the reader an idea of the national attention and concern given to what was going on in Osage County, Oklahoma during the 1920's.

Transcripts from the Oklahoma State Supreme Court hearings of Paul Peace's (my great grandfather) estate were reviewed to get an idea of what Osage family members dealt with during this period. These transcripts also detailed the control guardians had over Osages' individual money accounts. In the original source, the questions and answers did not contain punctuation. All missing punctuation has been inserted with the use of brackets.

Laws which pertained to the Osage Tribe during the time frame of the study, the 1870's through the 1920's, were reviewed to obtain an understanding of the policies the Osage were expected to follow.

Finally, local Osage County newspaper clippings from the early 1920's were reviewed to capture the setting of Osage County, Oklahoma, during this time frame.

Reporting

Background information about the three Osage families is presented first, followed by the categories which emerged from the data: (1) sovereignty and (2) outcomes. The family information revealed "who" was affected; the events as a result of sovereignty exposed "what" happened within the government and the impact these happenings had on the Osage Tribe, Osage families, and individuals within these families; and the outcomes described "why" and to "what end" the Osages experienced a change within their social system.

The Osage and all other Indian tribes possessed a sovereign dependent status with the United States (U.S.) government; they maintained an inherent right to govern themselves. As a result of this status, sovereignty was directly linked to the laws enacted by Congress and a close relationship with the Bureau of Indian Affairs (BIA). The effects of the many dealings the Osage had with Congress and the BIA resulted in both tribal gains and losses, as well as personal gains and losses for the Osage people.

Three Osage Families

The three families chosen for this study were the Peace, Stepson, and Tall Chief families.

The Peace Family

Mary Jo Peace Webb, half-blood Osage, represents the Peace family. She is a life-time resident of Fairfax, Oklahoma, Osage County. Her paternal grandfather, Paul Peace; paternal grandmother, Clara Tallchief Peace Nash; and father, David Peace, were all full-blood Osage and life-time residents of Fairfax, Oklahoma, Osage County.

Mrs. Webb's grandfather, Paul Peace, was killed in Kansas City in February, 1927. Her family believed he was murdered. At the time of his death, he was married to a white woman, Thersa Peace. Thersa Peace contested the last will Paul Peace made in December 1926. In his last will, Paul Peace left his wife only one third of his estate. She believed she should have inherited most of his fortune, all but \$1,000 dollars. Mrs. Webb's father, David Peace, and uncle, Joe Peace, fought for their inheritance for several years; they took the case to the Oklahoma State Supreme Court and finally won.

Mrs. Webb's education, work experience, and family history made her a credible source for this study. In 1974 she received a Bachelor of Science degree in Sociology with a secondary teacher certification in Social Studies from Oklahoma State University; in 1975 she received a Master of Science degree in Sociology with an emphasis in Indian Manpower Planning from Oklahoma State University; and, in 1985, Mrs. Webb received a provisional principal certification in secondary school administration from Oklahoma State University, Stillwater, Oklahoma.

Mrs. Webb was the Director of Administration of Native American Programs for the Osage Tribe in Pawhuska, Oklahoma from 1975-78. She taught Indian History and Social Studies for Ross Case High School in Fairfax, Oklahoma for six years from 1982-84 and again from 1986-90. From 1990-91 she was an educational specialist for the Oklahoma Historical Society near Hominy, Oklahoma in Osage County. In this position she contacted Osage County schools' Indian Education programs to assist in developing their Osage Tribal history curriculum. She was also responsible for the research of government documents and microfilm of Osage Tribe and United States government relations. From 1994-95 Mrs. Webb was in charge of the BIA's Higher Education grants and the Osage Nation Johnson-O'Malley (JOM) education programs. Since 1995, Mrs. Webb has been the Director of the Child Care Development Block Grant (CCDBG) for the Osage Nation in Pawhuska, Oklahoma. She is a member of the five-person village board for the Osage Grayhorse Indian Village, a member of the Osage Nation's Elders Council for the Osage Grayhorse Indian Village, and is a member of the Osage Nation's Tax Commission.

Mrs. Webb's hobbies included Indian crafts using Osage ribbonwork. Her ribbonwork could be found on pillows, sheets, pillow cases, and towels. The ribbonwork design is an adaptation of ancient tribal religious symbols. The design usually consists of two colors, one light and one dark. The reason for the two distinct shades is the division of the Osage Tribe in the beginning, both socially and geographically: the Tzi-Sho, meaning sky and symbolizing peace, who camped on

the north side of the village; the Hunkah on earth, which symbolized war, and camped on the south side of the village.

The Stepson Family

Marvin Stepson, Jr., one-half Osage and a resident of Fairfax, Oklahoma, Osage County represents the Stepson family. His father, Marvin Stepson, Sr., was one-half Osage and his mother, Nettie Kastl Stepson, was also one-half Osage. His paternal grandfather was William (Bill) Stepson, full-blood Osage and his maternal grandmother was Helen Scott Kastl, full-blood Osage.

Mr. Stepson had a family member die a mysterious death in the 1920's. In 1922, his grandfather, William Stepson, was found dead in his home. No investigation was ever made as to the cause of his death.

Mr. Stepson served in the U.S. Army from 1967-1969. He received a Bachelor of Arts degree in History from Central State University, Edmond, Oklahoma, in 1971 and a law degree from the University of New Mexico, Albuquerque, in 1977.

Mr. Stepson was the tribal court prosecutor for the Court of Indian Offenses in western Oklahoma from 1979-1989. Mr. Stepson was a Tax Commissioner for the Absentee Shawnee Tribe from 1986-88. He has written tribal law and order codes for the Osage and Pawnee Tribes. He was on the Supreme Court for the Potawatomi Tribe from 1986-95. From 1989-1995 he was the tribal court prosecutor for the Ute Tribe in Utah. He was the Tax Administrator for the Osage Tax Commission from 1996-97. Mr. Stepson is

currently on the Supreme Court for the Absentee Shawnee, Kickapoo, and Sac and Fox Tribes and serves as the Chief Judge for the district court of the Pawnee Tribe. Mr. Stepson's 21 years of experience with tribal government, his education, and understanding of his family, as well as Osage Tribal history, made him a reputable source for this study.

The Tall Chief Family

Both Juanita and Joe Tall Chief represent the Tall Chief family. Mrs. Tall Chief is one of the few remaining full-blood Osages. She is 82 years old and resides in Fairfax, Oklahoma, Osage County. Her husband Alex Tall Chief III was one-half Osage. They had four children: Patricia Josephine Tall Chief Marshall, Elizabeth Ann Tall Chief, Nettie Katherine Tall Chief Vickers, and Alex Joseph Tall Chief IV.

Her mother was Mary Hunter Roan Bunch and her father was Henry Roan, both full-blood Osage. Maternal grandparents were Hun-tse-ah-lah (grandfather) and Wah-ko-ki-he-kah (grandmother). Hun-tse-ah-lah loosely translated to "Hunter" or "gatherer of berries from the cedar tree" and Wah-ko-ki-he-kah meant "Woman Chief." Paternal grandparents were Kah-wah-ho-tsa-ah-ga-ne (grandfather) which meant "Grayhorse or Roanhorse." Wah-shah-ah-hah-me was her paternal grandmother. The English translation is unknown.

When Mrs. Tall Chief's father, Henry Roan, attended Carlisle Indian School in Carlisle, Pennsylvania, he was encouraged to change his last name from "Roanhorse" to "Roan." As a young girl, Mrs. Tall Chief attended Sacred Heart

Catholic Schools in Fairfax, Oklahoma and later attended the Fairfax, Oklahoma Public Schools. Mrs. Tall Chief has taken an active part in preserving the Osage culture by learning the art of Osage finger weaving, moccasin making, beadwork, and attending Osage language classes.

Mrs. Tall Chief's father, Henry Roan, was murdered in the 1920's. An FBI investigation ultimately convicted two men, Bill Hale and John Ramsey, for his murder. The FBI found that Henry Roan was murdered for a \$25,000 insurance policy Bill Hale had taken out on his life. His widow was Mary Roan, full-blood Osage. Following his death she married Roy Bunch. There was speculation about the motives of the white man Henry Roan's widow married (FBI Roll No. 3).

Joe Tall Chief (Alex Joseph Tall Chief V), Mrs. Tall Chief's grandson, also resides in Fairfax, Oklahoma, Osage County. He is three-eighths Osage. His father, Alex Tall Chief IV, is three-fourths Osage. Mr. Tall Chief attended public school in Pawhuska, Oklahoma, Osage County from 1977 to 1981. He attended Northern Oklahoma College, Tonkawa, Oklahoma, from 1981 to 1982; the International School of Fashion Design and Merchandising, Kansas City, Missouri, from 1985 to 1986; and he attended the Ponca City School of Cosmetology, Ponca City, Oklahoma, from 1986 to 1987. Mr. Tall Chief owns and operates his own hair salon. He is also an award winning artist. Mr. Tall Chief enjoys painting in acrylics and oils showing the color and pageantry in Osage Tribal dances as well as exhibiting the colorful past of Osage history.

Sovereignty

The Louisiana Purchase was a time when we were going to be pushed back further and further and as a tribe, government policy formed our lives. The movement west was the major factor, the government policy of resettlement and moving us further and further out of the way of the settlers had a major impact on the Osage survival, on the Osage people and families. (Webb, 6-18-97, 11)

The U.S. government created policy to which all Indian tribes were expected to adhere. With the westward movement involving many white people settling on Indian lands, the government made treaties with the Indians, as well as other promises, in return for their land. Like other tribes, the Osage were considered a sovereign dependent nation; all negotiations were between the tribe and the government. As a result of this sovereign relationship, the government controlled the Osage Tribe through the laws created by Congress. Congress moved the tribe to various reservations through treaties made with the Osage. For instance, in 1872, Congress approved a new reservation for the Osage Tribe, current day Osage County, Oklahoma. Through the actions of Congress, the BIA was the appointed agency responsible for protecting the Osage. The tribe was expected to adhere to all BIA regulations. The 1906 Osage Allotment Act, and all amendments thereafter, were a result of the sovereign dependent status the Osage maintained with the government (M. J. P. Webb, personal communication, January 1, 1996).

"So, all of the policies of the United States government, which is always the policy of the American people with vested interests in commerce, has always been the factor, and still is, that shapes us and forms us" (Webb, 6-18-97, 11).

Congress

Congress and sovereignty cannot be separated when discussing tribal/government relations. Sovereignty as it relates to Indian tribes is defined as their inherent right to govern themselves. In actuality, all Indian tribes were sovereign before the U.S. ever came into existence. However, sovereignty was recognized by the U.S. government in Cherokee Nation vs. Georgia (1831), and again in Worcester vs. Georgia (1833). The opinions from both cases were that state of Georgia laws did not effect the Cherokee Nation specifically. Generally, however, Indian tribes dealt with Congress, not the individual states (M. Stepson, personal communication, January 11, 1998).

Of sovereignty and American Indian tribes, Mrs. Webb notes:
We are not the great voting body like the black people are or even the immigrants like the Vietnamese and the Mexicans. We don't have the numbers to be the voting block like those minorities do. So we don't have the political clout, but what we do have and what we hang on to is our legal stance as sovereign dependent nations. We deal only with Congress, we're not states, we're higher than states. . . . Congress has to do commerce with us, states cannot. States want that right, but they cannot pass this in the constitution. So that's our only legal stance and it has to be jealously guarded and every court decision that comes down that erodes the tribal treaties and sovereignty issues destroys us just a little bit more. (6-18-97, 15)

In sum, "whatever the United States Congress decides and the Executive Office decides is national policy for American Indians" (Webb, 6-18-97, 15). This statement by Mrs. Webb reinforced her opinions regarding the importance of the sovereignty issue between the government and the American Indian people. She went on to say,

the whole point in trying to settle some of these issues is not to surrender that sovereignty as a tribe because we're not equal to the State of Oklahoma, we're higher. We're a nation and a lot of states do not like that. They have to cope with it and they're trying hard to do away with tribes, they just want to have Congress extinguish tribes by an Act of Congress. (Webb, 6-18-97, 16)

New Reservation - 1872

Mr. Stepson explained the Osage once possessed a very large reservation in the southeast part of Kansas; however, the government bought this land from the Osage and moved them to another reservation. The Osage took the money from the sale of the Kansas reservation and bought this new reservation, what is now Osage County, Oklahoma. The new Oklahoma reservation was former Osage territory. "They were not unfamiliar with this place because this had been within their territory, within their country, within their hunting grounds" (Stepson, 6-17-97, 9).

The reservation was recognized by an Act of Congress on June 5, 1872. [This act] specifically describes the boundary of the Osage reservation as the 96th meridian starting at the southern boundary of Kansas, south to the northern boundary of the Creek Nation, and west to the main channel of the Arkansas River, up the Arkansas River north to the Kansas boundary, east to the point of the beginning that opens and closes the survey. (Stepson, 6-17-97, 10)

Bureau of Indian Affairs

The BIA is the agency within the Department of the Interior with the responsibility of protecting the interests of all Indian tribes (M. J. P. Webb, personal communication, January 1, 1996). "Their function was to take care of the

Indians, take care of the Osages. . . . Indians are domestic dependent nations. . . . Under the wing of the American Eagle, there to protect them" (Stepson, 6-17-97, 8). Mr. Stepson also believed, "there certainly have been people who did not do that" (6-17-97, 8).

"For better or for worse we had our own agency. . . . I think one of the reasons that we had that [agency] is because we had a vast land holding" (Stepson, 6-17-97, 7). Once the Osage Indian reservation became Osage County, Oklahoma, it was the largest county in the state. "It's bigger than the state of Rhode Island so there is a large real estate holding that was under the superintendent of the Bureau of Indian Affairs" (Stepson, 6-17-97, 7).

1906 Osage Allotment Act

In 1906 the Osage Tribe negotiated their own unique Allotment Act with Congress. Under this act, all land was divided among the members that were on the tribal roll in 1906; the entire reservation was distributed to Osage Tribal members (M. J. P. Webb, personal communication, January 1, 1996).

What happened to us was they gave everybody a parcel of land and then they started over again, so there was no surplus. You had a homestead allotment and you might have surplus allotment. They did that over and over again until everything was taken up. (Stepson, 6-17-97, 10)

This process was very different than the division of lands experienced by other Indian tribes under the 1887 Dawes Severalty Act. "You take a parcel of land and you divide. . . that up between all the members of the tribe and in some

places you had excess land left over, and that was opened up for settlement or for sale to non-Indians" (Stepson, 6-17-97, 10).

Another interesting characteristic of the 1906 Osage Allotment Act was the minerals under the surface of the Osage reservation were retained by the tribe as a whole. Individual ownership of land was applicable to the surface only. If a non-Osage purchased the land from an allottee, the tribe still profited from the minerals under the ground. As a result of retaining the mineral rights, the tribe received, and still do today, headright income or royalty shares from the production of oil and gas on their reservation (M. J. P. Webb, personal communication, January 1, 1996).

Everybody who was alive and on the roll at that time got a headright share. One share of 2,229--that was the roll of the Osage, but most of them were non-[Osage] or were mixed-bloods. They were not full-bloods, some of them were questionable at best. So their ancestry, when they started taking oil out of the ground, everybody got a share of it, of the royalties, which led to another whole industry, a cottage industry of everything that goes along with the development of natural resources. (Stepson, 6-17-97, 5)

In the early 1900's the Osage and Kaw were the only tribes left that had not allowed Congress to allot their reservations; these tribes were holding up Oklahoma statehood.

Most of the impediments to statehood had been removed by Congress with the Dawes Act and the various general allotment acts. Most reservations had been dissolved. The only two impediments left after that was the Osage reservation and the Kaw reservation. . . . In 1902 the Kaws allotted themselves. They submitted an allotment to Congress and Congress ratified it and they allotted the Kaw reservation and the only thing left was the Osage reservation. It was allotted in 1906 with the Osage Allotment Act. (Stepson, 6-17-97, 5)

Mr. Stepson believed there were several groups of people, including tribal, BIA and state officials, who believed the Osage reservation was disestablished when the 1906 Osage Allotment Act was established.

Some people got the idea that somehow or another it did away with the Osage Indian reservation, and all it did was do away with the commonality of the ownership. It kept the minerals intact with ownership by the tribe, by the people. (Stepson, 6-17-97, 10)

Act of April 18, 1912

Since the Osage negotiated their own allotment act in 1906, any actions which affected them had to first be amended to this act. "Anything that happens, if it does not happen through the 1906 Amendments, it has no credibility or legal stance" (Webb, 6-18-97, 16). As a result, Congress amended the 1906 Osage Allotment Act with the Act of April 18, 1912. This act changed the role and power of the Osage Agency Superintendent. This provision gave the county court, not the BIA, the power to control incompetent Osages' money and jurisdiction in all probate matters.

From 1906 to 1912, the BIA's superintendent of the Osage Agency had virtually total control of much of the Osage money. An incompetent Osage was considered a person unable to care for his or her own business. The guardians of these estates would submit to the superintendent or other bureau official the cost of all expenditures (cars, home, clothes, vacations, etc.) and they would either approve or reject the proposal. All probate matters of incompetent Osages were

under the superintendent's jurisdiction as well (M. J. P. Webb, personal communication, January 16, 1998).

Beginning in 1912, the guardian would submit all costs to the judge of the county court and the judge either approved or rejected the costs. If approved by the judge, the guardian would take this approval to a bureau official and this person would sign for a release of funds. The guardian would then pay the appropriate vendors (M. J. P. Webb, personal communication, January 16, 1998). This new act also gave the county courts of Oklahoma the jurisdiction in all probate matters of "deceased and of orphan minor, insane, or other incompetent allottees of the Osage Tribe" (Barney, 1929, p. 60). And it gave the county courts the authority to prosecute the wrong doings of any person responsible for the estate of an Osage.

The superintendent of the Osage Agency or the Secretary of the Interior, whenever he deems the same necessary, may investigate the conduct of executors, administrators, and guardians. . . in charge of the estate of any deceased allottee or of minors or persons incompetent. . . shall have power. . . to report said matter to the county court. (Barney, 1929, p. 61).

Therefore, in 1912, all power was stripped from the Osage Agency Superintendent and the Secretary of the Interior to protect the interests of the Osages, the BIA's original purpose. If they discovered guardians abusing the accounts of the Osages, they would then have to report their findings to the county judge of the county court, who was the person who approved the transaction in the first place. The superintendent of the Osage Agency was only allowed to investigate the guardian and file a report to the county court. The county court

would have the final say as to whether or not an Osage's estate was being dissipated (Barney, 1929).

Act of March 3, 1921

The Act of March 3, 1921, another amendment to the 1906 Osage Allotment Act, removed "all restrictions against alienation of their allotment selections, both surplus and homestead, of all adult Osage Indians of less than one-half Indian blood" (Barney, 1929, p. 73). Prior to this act, all Osage property, regardless of blood-quantum, was restricted from being sold for a 25 year period (1906 through 1931). If the Osage was not using his/her land, the property could be leased with the approval of the BIA agency. The Osage could remove these restrictions by obtaining a certificate of competency. A competency certificate allowed the Osage to sell or lease property at his/her own discretion. Under the 1921 act, those Osage less than one-half Indian blood quantum were considered non-restricted. This automatically qualified these Osage to be competent and allowed them freedom in making property decisions. All Osage over one-half Indian were automatically restricted in selling or leasing their land, unless they were granted a competency certificate.

This act also limited the amount of money a restricted or incompetent Osage would receive. The non-restricted or competent Osage continued to receive full quarterly royalty payments.

That from and after the passage of this Act the Secretary of the Interior shall cause to be paid at the end of each fiscal quarter to each adult member of the Osage Tribe having a certificate of competency his or her pro rata share, either as a member of the tribe or heir of a deceased member, of the interest on trust funds, the bonus received from the sale of leases, and the royalties received during the previous fiscal quarter, and so long as the income is sufficient to pay to the adult members of said tribe not having a certificate of competency of \$1,000 quarterly except where incompetent adult members have legal guardians, in which case the income of such incompetents shall be paid to their legal guardians, and to pay for maintenance and education to the parents or natural guardians or legal guardians actually having minor members under twenty-one years of age personally in charge \$500 quarterly out of the income of said minors all of said quarterly payments to legal guardians and adults, not having certificates of competency to be paid under the supervision of the Superintendent of the Osage Agency. (Barney, 1929, p. 73)

The restricted or incompetent allottee was only allowed \$4000 annually of his/her money. These funds were payable to the Osage's legal guardian. This new act required the surplus money of these allottees be invested by the Osage Agency Superintendent rather than provide the individual Osage money for personal economic improvement.

...to invest the remainder after paying all the taxes of such members either in United States bonds or in Oklahoma State, county, or school bonds, or place the same on time deposits at interest in banks in the State of Oklahoma. (Barney, 1929, p. 73)

Act of February 27, 1925

The mistreatment, the misuse of funds, and ultimately the murders that took place forced Congress to once again amend the 1906 Osage Allotment Act on February 27, 1925. This new act eliminated the control guardians had over the Osage's money accounts and placed it back in the hands of the BIA's Osage Agency. The February 27, 1925 act stated:

No guardian shall be appointed except on the written application or approval of the Secretary of the Interior for the estate of a member of the Osage Tribe of Indians who does not have a certificate of competency or who is of one-half or more Indian blood. All moneys now in the possession or control of legal guardians heretofore paid to them in excess of \$4,000 per annum each for adults and \$2,000 each for minors under the Act of Congress of March 3, 1921, relating to the Osage Tribe of Indians, shall be returned by such guardians to the Secretary of the Interior, and all property, bonds, securities, and stock purchased, or investments made by such guardians out of said moneys paid them shall be delivered to the Secretary of the Interior by them, to be held by him or disposed of by him as he shall deem to be for the best interest of the members to whom the same belongs. All bonds, securities, stocks, and property purchased and other investments made by legal guardians shall not be subject to alienation, sale, disposal, or assignment without the approval of the Secretary of the Interior. (Barney, 1929, p. 78)

Section three of the February 27, 1925 act specifically stated the Osages deemed incompetent could not be taken advantage of by their legal guardian.

Property of Osage Indians not having certificates of competency purchased as hereinbefore set forth shall not be subject to the lien of any debt, claim, or judgment except taxes, or be subject to alienation, without the approval of the Secretary of the Interior. (Barney, 1929, p. 80)

Section five of the February 27, 1925 act spelled out that any murderer of an Osage will not inherit any assets from that person.

No person convicted of having taken, or convicted of causing or procuring another to take the life of an Osage Indian shall inherit from or receive any interest in the estate of the decedent, regardless of where the crime was committed and the conviction obtained. (Barney, 1929, p. 81)

Section six of the 1925 act is the segment which awarded the control of incompetent allottees' money accounts back to the BIA.

No contract for debt hereafter made with a member of the Osage Tribe of Indians not having a certificate of competency, shall have any validity, unless approved by the Secretary of the Interior. In addition to the payment of funds heretofore authorized, the Secretary of the Interior is hereby authorized in his discretion to pay, out of the funds of a member of the Osage Tribe not having a certificate of competency, any indebtedness

heretofore or hereafter incurred by such member by reason of his unlawful acts of carelessness or negligence. (Barney, 1929, p. 81-82)

Finally, Section seven is the provision of the 1925 Act which protected the tribe so that white persons could not inherit Osage's assets.

Hereafter none but heirs of Indian blood shall inherit from those who are of one-half or more Indian blood of the Osage Tribe of Indians any right, title, or interest to any restricted lands, moneys, or mineral interests of the Osage Tribe: Provided, That [sic] this section shall not apply to spouses under existing marriages. (Barney, 1929, p. 82)

Summary

It was not long after the Osage Tribe was moved to what is now Osage County, Oklahoma, the government began discussing Oklahoma statehood.

By the time they came to Osage County and settled here, it became a matter of dealing with statehood, dealing with the forces that were going to force [these lands into] Indian Territory which was supposed to be an all Indian state promised to these Indian tribes by the federal government. This would be their sanctuary, a place they could live in peace. (Webb, 6-18-97, 11)

Tribal members hoped for peace and happiness, but instead were subject to further rigid government policy enacted by Congress.

Outcomes

The sovereign relationship the Osage had with the government resulted in certain outcomes for the tribe as well as individual tribal members. Consequently, there were both tribal and personal gains and losses experienced by the Osage.

Tribal Gains

As a tribe, the Osage gained from the inherited wealth which resulted from the negotiated 1906 Osage Allotment Act.

Wealth Through Oil and Gas Production. The Osage Tribe experienced a great amount of wealth in a short period of time. The tribe acquired wealth in 1906 when they negotiated to keep the mineral rights to their reservation. The minerals translated into headrights from the production of oil and gas. Wealth was also procured through oil and gas leases. They were introduced to a world with which they were not familiar.

There was "the perception that the Osage Indians were the wealthiest people on earth" (Stepson, 6-17-97, 11). They had to deal with real estate and financial issues in which the rules, policies, and procedures were written by white people.

[The Osage] had to deal with the complicated European society and complicated business issues of oil and gas and mineral administration and real estate administration, plus the fact that these people every three months got annuity payments. . . . So that was probably for most people quite a culture shock. (Stepson, 6-17-97, 8)

Tribal Loss

The Osage were forced to relinquish much of their decision making power and control regarding tribal issues and day-to-day activities to the BIA. Osage Tribal members were oftentimes at the mercy of the court system as well, particularly when they found themselves in positions to fight for their inheritance.

The tribe experienced a social system change as a result of the many government interventions. The Osage not only lost their autonomy in making decisions, many lost their lives as victims of murder for their inherited fortunes. It was believed local and state officials were apathetic or indifferent to these Osage victims.

Loss of Control. Although the Osage had a Tribal Council, the BIA gained much of what used to be under the control of the council.

The Tribal Council's function was not only to act as a government which . . . somehow or another they lost that function, they lost the idea that they were really and truly a government, but instead their function became that of approving oil and gas leases. They left a great deal of the administration, not to the people on the Tribal Council, but to the Bureau of Indian Affairs. (Stepson, 6-17-97, 7-8)

The BIA administered the money that went to the Osages in the form of quarterly royalty checks or what is commonly known as headrights; however, the appointed guardians, and ultimately the county court, had the final say in how those Osage deemed incompetent spent their money.

I think the Bureau of Indian Affairs. . . virtually had the power of life and death over you. If you wanted anything, they could say yes or no. If you wanted new clothes, they might say, "why do you need new clothes?" If you wanted a new car or transportation they might say, "well you don't need a new car," or if you wanted money to buy horses or blankets to give away at a dance they might or they might not let you have that money--the guardians or even the Bureau itself handled the money. (Stepson, 6-17-97, 8-9)

Once oil and gas reserves were discovered on the Osage reservation, this wealth motivated several non-Osage to find ways to be a part of the Osage Tribe.

For better or worse, it changed the face of the Osage. There was a lot of factionalism within the tribe. I strongly believe that there were not a whole lot of what you would call real Osages within the tribe, but there were a lot of people around who had lived among them, with them, those who had intermarried with them. They saw the fruit of that relationship. They could see that there was something to be gained by being an Osage, having a relationship with an Osage, and that something to be gained was money. (Stepson, 6-17-97, 4)

Mr. Stepson believed, "flesh peddlers, money peddlers and those sorts of things had a detrimental influence on Osage culture. I guess the discovery of oil, the headright system, has been a blessing and a curse because it gave us money" (6-17-97, 5).

The following several pages is information from the Oklahoma Supreme Court case hearings on Paul Peace's estate. The testimonies give a clear picture of what it was like for an Osage Indian to be at the mercy of the court system. This case dealt with an Osage family fighting for their inheritance; a common practice during the 1920's. A widowed white woman contested the will her late Osage husband had made. She claimed he was insane at the time his last will was made. Testimonies of witnesses indicate he may have been administered slow poison; however, this was never proven and was not the focus of the court case. After several years in court, the Osage family won the case (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928).

In reviewing the transcripts from the court hearings on Paul Peace's estate, several witnesses were asked to testify including BIA officials, city officials from Fairfax, Oklahoma, business owners, and Mrs. Thersa Peace, widow of Paul

Peace. The main purpose of their testimony was to determine whether or not Paul Peace was insane in December 1926, the month he made a new will. The only two surviving children of Paul Peace were his two sons, David and Joe Peace. David Peace was my mother's father. David and Joe Peace were fighting for their inheritance (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928).

According to the court documents, Thersa Peace was contesting the will in which her late husband, Paul Peace, left her one-third of his estate and his two sons the other two-thirds to be split equally among them. Paul Peace made this will on December 16, 1926, two months prior to his death. She had a will to present in which she was to gain everything except \$1,000, which was to be inherited by Paul's two sons. Paul Peace had made this particular will several years prior to the latest will made in December 1926 (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928).

A few months prior to Paul Peace's death, he had been seen by many people who claimed he behaved in a strange manner and appeared to be unshaven, unkempt, and inappropriately dressed on cold winter days on more than one occasion. He had also been sick several times prior to his death. A. C. Hector, Principal BIA Clerk, Osage Agency, testified to the plaintiff's attorney, Mr. Cornett, that

prior to the December 1926 payment [quarterly royalty payment], Paul was usually in rather good condition when he called, plain shaven and fairly well clothed. On the last one or two visits which I remember he was not in his good condition, he had four or five days growth of beard and appeared to

be ill or dopy[.] (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1308)

Mr. M. M. Richardson, Government Field Clerk for the BIA, Osage Agency, testified, "well there was one cold morning during that winter that he came to the office one morning in his shirt sleeves and I thought that was a little unusual, everybody would pretty near have had an overcoat on" (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1366)[.] Mr. Cornett asked Mr. Richardson to describe Paul Peace's appearance. He said, "well, I think he was in failing health for one thing, we had disbursed money to him a number of times out of his surplus fund for health expenses" (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1366)[.]

Mr. MacDonald, the defendants' attorney, cross-examined Mr. Richardson. "Did he [Paul] answer your questions intelligently when you talked with him in December; did he understand you[?] Yes sir[.] And you understood him[?] Yes sir" (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1371)[.] This was Mr. MacDonald's final attempt to prove that Paul Peace was sane when he made a new will in December 1926 allowing his current wife to inherit only one-third of his estate.

Finally, Mr. MacDonald asked the court permission to make Mr. Richardson his witness and to examine him directly.

Q Mr. Richardson, Paul Peace made a will on the 16th [sic] of December 1926 willing his property (Holds up Exhibit "A") one third to his wife and one third to each of his children, Joe and David Peace; I will ask you basing the question upon your knowledge and conversations and transactions with Paul Peace during the time you knew him whether or not in your opinion he has [sic] mental capacity sufficient to know the nature and consequence of a will of this character[?]

A Yes sir, I believe he did[.]

Q I will ask you if during that time he had mental capacity sufficient to know that he had property[?]

A Yes sir[.]

Q I will ask you if during that time he had mental capacity sufficient to know the objects of his bounty, that is his heirs or kinships[?]

A Yes sir. (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1373)

According to the testimony of W. B. Matthes, businessman in Fairfax, Oklahoma, he had seen Paul Peace on several occasions in his store particularly two months prior to his death. He had known Paul Peace approximately ten years.

Mr. Cornett asked Mr. Matthes to describe Paul's mental condition.

There was something wrong with him[.]. . . Something wrong with his mind, I don't know, I would not say he was crazy or anything for I don't know, but there was something wrong with him though for in our conversation he was absolutely off[.] (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1293)

In cross-examining Mr. Hector, Mr. MacDonald asked,

Q Now, would you say that after the December payment and before Paul went to Kansas City that you talked to him several times[?]

A Yes sir[.]

Q In your office[?] Now, you say that upon two occasions he seemed dopy, was that after the December payment?

A Yes sir[.]

Q About how long after if you know[?]

A Well, I would say just shortly before the end--shortly before his death[.]

Q He died on the 23rd of February, 1927 Mr. Hector; about how long before his death, if you can fix the time, did he appear that way[?]

A Well, I would fix it as near as memory serves me about the first of February[.]

Q And that was the first time you had ever seen him when he appeared unkempt, or unshaven, or dopy[?]

A Yes sir[.]

Mr. W. W. Thomason, Special Officer for the BIA, Osage Agency,

described Paul Peace's condition.

I never saw him in a condition that would lead me to believe he had been drinking--that he was drunk, but his condition usually left the impression on me that he was drugged or just in an abnormal condition mentally[.]
(Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1324)

Bright Roddy, owner of an Indian Curio business in Pawhuska, Oklahoma, testified he talked to Paul Peace on the morning of December 16, 1926, the day he made a new will.

He had been brought up here to make a will and he was going down. . . to Mr. Comstock's [attorney, Pawhuska, Oklahoma] office to make a will[.]. He said they have got me. . . here to make a will, he says they are waiting for me down at Mr. Comstock's office, and wanted me to make a will, he said Mr. Comstock and his mother and Judge Mellott and Magella Whitehorn had told him that his wife was feeding him dope - poison, some kind of poison, that she was killing him, and that they wanted him to make a will. . . he was going down to make a will and file for a divorce and then he was going up to the Agency and he was going to get some money and

wanted to know if I would go up with him to Rochester [sic] Minnesota, he was going to have treatment up there for this poison that his wife had given him[.] (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1336-1337)

When asked to testify as to what Paul Peace's appearance was, Mr. Roddy thought he had been drinking so he drew closer to him to see if he could smell alcohol on his breath. He stated, "I could not smell anything, and he appeared to me like he was dopy or on dope" (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1338)[.]

Several weeks after Mr. Roddy spoke with Paul Peace about his will, Mr. Roddy spoke again with Paul and his wife, Thersa, at Mr. Roddy's curio store. Mr. Roddy testified on this day Paul Peace "told me that Mr. Comstock told him that he would tear up that will" (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1339)[.]

Exhibit "E" used in the Oklahoma State Supreme Court hearing of Paul Peace's estate was a seven page document describing the present mental condition and life history of Paul Peace. The two doctors' physician's certificate filed with the Osage County Court Clerk on February 12, 1927 stated the following:

We, the undersigned physicians, heretofore appointed by the court in the above-entitled matter of [sic] make a personal examination of Paul Peace, an alleged insane person, do hereby certify that, in pursuance of such appointment, we did on the 12th day of Feb., 1927, make a creful [sic] personal examination of the actual mental condition of the said Paul Peace, and on such examination we find respectively, that he is not insane, and that his condition is such as not to require care, custody and treatment in a hospital for the insane. (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 603)

Social System Change. The Osage Tribe's social system changed due to the many government interventions. Mrs. Webb believed, "all of their policies [government] destroyed the social system, the clan system, just by disease, starvation, and betrayal by government agents," (6-18-97, 11). She believed the invasion of all of the Indian hunting territories also had a devastating impact. Not only were white people invading the hunting grounds, but the resettlement of other Indian tribes thrust upon them by government policy caused tribal enemies to be forced to live close to one another. She stated,

to force you to live like that meant that you had to give up a lot of ways that you did before. That had a major, major impact on their lives. Then they had to react to that, cope with it. (Webb, 6-18-97, 11)

Mr. Stepson discussed change due to outside, as well as inside, influences imposed upon the tribe.

Cultures evolve--the culture of any Indian Tribe or any nation. . .society changes very gradually due to external and internal pressures. The languages change, languages reflect culture and how people look upon the natural world about them. Their religion, their cosmos, everything [changes]. . . Almost any organism will mutate due to pressure on them from somewhere. (Stepson, 6-17-97, 13)

In discussing what happened to the Osage people, as well as all other Indian Nations, and the future of these indigenous peoples, Mrs. Webb said,

the movement west, the reservation era, the American Indian movement was a catalyst for a lot of changes in the government attitude. . .but nothing seriously has ever been done to relieve social problems of the reservation Indians where the suicides are so great, so high, and the alcoholism, the FAS (fetal alcohol syndrome) which all have affected the tribes, not to mention the economic impacts. (6-18-97, 17)

Mrs. Webb believed the government has ignored the condition the Native American people have been left in. She concluded by stating,

President Clinton apologized to the blacks for slavery, we have yet to see any President apologize to the Native Americans for the destruction of their lives and their land and I don't think we will either, because the black people have a bigger vote. Clinton, being a political animal, knows that. (Webb, 6-18-97, 18)

Loss of Osage Tribal Members. As a result of the discovery of oil and gas fields on the Osage reservation and the vast amount of wealth Osage Tribal members inherited, many Osages were murdered so their non-Osage spouse or guardian could inherit their fortunes. Consequently, in 1922 the FBI was called to conduct an investigation in Osage County, Oklahoma. "In what became one of its most celebrated cases, the FBI--then simply the Bureau of Investigation--avidly pursued the Osage murderers, eventually securing life-term convictions in state and federal courts" (FBI Roll No. 1, Introduction).

In the introduction to the FBI files on the Osage murders, written by John W. Larner, Pennsylvania State University, Altoona Campus, he noted,

Osage Indians, a remarkable people, wisely used the economic base of various localities during several generations following their nineteenth-century removal from the rich alluvial lands of the Mississippi-Arkansas confluence. By the early twentieth century, situated in the cross-timber zone of northeastern Oklahoma, Osage people developed the cattle-grazing and oil-drilling potential of their latest in a series of estates. As did the oil, headright royalties flowed while Osage Indians tried, in a variety of ways, to adapt to the demands of the new order. In time, these Native American people became victims of plots to divert the wealth of their nation. (FBI Roll No. 1, Introduction)

Several memorandums can be found in the FBI files in which J. Edgar Hoover, then Assistant Director, Bureau of Investigation, had written to various parties concerning the Osage Indian murders. One memorandum in particular

addressed to Mr. Burns, Director, Bureau of Investigation, dated May 25, 1923, stated,

there is a serious situation on the Osage Indian Reservation in Oklahoma. These Indians you will remember as State wards of the Government and the wealthiest persons per capita for their class in the country. On account of their oil rights they for some time past have been made the victims of murders and other outrages and are now especially being worked upon by all sorts of elements endeavoring to procure appointment as guardians, only to either murder them or procure their income in other ways. . . . In looking over the files it was thought that Agent Wilcox of Detroit would be the best man and telegraphic instructions have been issued for him to confer with the Attorney General of Oklahoma who will be in Chicago tomorrow, Saturday. This is in accordance with the personal instructions of Mr. Grim [Assistant Attorney General]. Attorney General Short will wire the result of his conference, so that definite instructions may be issued. Respectfully, J. E. Hoover. (FBI Roll No. 1)

When the FBI began its investigation on the Osage Indian murders, a few agents went undercover so they could gain valuable information. The Butte Daily Post, a Butte, Montana, newspaper, described the bureau's investigation and what took place.

One of the most unusual and successful investigations conducted by G-men was on the Osage Indian reservation in Oklahoma in 1922 and 1923. . . . During the two years preceding 1922 the Federal Bureau of Investigation in Washington, D.C., received a communication from the chiefs of the Osage Indian tribal council asking the "Great White Father" to investigate a series of deaths on the reservation. Agents went to the reservation to investigate. They quickly became convinced that a "murder syndicate" consisting of a group of white men was and had been operating. More than a dozen Indians, both men and women, had died under mysterious circumstances, agents learned. All of the victims were immensely wealthy from royalty rights to almost 10,000 oil wells which were spouting forth millions of gallons of liquid wealth. In several cases the victims were young Indian women who had been married shortly before their deaths to white men. Agents became convinced that the murders of the women were plotted by the gang before the wedding ceremonies. Indians and white residents of the reservation were extremely hesitant to talk about the deaths. They feared that they, too, might become victims. Agents sent on the investigation were able to speak the language of the Indians on the

reservation and were those familiar with tribal customs and traditions. They decided that it would be necessary to use unusual tactics in "breaking" the case. One agent became an Indian medicine man. His skin was painted and he donned suitable clothing. A second agent posed as a Texas cattle buyer, seeking to purchase stock. A third agent acted as an insurance salesman. (FBI Roll No. 1)

FBI Agent Frank V. Wright in an initial report to the Director of the FBI on April 2-4, 1923, outlined the names of all persons that he knew had died in Osage County, Oklahoma:

The following names will be mentioned in this report, and have important bearing:

LIZZIE Q.--Deceased Osage Indian and widowed mother of ANNIE [sic]

BROWN, RITI [sic] KILE SMITH, MINNIE KILE SMITH and MOLLIE

KILE BURKHART, died a natural death in 1921. The daughters named being her beneficiaries.

ANNIE [sic] BROWN.--Murdered. May, 1921. Her body found in a ravine with a bullet hole through her head and a bottle of whiskey laying near her. . . .

CHAS. WHITEHORN.--Murdered and body found near Pawhuska about two years ago. No evidence at this time to couple his death with the suspected motive caushing [sic] the other murders.

MINNIE KILE.--Died of "quick" consumption about the first of 1922. No investigation made of her death, so far as known to informants.

HENRY ROAN.--Related to Lizzie Q. and who carried \$25,000.00 life insurance made payable to WM. [sic] HALE, was murdered by unknown persons about Jan. 15, 1923, and his body found four miles northwest of Fairfax with a bullet hole through the head.

RITI [sic] KILE SMITH.--Killed in explosion when her home was blown to atoms at Fairfax on March 10, 1923, at about 3 AM.

NETTIE BROOKSHIRE.--White domestic in home of RITI [sic] KILE SMITH, killed in explosion. No relation.

W. E. SMITH.--Husband of RITI [sic] KILE SMITH, died a few days after the explosion from effects of injuries received. . . .

BILL STEPSON was found dead in bed about December 15, 1922. His death was attributed to corn whiskey, but no investigation was made so far.

The residents of Fairfax, Oklahoma, were suspicious of the following people. An FBI agent reported,

a confidential informant that will be known as B7D in this report and until such time as becomes necessary to disclose the name, but who is substantial, stated that. . . . The following named persons were under suspicion by citizens of Fairfax: 1. WM. [sic] HALE.--Is a prominent white farmer and stockman of considerable means and local political influence, and is suspected of being the brains of the organization. 2. ERNEST BURKHART.--Is a white man and a nephew of HALE and the husband of MOLLIE KILE BURKHART, the only surviving daughter of LIZZIE "Q", and resides at the present time at Pawhuska, having moved from Fairfax since the explosion. Ernest Burkhart is absolutely controlled by HALE, according to information received by Agent from informant Number Two and also from Number Three. 3. BRYAN BURKHART.--Is a brother of ERNEST, and married an Osage girl, ROSE LASLEY. The marriage was recently annulled by the Osage district court on the ground that ROSE was not eligible to marry, having been but recently granted a divorce from her first husband. Sufficient time has not yet elapsed under the state law to make her marriage with BRYAN BURKHART lega. [sic]. BRYAN BURKHART was arrested and placed in jail at Pawhuska, Okla. charged with. . . [Anna Brown's] murder. WM. [sic] HALE, et al., furnished bond for BURKHART and he was acquitted. 4. ----- BURKHART.--Is also a brother of ERNEST and is reputed as being an ex-convict and all-around, no-good character. Bearing about the same general reputation as do his two brothers, ERNEST and BRYAN. 5. KELSEY MORRISON, Is a boon companion of the BURKHART brothers alias SLIM MORRISON.--and informant B7D states that he is also under control of HALE; that MORRISON came to Fairfax from parts to informant unknown, and has been a whiskey peddler. . . . Was "yellow" and probably the easiest point of attack to get at facts; that he would probably talk, and that he was also the only man mentioned so far among the suspects who would divulge anything, regardless of pressure brought to bear. Informant stated that prior to the explosion, W. E. SMITH deceased had sued HALE for \$6,000.00 and that HALE denied the obligation which was alleged in the suit to have been a cash loan without security; that since the death of SMITH the cowboy has told one or more persons that he, the

cowboy, saw HALE pay SMITH three thousand dollars at one time in currency from his, HALE'S'S, pocket. (FBI Roll No. 1)

On the front page of the June 3, 1921, edition of The Osage Chief, Fairfax, Oklahoma, there was an article which recounted the murder of Anna Brown.

Last Saturday Judge H. E. Wilson impaneled a jury and held an inquest over the murder of Anna Brown, a member of the Osage tribe [sic]. A bullet hole was found in the back part of the head near the top and the skull was fractured. The jury has not yet rendered a verdict, as the judge, who is acting as coroner, is awaiting developments. Anna Brown was last seen Saturday night, May 21, and her body was found by J. M. Robinson and Andy Smith Friday afternoon, near the head of Three Mile creek, north of Grayhorse, in a reclining position without any shoes or hat. ("Coroners Inquest," 1921)

In a March 20, 1923, letter addressed to the Commissioner of Indian Affairs in Washington D.C. by the Osage Agency Superintendent, George Wright, wrote,

the crimes. . . have created a great deal of excitement in this county, and I have been recently advised that certain parties have been continuously working on the Annie [sic] Brown murder which occurred nearly two year ago. It appears from information furnished me that Will Smith, one of the persons killed in the explosion March 10th, was active in obtaining evidence in the Annie [sic] Brown case. I have also been advised within the last few days that two eye-witnesses to the Annie [sic] Brown murder have been discovered who are ready to give their testimony if assured the protection of the Government. (FBI Roll No. 1)

A 1927 parole report described Anna Brown's murder implicating the involvement of Bill Hale. The report stated,

in another Osage Murder [sic], Byron [sic] Burkhart and Kelsie [sic] Morrison are charged by the State with the murder of Anna Brown. Byron [sic] Burkhart is a nephew of W. K. Hale. At the preliminary hearing of Byron [sic] Burkhart, Kelsie [sic] Morrison testified that Byron [sic] Burkhart had held Anna Brown while he, Morrison, shot her in the back of the head with a gun provided for the purpose by W. K. Hale. (FBI Roll No. 3, File No. 62-5033-475, January 5, 1927)

The FBI described Kelsey Morrison as "an unusually shrewd, and reckless and self-confessed criminal" (FBI Roll No. 1). Kelsey Morrison was also depicted as "a notorious, unscrupulous criminal and a known protege of Bill Hale" and a high powered crook" (FBI Roll No. 2). "Morrison, who was paroled, was killed . . . in a pistol duel with officers at Fairfax" (FBI Roll No. 1).

An FBI agent wrote about the murder of Henry Roan:

On or about January 30, 1923, in the Indian Country, John Ramsey shot and killed Henry Roan, an Osage Indian. The scene of the murder was a canyon, quite a little distance from the road. The Indian was lured to the place by whiskey, and while he sat in his car, Ramsey shot him in the back of the head. (FBI Roll No. 3, File No. 62-5033-474, January 5, 1927)

T. B. White, Special Agent in Charge, documented in a letter dated February 3, 1926, the following information concerning the murder of Henry Roan.

The facts in this case are, briefly, that Ramsey shot and killed Henry Roan in the latter part of January or the first of February, 1923 and that the plot was laid for this act of Ramsey's at Henry Grammer's place by W. K. Hale, Grammer and Burkheart [sic]. For his part in the transaction, Ramsey got . . . Ford Roadster, which he purchased at Ponca City with the money furnished him by Bill Hale, and \$500 in cash. (FBI Roll No. 2)

Henry Roan was Joe Tall Chief's great grandfather. Mr. Tall Chief stated, "he [Bill Hale] took an insurance policy out on grandpa for \$25,000" (6-18-97, 10). The incentive for the murder was stated in a 1927 report,

Ramsey made a complete confession, setting forth that the crime was actually committed by him, and was done at the solicitation of W. K. Hale, who paid Ramsey 500. [sic] in cash and gave him a Ford Roadster for committing the murder. The motive was to enable Hale to collect a \$25,000.00 life insurance policy which Hale held on the life of Roan, and which at the time of the murder, had been in force about two years. The confession was corroborated in all details. The murder of Henry Roan was

one of a series in which the victims were Osage Indians. (FBI Roll No. 3, File No. 62-5033-474, January 5, 1927)

An FBI agent reported the life-term convictions of Bill Hale and John Ramsey. "At Oklahoma City, Oklahoma, on October 29, 1926, W. K. Hale and John Ramsey were convicted of the murder of Henry Roan, an Osage Indian, and on the same day were sentenced to the United States Penitentiary at Leavenworth, Kansas" (FBI Roll No. 3, File No. 62-5033-474, January 5, 1927).

A letter dated October 29, 1926, addressed to Edwin Brown, Special Assistant to the Attorney General, and Agent C. D. McKean, the Department of Justice, located at the Federal Building in Oklahoma City, stated, "received your wire and delighted with result you are entitled to appreciation of all law-abiding citizens for results obtained congratulations and will appreciate your extending my congratulations to the agents of the Oklahoma City office [sic] [signed] J. Edgar Hoover" (FBI Roll No. 2).

[The headrights] set up a system whereby people could acquire wealth by marrying Osages, and if they were so unfortunate as to die, then the non-Indians could inherit that money. There's a little house sitting right across the street, kind of catty-cornered across the alley. The whole family died one day when the house blew up. . . . When I was a little kid we used to play on the foundation of that house. We did not know what happened here and it wasn't until I got older that someone told me. My mother had relatives that were supposed to have died in that house, but they didn't. . . . By the grace of God, they had left. (Stepson, 6-17-97, 5-6, 16)

The exploded home Mr. Stepson referred to belonged to W. E. (Bill) and Rita Smith. Bill Smith was a white man and his wife, Rita, was full-blood Osage. The FBI reported that C. T. McDowell, professor of Chemistry at A & M College, Stillwater, Oklahoma,

can testify that he was called and examined the ruins of Smith's home a few days after the explosion, and that his firm opinion is that the explosion was caused by a large charge of T. N. T. or nitroglycerine or a similar high explosive, and could not have been caused by gas or gasoline, and can testify as to the physical results of the explosion on the concrete basement, walls and other parts of the house. (FBI Roll No. 2)

Bill Hale was the known leader in a series of Osages murdered for money.

Of Bill Hale, Mr. Stepson stated,

[a person] comes in here and he is everybody's friend, he is good to everybody. He loans people money, and he has this exterior that he is the pillar of the community. But in the meantime, he has these other people around who are less than the pillar of the community and they marry Osage. . . and it all revolves around the headright and these people start dying off and pretty soon all these headrights started going to the non-Indian spouses, whether it be male or female. It all revolved around this one central person, because at that time the Osages were not protected, non-Indians could inherit the headrights. People knew this and they were set up to take the big fall, take the fatal fall. (6-17-97, 15-16)

The FBI investigative reports described Bill Hale as follows:

A large cattle man in the vicinity of Fairfax. He is a man of unscrupulous methods, and is believed to be the master mind in the murder of a number of Osage Indians, who were killed, ostensibly, for the purpose of enlarging his fortune. The majority of the witnesses in these cases are afraid to testify to facts in their possession for fear of personal violence, or even death, at the hands of Hale and his henchmen. (FBI Roll No. 2)

In 1925, the FBI reports described Bill Hale as being one who

controls the majority of the citizens of Fairfax by his methods, and is closely allied with the big interest of Osage County, and will resort to most any trickery to gain his point of his freedom if brought to justice. At this time HALE has made about \$75,000 in cow business as well as other matters in this year, 1925. HALE is a 32nd degree Mason and has assisted several of his friends in getting into the Masons, as well as putting them through to higher degrees. (FBI Roll No. 2)

A 1927 parole report described Bill Hale as follows:

At the time of his arrest he owned about five thousand acres of land, and leased about thirty thousand acres, which was used in his cattle business.

Hale was a close friend and associate of Henry Grammer, who was the head of a large organization of murderers, bank robbers, train bandits, mail bandits, highwaymen, and bootleggers, most of whom are now either dead or serving long sentences. Former record: None. (FBI Roll No. 3, File No. 62-5033-475, January 5, 1927)

The same 1927 parole report explained in detail for what the two men were charged. The report stated,

both W. K. Hale and John Ramsey are now charged with murder by the State of Oklahoma in connection with the murders of W. E. Smith, Rita Smith, his wife, and Nettie Brookshire, their servant, who were killed by the explosion of fourteen quarts of nitroglycerine placed under the house while they slept. Ramsey has also made a complete confession in this case, admitting that he helped commit the crime, and that it was done at the solicitation of W. K. Hale. (FBI Roll No. 3, File No. 62-5033-474, January 5, 1927)

Ernest Burkhart, a nephew of W. K. Hale, was also charged in the State Courts with the murder of W. E. Smith. He pleaded guilty, after making a confession corroborating Ramsey. Burkhart also made a complete statement of his knowledge of the Henry Roan murder, his knowledge consisting largely of statements made to him by Hale and Ramsey. (FBI Roll No. 3, File No. 62-5033-474, January 5, 1927)

The FBI described Ernest Burkhart as "money mad, and a miser" (FBI Roll No. 1) and as a "white man. . . married to an Indian squaw named Mollie, who is a sister of ANNA BROWN, murdered Indian. His occupation is that of a poker player and he handles liquor. He is a nephew of BILL HALE" (FBI Roll No. 2). His wife was "a member of the wealthy [Osage] family. By killing off all other members of the family. . . thirteen headrights, with an annual income of \$135,000 had been consolidated in the name of his wife, and he was her only heir" (FBI Roll No. 1).

The sole surviving member of the Q family, Burkhart's wife, Mollie, was ill at the time [of his arrest], and it was the supposition that she was being administered slow poison, for when her husband and the other conspirators were imprisoned, she speedily recovered. (FBI Roll No. 1)

In 1937, Ernest Burkhart was paroled after serving only eleven years of a life sentence. Prior to his parole an article in the Daily Oklahoman, "Osages Protest Freedom Move By Mass Killer" stated,

Ernest George Burkhart, serving life in prison for his part in a plot to wipe out a group of oil-rich Osage Indians, encountered opposition Thursday in his bid for a parole. . . . The Osage Tribal Council passed a resolution at a special meeting Thursday asking that Burkhart not be paroled. Burkhart and his uncle, W. K. Hale, were charged with murdering several Indians to gain possession of their wealth. Hale was sentenced to life in federal prison, and Burkhart began serving a state term for life in 1926. (FBI Roll No. 1)

When paroled, another Daily Oklahoman article was published which declared Governor E. W. Marland had paroled Ernest Burkhart. Governor Marland was the founder of Conoco Oil, Ponca City, Oklahoma. The title of the article was, "Killer Freed." The article stated,

RELEASED--Ernest Burkhart, the government's chief witness in the Osage Indian "reign of terror" murders, was paroled Wednesday by Governor Marland. He was committed to a life sentence October 4, 1926, after pleading guilty to murder in the dynamiting deaths of Mr. and Mrs. W. T. [sic] Smith and a servant girl in Fairfax in March, 1922 [sic]. (FBI Roll No. 1)

The Kansas City Times, Kansas City, Missouri, in 1937 reported, the parole of Ernest Burkhart from the Oklahoma state penitentiary recalls what was possibly the most remarkable murder case in the history of the Southwest--the wholesale slaying of Osage Indians for their oil headrights in that part of Oklahoma known as the Osage Hills. . . . It was Burkhart whose testimony resulted in the convictions of his accomplices, and it is on this account that his parole was given him, with the possibility that its 90-day limit may be extended to permanency. Even so, the freeing of a principal in so cold-blooded a plot after serving little more than a decade of a life sentence, seems to reveal one of the besetting weaknesses of the parole system. (FBI Roll No. 1)

While court proceedings were going on, it was reported on January 12, 1926, "it is apparent that many of the witnesses have left the city. The army of those who were to testify and those who came to look on has dwindled until the city almost has resumed a normal appearance" (FBI Roll No. 1). However, the day before

an influx of prominent men in the frontier history of the state was noted. . . Major Gordon W. "Pawnee Bill" Lillie and his brother, Albert Lillie, were here from Pawnee. They have not been subpoenaed and Major Lillie said he came merely to pay his respects to federal authorities. Frank Canton, former United States marshal [sic] and a frontier character around whom at least one novel has been built, also was here. . . Zack Mulhall, another frontier character and showman was in Guthrie today. Major Lillie, Canton and Mulhall are all intimate friends of Hale and expressed belief in his innocence. (FBI Roll No. 1)

A newspaper article published in The Leader, Guthrie, Oklahoma, dated Wednesday, January 20, 1926, reported this and other atrocities:

Murder has been committed in the Osage Nation for greed and gain. That is sufficient to warrant a thorough investigation and publicity, hurt who it may. The wreckage of the W. E. Smith home at Fairfax with bits of human bodies strewn for blocks; the decomposed body of Anna Brown lying in a ditch near Fairfax, a bullet hole through her head; the frozen body of Henry Roan Horse [sic] sitting erect in his auto with a bullet through his head--All these and many other lives have been sacrificed for greed in the wealthy Osage nation [sic]. (FBI Roll No. 2)

Several other murders and mysterious deaths took place during the 1920's. Some were investigated and some were not. J. R. Burger, Special Agent in Charge, wrote a letter from the Kansas City, Missouri office to the Director, Bureau of Investigation, dated April 1, 1927, which stated an attorney had been murdered. He said,

Attorney Vaughn, whose body was found, apparently having been thrown from a moving train, while Vaughn was on his way from Oklahoma City to

Pawhuska, after he had conferred with an Indian client, named Bigheart, who later died under suspicious circumstances in Oklahoma City. (FBI Roll No. 3, File No. 62-5033-517)

The Osage Chief reported several deaths of Osages during the early 20's.

The newspaper reported, "John Bates, Osage Indian, 25 years of age, died at his residence in Fairfax last Saturday morning, May 7, 1921, after a short illness" ("John Bates," 1921). "Joe Redeagle (Hha-ah-sha-tsa), 60 years old, died at Hominy [Osage County, Oklahoma] last Saturday morning of acute indigestion after a short illness" ("Joe Redeagle," 1921). "Joe Bates, one of the best known of the Osages, died rather suddenly at his home last Saturday and was buried Sunday" (no title, 1921). "Peter Clark, aged 36, an Osage Indian, died at his home in Grayhorse early Thursday morning" ("Peter Clark Dies," 1922). "Arthur Bonnicastle [sic] possibly the most well known member of the Osage tribe [sic] passed away in a hospital at Kansas City one day last week after an illness lasting but two days" ("Former Chief of Osage Dies," 1923).

The Osage murders were recounted in a 1937 article in The Kansas City Times, Kansas City, Missouri, titled, "The Osage Hills Murders." The article related the accounts as follows:

Beginning May 22, 1921, a series of murders of both Indians and whites began, which at first were not connected with each other by authorities. Then agents of the United States department [sic] of justice [sic] entered the case, and made the discovery that a score of persons had been killed, apparently in some kind of a conspiracy. Fifteen of the deaths, including those of Judge W. W. Vaughn of Tulsa, and W. A. [sic] Smith of Fairfax, white men, were directly connected with the case. . . . Many other persons had been killed because they "knew too much." (FBI Roll No. 1)

Apathy. The St. Louis Post-Dispatch, St. Louis, Missouri, on November 4, 1926, published an article, "Law In The Osage Hills." This article delineates the apathy of local and state government at the time of the Osage murders. The article stated,

it must be remembered that the sovereign State of Oklahoma permitted the Osage outrages to go unpunished. Sheriffs investigated and did nothing. State's Attorneys investigated and did nothing. The Attorney-General investigated and did nothing. It was only when the Government sent Department of Justice Agents into the Osage country that law became a thing of majesty instead of a butt of travesty. . . . The punishment of murderers is the duty of the state. But when local government fails, as it did in Oklahoma, there is no alternative but Federal investigation. The underlying cause of the growth of Federal power has been the apathy of its citizens, the corruptness of local authorities and the disrespect into which state law has fallen because of them. The whole strength of local self-government is dependent upon the vigor and efficiency of the men in local offices. When local laws are mocked, as they were by the Osage murder ring; when state officials fear to do their duty, as they appear to have done during the "reign of terror" in the Osage country, then the Government of the United States steps in. The Government scores again at the expense of democratic law enforcement in a State [sic], and the men whose duty it was to keep their own house in order stand rebuked. (FBI Roll No. 1)

Summary. The Osage Tribe had little to gain, but much to lose. The only gain experienced by the tribe was the wealth as a result of the oil and gas production. However, tribal members lost control of their decision making ability, not only to run their government, but their daily lives as well. The guardians and the BIA took control of these activities. Many tribal members were also subject to the county court system, particularly in their effort to save their inheritance. The many government interventions resulted in a social system change for the Osage.

Due to their wealth, many tribal members were murdered. Consequently, the FBI conducted an undercover investigation in Osage County, Oklahoma.

White men were convicted for the murders of three Osage and two non-Osage. It appeared apathy was common among local and state officials.

In discussing the Osage murders and the effect Bill Hale and his hit men had on tribal members, Mr. Stepson stated,

they were powerless to do anything about it. They did not have the ability. I think if anybody even wanted [to take action] it would have fallen on deaf ears because I think there might have been pay offs, you know the code of silence. . . . So whatever impact that had on the survivors of that is probably a constant reminder. (Stepson, 6-17-97, 16)

Personal Gains

Individual tribal members benefitted from the allotted land and headright income as a result of the 1906 Osage Allotment Act.

Wealth Through Headrights. In discussing the allotment process, the headright system, and the results of the discovery of oil on the Osage reservation, Mr. Stepson said, "so that is why the discovery of oil has changed the face of Osage culture. It continues today and because that started the headright process the headrights meant money. Headrights meant a share in the mineral estate" (6-17-97, 5). Mr. Stepson believed the commerce that was created as a result of the Osage wealth was good for the economy.

Mr. Stepson discussed the value of being considered an Osage before the roll was closed in 1906.

At the time if one could look at the annuity rolls from 1890 up to 1906 you would see a population jump. That population jump was usually the mixed-bloods getting on the roll. . . . When they made the roll and the allotment, there was a lot of protest about some people being put on the

roll, but it fell on deaf ears. They were not taken off the rolls. There was something to be had by being Osage, and that something to be had was wealth, money. (Stepson, 6-17-97, 5)

In discussing the impact Osage history has had on herself personally, Mrs. Webb said, "for myself, not being under the control of a guardianship, or the Bureau necessarily, the impact has been in the financial end of the oil and gas estate, the mineral estate" (6-18-97, 14).

Mr. Stepson explained the Osage people valued education. A positive effect of the wealth was "back in the 20's and 30's they sent their kids off to school, a lot of times to military schools because they had good education systems" (Stepson, 6-17-97, 6). Not only did sending the Osage children off to school provide them with opportunities to compete in their new culture, but "the other effect was getting them out of this place and away from the holocaust or the reign of terror, and that may have saved their lives, at least for a little while" (Stepson, 6-17-97, 6).

When Mrs. Tall Chief's father, Henry Roan, was young he was sent to an all-Indian private school in Carlisle, Pennsylvania. Her father's original last name was Roanhorse, however, the "horse" was dropped by school officials so the name would not appear to be so "Indian." As a youngster her mother was sent to a boarding school in Pawhuska, Oklahoma where "most of the Indian girls went" (Juanita Tall Chief, 6-18-97, 6).

Personal Loss

The vast land holdings and discovery of oil greatly impacted Osage culture. The inherited wealth by a people not accustomed to the white man's way left Osage Tribal members vulnerable to fraud, deceit, and murder. Many non-Osages married an Osage with the intent of inheriting their land (M. J. P. Webb, personal communication, January 1, 1996). Tribal members lost control of their daily lives due to incompetence and the domination of guardians. They also lost family members through murders. Fear and injustice resulted.

"The fact that people had land and had money and were not familiar with the dominant non-Indian society left them open and vulnerable. There were other people more than willing to take advantage of that vulnerability" (Stepson, 6-17-97, 15). Many Osage lost their land due to the unscrupulous acts of their legal guardians. Mr. Stepson stated, "so they used that vulnerability to con them into signing things. Documents, loans, using land as collateral or something as collateral, or keeping them in such poverty that the only way out was to sell their land" (6-17-97, 15).

That is the fraud, corruption, and graft. . . . It took the FBI working undercover to catch these people. I know the fraud and the corruption and the murders and things like this were very broad based. It went a long way around. There were a lot of people involved. I don't think the local law enforcement had the ability if they wanted to do something about it. There were just too many people dying. Too many people dying these mysterious deaths, too many people dying that were too young to die, too many people dying violent deaths. Nobody, for whatever reason, nobody took any big interest. (Stepson, 6-17-97, 16-17)

Mr. Stepson stressed the importance of understanding the past and the effect one's history can have on generations of people. He said,

historians will tell us, if you don't remember the past, you're doomed to repeat it. . . . I figure it had to have had an impact when you come home and you find out that your husband or your father is dead by the hand of a person or persons unknown, that has to have an impact. Because that means you spend the rest of your life without a father. . . . and so what does that do to a person. If a person in your life is taken away from you, that is something you remember the rest of your life in some manner or another, and it's something you don't forget. There is a vacuum in your life and somehow or another you have to fill that vacuum. (Stepson, 6-17-97, 17)

Guardianship. The Osage people received a quarterly royalty payment from the oil and gas production that took place on their reservation. Many believed the Osages could not manage their financial activities appropriately. Those Osage deemed incompetent were assigned a legal guardian. It was through their guardians the Osage lost control of their daily activities. The guardians controlled the incompetent Osages' money accounts. Mr. Stepson said,

I think other people felt Osages and a lot of other Indians could not handle their own affairs because they were incompetent. That does not mean that they were mentally incapable. . . like they were insane or anything like this, it's just they couldn't do the complicated business things that run our daily lives. They were appointed guardians and the guardians squandered their estates. They got wealthy themselves, they managed to come into the possession of the peoples' real estate. (6-17-97, 8)

When the 1906 Osage Allotment Act was created, the law declared certificates of competency could be issued to an Osage. The act stated, "the Secretary of the Interior, in his discretion, at the request and upon the petition of any adult member of the tribe, may issue to such member a certificate of

competency" (Barney, 1929, p. 44). This process was initiated through the superintendent of the BIA's Osage Agency, Pawhuska, Oklahoma.

As a result of the numerous Osages deemed incompetent, guardians were awarded the accounts of these particular Osages to handle all of their financial affairs. From 1906 to 1912 the guardians gained approval from a BIA official as to how the Osages' money was spent. "From statehood on we became wards of the Bureau of Indian Affairs, the Department of the Interior, all of our activity was regulated by law" (Webb, 6-18-97, 11-12). Mrs. Webb went on to say, "their daily life was regulated by what a guardian said they could and could not do. Many of the guardians were illiterate. . . . There were some that were just farmers and [some were] unscrupulous lawyers" (6-18-97, 12).

Mrs. Webb described what it was like to have another person make all financial decisions.

My grandma and daddy's generations were controlled by guardianship, the Bureau, the government regulations. They'd pull out those books, I've been standing right there when they'd say, now "Dave [her father], the reason we can't give you this," and they'd pull out this big CFR [Code of Federal Regulations] book and quote the law, "that's why". . . . To do anything with their money they'd have to have permission. (Webb, 6-18-97, 14)

In speaking of how the control of a guardian affected her ancestors, Mrs. Webb stated, "my grandmother and my daddy were probably more educated than their peers were at that time, the white people, not the Osages. They were better educated, but they had guardians. That did nothing for your self-esteem" (6-18-97, 14).

Osage Tribal members lost land and money as a result of the guardians controlling their assets. The front page of the June 4, 1920 edition of The Osage Chief printed an example of guardianship control.

In the Matter [sic] of the Guardianship of Ben Wheeler, Fred Wheeler and Mary Wheeler, Incompetents. Notice is hereby given that credit transactions with said wards will not be recognized by the undersigned [sic] guardian, unless his personal consent to the same is obtained. Given this 4th day of June, 1920. Pitts Beaty, Guardian. ("Notice to Creditors," 1920)

The FBI files contained a statement from a guardian declaring that it was not customary nor good business for nay one to transact credit business of any kind with an Indian that had a guardian, as the debt was not legally binding, and, while a few men would take a chance and allow an incompetent Indian to owe them, yet the amount would be for only a nominal sum. (FBI Roll No. 2)

The Oklahoma State Supreme Court hearings (Case Number 12385, November 22, 1928) on the Estate of Paul Peace described the disbursement of the Osage's quarterly royalty payments, illustrating the degree of control the BIA and the guardians had over how the Osages spent their money. A. C. Hector (Principal BIA Clerk, Osage Agency) noted that

the quarterly payments for the Indians at Fairfax is [sic] usually made by Mr. Richardson. At the time of the payment, Mr. Meyers or some clerk for hi [sic] goes through his accounts and decides how much shall be forwarded to Mr. Richardson to pay out on payment dates; some get thrit [sic] thousand dollars at one time and some get it by the month and some by the week and other [sic] - and I think Mr. Peace was in the last class and would receive an arbitrary amount on payment day and then would bring letters from their field clerk asking that a certain amount be paid to them on present basis. (pp. 1306-1307)

Mr. Hector knew Paul Peace very well "through the various transactions there [Osage Agency] involving his individual money account" (p. 1305). Mr. Hector was asked the following question, "Now, do you know whether or not the

quarterly allowance to Paul Peace in December 1926 was or was not discontinued[?]" (p. 1307). He responded,

without referring to the record, I think he was paid in partial payments. I know that his thousand dollars would not have been paid to him at one time. . . .He was an allottee, not deemed capable of properly caring for a thousand dollars for three months[.] (p. 1307)

Mr. Richardson's testimony was in reference to a time Paul Peace attempted to buy a car. He stated, "I told him it was against the policy of the Agency for one family to own two automobiles. . . . I think he wanted to buy that car for his boys" (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1367).

Mrs. Webb felt very fortunate to be born in a time where she was not under the watchful eye of a guardian or the BIA.

[This] has allowed me a greater freedom to look at this and to understand what happened to the generation before us, for three or four generations, and the impact it had on them and the results of it has filtered down to our daily life. So the impact of what happened in the past still lives with us today, but we now have options we did not have before and your generation is able to come forth and build a tribal government system that eventually will be beneficial to Osages and not to everyone else around them. At least that's what everybody is hoping for. So it is important that a lot of the Osage children your generation and younger, plan to be educated, higher education is no luxury, it is a necessity. . . . We want people of integrity. So that means you've got to grow up with integrity and honesty, you don't put yourself first. (Webb, 6-18-97, 14-15)

Loss of Family and Wealth - Paul Peace. Mrs. Webb's grandfather, Paul Peace, was struck by a car and killed on February 23, 1927, in Kansas City.

Some of my earliest memories as a little girl were living in that house Paul Peace built. I was born in that house and he built that for his last wife, Thersa, who was a white woman and who from family information had him murdered in Kansas City for his money. . . . Paul Peace built that [house] and died before it was completely finished. (Webb, 6-18-97, 3)

Mrs. Webb described the dispute her father and uncle had to deal with in order to save their inheritance.

They fought that will when Paul was killed in Kansas City. There were two wills introduced, one he [Paul] changed in December of 1926 in which he left Thersa one-third, daddy one-third, and Uncle Joe one-third. The will she [Thersa] introduced gave her everything and gave daddy and Uncle Joe \$500 apiece. That was the will she wanted protected, that's why she wanted him killed. They fought 20 something years in the Oklahoma Supreme Court. . . . and daddy won, but by then all of his assets were wiped out. . . . Some white woman marries an Osage and they end up getting most of the estate, at least a third. (Webb, 6-18-97, 13)

Paul Peace's mother and sister claimed his wife, Thersa Peace, was poisoning him so she could inherit his estate after his death, which was not uncommon for that era, particularly in Osage County, Oklahoma. Since Thersa Peace claimed Paul Peace was insane, the Osage County Court ordered him to the Robinson Sanitarium in Kansas City for an evaluation in February, 1927. On her and Paul Peace's trip to Kansas City, they were accompanied by a BIA Government Field Clerk, Mr. Richardson. The physicians' report was filed with the Osage County Court Clerk in Pawhuska, Oklahoma, on February 12, 1927, 11 days before he was struck and killed by a car (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928).

During direct examination Thersa Peace told Mr. Cornett she was in Kansas City at the time of her husband's death on February 23, 1927 (Oklahoma

State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1394-1395). Thersa Peace also told of a conversation that took place in her presence at Paul Peace's brother's home. She said,

and they [Paul's sister and mother] were talking and telling him [Paul] that I was going to kill him, I was giving him poison, that is why he was sick all the time down there, and they didn't want him to stay down there at Fairfax, that too many Indians had died at Fairfax, been killed by white people[.] (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1397-1398)

Loss of Family - Henry Roan. When asked to tell about her parents and their occupational backgrounds, Mrs. Tall Chief began by telling of her father's death. She stated, "my father was killed when I was about six years old, so I don't remember awfully much about him" (Juanita Tall Chief, 6-18-97, 1). She told me his name was Henry Roan. Her brother was only four years old when their father was killed. The Osage Chief reported,

Henry Roan, Osage Indian, was found dead in his car Tuesday evening by Chief of Police Bob Parker and Deputy Sheriff Jim Rhodes when they went to investigate a report that a car was standing in the ravine. [sic] about four miles north of town. . . The bullet which killed Roan was fired from the rear, entering the head at a point a little to the left and center in the back and emerged just to the right of the right eye. Death was instaneous. . . Mrs. Roan said that she had last seen her husband alive on Thursday of last week when he got into his car, a Buick touring model, and drove away. To all appearances his death followed within a day or so. In addition to the wife he leaves two small children. ("Henry Roan Shot," 1923)

Mr. Tall Chief stated, "Granny [Juanita] said she remembers he came by, her mother remembered, and said they were going to go look for cattle then he did not come back. . .she really got worried" (Joe Tall Chief, 6-18-97, 11).

In speaking of her father's murder, Mrs. Tall Chief stated, "Bill Hale hired John Ramsey to kill him" (6-18-97, 9). "The house they were living in at the time he [Henry Roan] was killed . . . this house, he bought from Bill Hale" (Joe Tall Chief, 6-18-97, 9). He went on to say, "Bill Hale was also a pall bearer at Grandpa Roan's funeral. He had him killed and then was a pall bearer at his funeral. It just shows how diabolical he really was" (Joe Tall Chief, 6-18-97, 9).

Mary Roan (who later married Roy Bunch) was Henry Roan's wife at the time of his murder. She and Henry Roan were both full-blood Osage. When Henry Roan was murdered, Mary Roan inherited his estate. Sam Tulk, BIA agent testified

that Roy Bunch and Mary Roan were intimate for months before Henry Roan's murder, as Bunch admitted it and it was of notorious and common knowledge, and that Roy bunch married her a few months after the murder; that both Bunch and his wife talked freely, and Bunch, when Roan's body was found, remarked right away to Bill Hale and others "Now, they will all blame that on me", or words to that effect, but his behavior has been that of an innocent man at all times. This witness is alleged to have stated to former Agent Weakley that after the discovery of Roan's body, Roy Bunch called Roan's widow on the telephone and told her that if any one asked her where he, Bunch, was the night Roan disappeared, for her to inform them that he, Bunch, was with her at her home that night. (FBI Roll No. 2)

An FBI agent made the following notes in regard to Roy Bunch:

The consensus/opinion in Osage County is that W. K. "Bill" Hale was the master mind in the murder of Henry Roan, and Roy Bunch either murdered Henry Roan or in some manner participated in the murder, under the direction of W. K. "Bill" Hale. Hale expected to benefit by the collection of insurance on Roan's life, and Bunch expected and did benefit thru [sic] his marriage to Roan's widow, an Osage Indian allottee. (FBI Roll No. 2)

Lila Ashbrook was Henry Roan's legal guardian. However, her husband, C. E. Ashbrook, handled all of Henry Roan's financial affairs. An FBI agent reported,

when he [C. E. Ashbrook] took charge of Henry Roan's affairs in March, 1921, as guardian, he was authorized by the court to pay off all claims, against Roan, and did so. The total amount of indebtedness of claims filed would not exceed \$8,000. [sic], and \$6,000. [sic] of this amount was in notes in payment on a home in Fairfax, He [sic] was never told by anyone that Roan owed Hale any amount except the notes, nor did he know anything about any insurance policy until a few months before the murder of Roan. Roan told him he had taken out an insurance policy payable to his estate, but that Hale had a lien on it for the balance due on his home. Later on Ashbrook asked Hale about the policy, and Hale told him it was for the estate, but, as Roan yet owed him money on his home, Hale would hold the policy until he was paid. Nothing was ever said to Ashbrook by either Hale or Roan that Roan owed Hale anything more than the money due on the house, and after the death of Roan, before the insurance company made inquiry about debts, Hale told Ashbrook that when Roan died he yet owed Hale about \$1,600. [sic] or \$1,700. Of this amount, \$1,500. [sic] was due on house notes, and the balance small cash loans. (FBI Roll No. 2)

John McLean, Mutual Life Insurance Company, stated, "he drew up a note showing an Indian's indebtedness to a man [Bill Hale], so that he could write a policy on this Indian, in favor of the man, for \$25,000" (FBI Roll No. 2). The Mutual Life Insurance Company rejected the application for a \$25,000 policy on Henry Roan. However, Capitol Life Insurance Company did agree to insure Henry Roan's life for this amount. The FBI agents were suspicious of F. W. Reynolds, who worked for Capitol Life Insurance. In a report an agent wrote,

this witness, while an Agent for the Capitol Life Insurance Company, at the request of W. K. "Bill" Hale, wrote an application for a \$25,000 life insurance policy on Henry Roan, payable to Hale, and assisted Hale in passing this application on a physical examination for the policy, knowing at the time that this applicant, Roan, had been rejected by the Mutual Life Ins. Co., on a similar application made by Hale, due to Roan's physical unfitness. This witness admitted. . . that Bill Hale had paid the premiums in

cash when due on this policy to him, Reynolds. Investigation indicates that this witness will be unwilling, on account of his connection with Hale in fraudulently obtaining this policy on Roan's life. Further investigation may develop [sic] that this witness is a co-conspirator with Hale in the death of Roan. (FBI Roll No. 2)

Fear and Injustice. There were several people that lived around the Fairfax and Pawhuska, Oklahoma areas at the time of the Osage murders that knew a lot of information which would assist the FBI in their investigation. However, one FBI agent wrote, "there is a universal fear among witnesses of being 'bumped off' for telling or assisting in the investigation which has kept many persons from telling things of material value" (FBI Roll No. 2). Another agent wrote,

these witnesses sat as a Coroner's jury, and all are residents of Fairfax, and were at the time of the Roan murder. They are likely in possession of detail information, which they have failed to divulge heretofore on account of fear of bodily harm being done them by W. K. "Bill" Hale and allies. (FBI Roll No. 2)

Dick Stodder, an attorney in Pawhuska, Oklahoma, informed FBI agents Burger and Weiss, "that his informant refuses to talk to agents or have his identity divulged for the reason that he is convinced that he would be murdered in short order if it ever became known that he had told" (FBI Roll No. 2).

Mr. Tall Chief discussed the fact that one of Henry Roan's cousins from Pawhuska saw Henry's body at the "point" (place of murder), but did not report it because they did not want to be next. Angela McKinley was the wife of Alfred McKinley. She told a witness the following account:

The night Henry Roan was killed, her husband, Alfred McKinley, came home and fainted; that he told her, Mrs. Angela McKinley, that he and Mamie Fletcher were out in a car going for some whiskey and saw Henry Roan killed; that he and Mamie Fletcher drove away and came home; that

he stated he would be killed too, if he told what they saw. (FBI Roll No. 2)

Mamie Fletcher relayed the following information to an FBI agent:

[She] is an Osage woman and like all Osage Indians is in craven fear of telling anything of her own personal knowledge regarding this murder [Henry Roan] for fear of her own personal safety. [Mamie Fletcher] alleged that she and Alfred McKinley were out joy riding together a week or so before Roan's body was found by the officers, and that while so joy riding they saw Henry Roan dead; that she remarked to Alfred McKinley (now dead) "That is my cousin, Henry Roan"; that Alfred McKinley and she kept this secret and Alfred told his wife that "They will kill us if we tell". (FBI Roll No. 2)

Life in Osage County, Oklahoma, was a frightening time during the 1920's.

Not only were the epitome of all crimes, murders, taking place on the Osage, but other criminal acts as well. The Osage Chief published three articles in the winter/spring of 1923 within a short time span of each other which clearly depicted other illegal activity. The first article stated,

a combined effort on the part of county and federal officials is being made at the present time to clean up an illicit drug traffic in the oil towns of the western Osage county [sic] district. It has been maintained for some time that there is an organized drug ring in that district and recently numerous arrests have been made. One raid at Shidler [Osage County, Oklahoma] recently yielded fifty morphine capsules [sic] and a quantity of cocaine tablets, with the arrest of the owner. ("Narcotics Seized," 1923)

A second article described further the activity in Shidler, Oklahoma.

Shidler, western Osage's booming city in the very heart of the justly famous Burbank oil pool is reported to be a "wide open town" with gambling, bootlegging and other forms of vice running rampant. It's such a town as a denizen of the underworld would call--"a regular place". . . It's so rotten that Governor Walton's investigators [sic] visited the shack-town in relays to scourge the town and its principal offenders against the laws. ("Shidler Wide Open," 1923)

A third article had the subtitle, "Arch Criminals Fail to Blast Way Into Casket of Little Indian Girl Buried Recently." The little Indian girl would have been Mrs. Tall Chief's sister-in-law. The article stated,

grave robbers made an unsuccessful attempt last Friday evening to enter the grave of Helen Tallchief, seven year old daughter of Mr. and Mrs. Alex Tallchief [II] who died on Feb. 25 and was buried in the Fairfax cemetery February 27th. . . . A charge of explosive had been placed in the ground and shot [sic] but owing to the fact that the steel vault containing the body had been placed in a concrete base some eight or ten inches thick it did not penetrate. . . . It is said that at times Indian bodies were buried with money and other valuables surrounding them. ("Child's Grave is Shattered," 1923)

Mr. Tall Chief believes that even today, the great grandchildren of the murder victims have a difficult time trusting people. He stated,

I think somewhere it is in the back of our minds. We may not realize it, but it is there, especially if it was a family member that was killed. You just have it in the back of your head that you don't trust anybody. (Joe Tall Chief, 6-18-97, 10)

"That particular era, the murders, it has made us distrustful of everybody" (Joe Tall Chief, 6-18-97, 9).

World War I. Several Osage men served their country in World War I. The war had an impact upon the Osage people. During World War I, the Osage were not citizens; however, "they donned the uniform. . . [and] they served anyhow, and oil was taken from the Osage reservation to help fuel the fires of the war engines" (Stepson, 6-17-97, 11). What was traumatic for the young Osage men who served in World War I is what they had to come home to.

After [the war] those men came home. . . and unfortunately, those, at least in this area, those adults became victims of the reign of terror of Bill Hale. The survivors of that must have [felt] a tremendous impact. I can remember [people] talking about so and so and how they were afraid to go

somewhere because. . .of who might be there. It was a scary time.
(Stepson, 6-17-97, 11)

Summary. Individual tribal members gained from the wealth as a result of the headright income and allotted land they received from the negotiated 1906 Osage Allotment Act. It was beneficial to be considered Osage, therefore, several mixed-bloods were put on the roll before it closed in 1906. This wealth provided the Osage educational opportunities they otherwise would not have had. It also provided a way out of the holocaust in Osage County, Oklahoma, which may have saved several lives.

However, many individual Osage lost their ability to control their daily lives due to the guardianship regulations placed on those Osage deemed incompetent. As a result, the Osage became victims of fraud, deceit, and murder. Mrs. Webb lost her grandfather, Paul Peace, who was struck and killed by a car. Her family believes his wife at the time, a white woman, had him murdered for his estate. Mrs. Webb's father and uncle fought for their inheritance in the Oklahoma State Supreme Court for 20 years. Mrs. Tall Chief's father, Henry Roan, was also murdered for his estate. Fear and injustice triumphed in Osage County, Oklahoma. The Osage, who were World War I soldiers, came home to a "reign of terror."

Summary

The three Osage families that participated in this study were the Peace, Stepson, and Tall Chief families. All three families possessed a great deal of knowledge concerning their family and Osage Tribal history. This, combined with

their education, work, and life experiences made them credible sources for this study.

Two categories emerged from the data: (1) sovereignty and (2) outcomes. All Indian tribes were considered sovereign domestic dependent nations; therefore, all negotiations were between the tribes and the government. As a result, the Osage Tribe consistently dealt with Congress and were subject to the laws enacted by Congress.

The 1906 Osage Allotment Act divided all land among Osage Tribal members; no land was opened for white settlement. The tribe also negotiated to keep the minerals intact. Consequently, Osage Tribal members received headrights or quarterly royalty payments from the production of oil and gas on their reservation. These headright shares created wealth for the Osage.

Since the passage of the 1906 Osage Allotment Act, all other policies that affected the Osage Tribe had to first be amended to this act by Congress. Three acts in particular, the Act of April 18, 1912; the Act of March 3, 1921; and the Act of February 27, 1925, all impacted Osage Tribal members' ability to control their assets.

Congress' intent with the establishment of the BIA agency was to protect the tribe's interest; however, control of incompetent Osages' money accounts and probate matters became a factor which hindered tribal members rather than helped them. Between the years of 1906 to 1925, the BIA and the county court system traded off in gaining and losing control of the Osages' money accounts and jurisdiction in probate matters. From 1906 to 1912, the superintendent of the

BIA's Osage Agency was in control. However, with the passage of the Act of April 18, 1912, all incompetent Osage Tribal members' legal guardians were required to gain approval on all spending and probate issues from the county court judge. The only power the superintendent of the BIA Osage Agency had during this time frame was to report to the county court any unscrupulous acts by legal guardians.

The Act of March 3, 1921, had two major provisions. First, all Osage less than one-half blood quantum were no longer restricted from selling or leasing their land. They were automatically considered competent or non-restricted Osage. However, all Osage over one-half blood quantum were restricted in selling or leasing their land unless they could prove competency by obtaining a certificate. Those Osage without a competency certificate remained wards of legal guardians. The second stipulation in this act limited the amount of the quarterly royalty checks for incompetent or restricted Osage. They were only allowed \$1,000 per quarter and their surplus funds were to be invested by the Osage Agency Superintendent rather than used for personal growth.

As a result of the unethical acts by legal guardians, Congress passed the Act of February 27, 1925, which awarded the power back to the BIA's Osage Agency Superintendent in controlling Osage money accounts and probate matters. The act stated any murderer of an Osage could not inherit land or money from the decedent. The act also protected the Osage from a white person inheriting assets; however, this law did not apply to husbands or wives in existing marriages.

Sovereignty created a relationship between the U.S. government and the Osage Tribe which resulted in tribal and personal gains and losses for the Osage people.

Tribally, the Osage gained wealth from the production of oil and gas on their reservation. Retaining the mineral rights to their reservation through the 1906 Osage Allotment Act afforded tribal members the opportunity to receive quarterly royalty payments. Tribal members also profited through oil and gas leases. As a result, the Osage became wealthy.

However, many losses were experienced by the tribe. Not ever having the luxury of an abundance of money left Osage Tribal members vulnerable and open to become victims of fraud, deceit, and murder.

The BIA acquired much of the power and control once possessed by the Osage Tribal Council. BIA agents had the power to approve or reject all incompetent Osages' financial matters. All government interventions had a major impact on the Osage way of life; their social system was changed as a result.

In having to fight for their inheritance, Osage families were accustomed to the court system. The Peace family vied with the widow of Paul Peace, a white woman, who claimed he was insane at the time he made his last will. Paul Peace's sons' case finally ended up with the Oklahoma State Supreme Court. They won their case; however, their assets were wiped out in the process.

Several murders in the Osage Nation took place during the 1920's. Consequently, the FBI conducted an undercover investigation and eventually indicted Bill Hale and John Ramsey for the murders of Henry Roan, W. E. Smith,

Rita Smith, and Nettie Brookshire; Ernest Burkhart for the murder of W. E. Smith; and Bryan Burkhart and Kelsey Morrison for the murder of Anna Brown. Ernest Burkhart was paroled after serving only eleven years of a life sentence.

Several other murders and mysterious deaths took place in Osage County, Oklahoma, which were never investigated. It was believed apathy was too commonplace among local and state officials considering the atrocities that took place in the Osage Nation.

Individual tribal members gained wealth through headrights and land. The money from the royalty checks provided individual Osage opportunities to obtain an education and to get away from the holocaust.

However, the personal losses endured were nothing money could buy. Individual tribal members lost control of their daily lives to guardians. Several Osage estates were squandered. The Peace family lost Paul Peace, who from family information, believe he was murdered. They also lost wealth as a result of the court case regarding his estate. The Stepson family lost Bill Stepson to a "mysterious" death that was never investigated. The Tall Chief family lost Henry Roan as a victim of murder for money.

The sovereign relationship the Osage Tribe had with the United States government resulted in the aforementioned outcomes. Fear and injustice prevailed.

CHAPTER IV

ANALYSIS OF THE DATA

To analyze the data in Chapter III, Becher and Kogan's (1992) model has been revised to incorporate the modes and levels which corresponded to the Osage Tribe; thus comprising the Osage matrix. Becher and Kogan's (1992) definitions of internal and external norms and operations still hold true for the Osage matrix; however, the four levels and the 16-cell matrix have changed (Figure 2, Appendix A). The four levels in the Osage matrix are the government, the Osage Tribe, the Osage family, and individual tribal members. The Osage matrix was a tool for looking at the tribe and examining the dynamic interplays between its various parts.

The following is a detailed explanation of the modes and levels as they apply to the Osage Tribe. Beginning with the government (Box 1), an explanation will follow revealing the vertical relationships between the internal and external norms and the internal and external operations. The horizontal relationships will be discussed as they apply to the internal norms and operations. Disequilibrium, equilibrium, and change will also be discussed as they pertain to the Osage Tribe, families, and individuals.

The Osage Matrix

Government

The four government entities that had an impact on the Osage Tribe, the Osage families, and individuals within these families were Congress, the Bureau of Indian Affairs (BIA), the county court system, and the Federal Bureau of Investigation (FBI).

External Norms (VALUES)--Box 1: From an external normative (Box 1) standpoint, Congress passed laws to support the expectations set forth by society. Their strategies included civilizing the tribe and monitoring those standards of civilization. The BIA and the county court system valued and enforced these standards. The BIA placed a certain value on protecting the interests of the Osage and monitoring the standards of civilization. The government's mission was to civilize the Osage so they would adapt to the Euro-American life style. This goal of civilization went hand-in-hand with the BIA's main responsibility to protect the interests of the tribe. The BIA and the county court were expected to enforce policy set forth by Congress. The FBI affected the Osage in a different way than the other government entities. After several murders had taken place in Osage County, Oklahoma, the FBI adhered to what society expected and conducted a thorough investigation of these murders.

Respondents strongly believed government policy and intervention as a result of political and societal expectations impacted the Osage Tribe tremendously. The government placed a strong value on civilizing all Native

American tribes and went to great lengths to do so. Mrs. Webb stated, "all of the policies of the United States government, which is always the policy of the American people with vested interests in commerce, has always been the factor, and still is, that shapes us and forms us" (6-18-97, 11). She went on to say, "the history of the tribe is never separated of the impact of what's going on in Washington politics. Whatever the United States Congress decides and the Executive Office decides is national policy for American Indians" (Webb, 6-18-97, 15).

Internal Norms (VALUES)--Box 2: Similar to the central authority level in Becher and Kogan's (1992) model, the government possessed the internal normative (Box 2) task of changing the system to satisfy external normative expectations, pressures, and expectations from society. Internally, the BIA and the county court placed a strong value on implementing government policy set forth by Congress, including attempts at civilizing the tribe. Many efforts to civilize the Osage occurred, such as overseeing and maintaining their money accounts and making decisions about probate matters. Certain Osages were deemed incapable of taking care of their own financial matters; so, Congress passed laws that required these allottees to have a guardian to make their decisions for them.

Regulating the standards of the tribe was the same responsibility charged to the level of central authority in Becher and Kogan's (1992) model as it applied to higher education institutions. Congress, the BIA, and the county court were interested in the tribe when the Osage became rich as a result of the discovery of

oil on their reservation. The county court became involved in regulating incompetent Osage money accounts and probate matters in 1912. The BIA strongly valued the monitoring and evaluation of the tribe, as did the county court.

Politics and other societal expectations put pressure on the government to civilize the Osage. During the 1800's, BIA agents were sent to the Osage Indian reservation to civilize tribal members. The BIA was also responsible for protecting the Indians who were domestic dependent nations; however, "there certainly have been people who did not do that," Mr. Stepson stated (6-17-97, 8).

Mr. Stepson felt the BIA affected Osage history more than any other factor. "For better or for worse we have our own agency. . . . I think one of the reasons that we had that [agency] is because we had a vast land holding" (Stepson, 6-17-97, 7). Of the Osage reservation he said, "it's bigger than the state of Rhode Island so there is a large real estate holding that was under the superintendent of the Bureau of Indian Affairs" (Stepson, 6-17-97, 7). The mineral estate and the headright system also fell under the jurisdiction of the BIA as well.

The BIA took control of several of the administrative activities the Tribal Council originally handled. This was another government attempt to control the standards of civilization of the Osage. Mr. Stepson stated,

the Tribal Council's function was not only to act as a government which . . . somehow or another they lost that function, they lost the idea that they were really and truly a government, but instead their function became that of approving oil and gas leases. They left a great deal of the administration, not to the people on the Tribal Council, but to the Bureau of Indian Affairs. (6-17-97, 7-8).

Congress passed laws to which all government agencies, including the BIA and county court system, were expected to adhere. This dramatically impacted the Osage. He stated,

I think the Bureau of Indian Affairs has had the most impact because they virtually had the power of life and death over you. If you wanted anything, they could say yes or no. If you wanted new clothes, they might say, "why do you need new clothes?" If you wanted a new car or transportation they might say, "well you don't need a new car" . . . They might or they might not let you have that. (Stepson, 6-17-97, 8-9)

Internal Operations (TASKS)--Box 3: Operationally (Box 3), political pressure motivated the government to implement policy which required many tribes to move from reservation to reservation. These pressures were largely due to white settlers wanting ownership of that particular property to settle and farm. In the early 1870's the Osage Tribe purchased their current reservation, what is now Osage County, Oklahoma, from the Cherokee Tribe. Ironically, this land used to be occupied by the Osage prior to the government moving them to their Kansas reservation. "The government took it away from the Osages, gave it to the Cherokees and the Osages had to buy it back" (Stepson, 6-17-97, 3).

From the early 1870's to the early 1900's the Osage experienced some freedom until the discovery of oil on their land and the passage of the 1906 Osage Allotment Act. From 1906 to present, any legal transaction first has to be amended to the 1906 Osage Allotment Act (Webb, 6-18-97). When this act was originated, the law clearly stated certificates of competency could be given to the Osage. At this time the laws created by Congress enabled legal guardians to control Osage's monetary spending. If they were deemed incompetent, the Osage

Tribal member was required to get approval from his/her guardian to spend money. The BIA's superintendent of the Osage Agency was the person in charge of this process. Those Osage not fortunate enough to receive a competency certificate were assigned a legal guardian. From 1906 to 1912, the Bureau was in charge of the distribution of the quarterly royalty payments and approved all expenditures of incompetent Osages (Barney, 1929), just as the central authority in a higher education system is responsible for the use and allocation of public funds (Becher & Kogan, 1992).

The Act of April 18, 1912, an amendment to the 1906 Act, gave the county courts the control over incompetent Osages' money accounts and all probate matters. From 1912 to 1925, all guardians gained approval from the county court system regarding the Osage's financial matters. During this time frame the BIA was continuously charged with the responsibility of investigating any unscrupulous acts by guardians. However, the Act of February 27, 1925, another amendment to the 1906 act, put the control of the incompetent Osage's money accounts back in the hands of the BIA (Barney, 1929).

The reason Congress amended the 1906 Allotment Act in 1925 was because of the unscrupulous acts that were committed by legal guardians and county court officials. Several Osage lost their inheritance and many lost their lives. Congress believed the Osage would be better served if the BIA controlled the financial accounts rather than the county court. Beginning with the Act of February 27, 1925, the guardian and the incompetent Osage were once again required to go through the BIA office for any dealings with money accounts

(Barney, 1929). The BIA and the county court, like a higher education system's central authority, have a strong degree of control over the systems for which they are responsible. Mrs. Webb replied, "from statehood on we became wards of the Bureau of Indian Affairs. . . all of our activity was regulated by law. . . . Their daily life was regulated by what a guardian said they could and could not do" (6-18-97, 11-12).

External Operations/Pressures (TASKS)--Box 4: Externally (Box 4), the BIA and county court experienced pressure by Congress to carry out policy tasks including civilizing the tribe and protecting the interests of the tribe when deemed necessary. Here again, the BIA and the county court, Becher and Kogan's (1992) central authority level, experienced external economic and social pressures to conform to what the larger society expected.

The FBI endured a more passive role in terms of impacting the Osage Tribe, families, and individuals. The FBI did not create policy which affected the tribe. However, the FBI's undercover investigations in the early 1920's did impact the tribe when agents secured life term convictions against murderers of the Osage people (FBI Roll No. 3).

During this time frame, the government adhered to society's demands by passing laws; and, members of Congress were held accountable to their constituents' demands. The 1803 Louisiana Purchase marked the beginning of this impact on the Osage. Not only were Osage hunting grounds invaded by the

westward movement, but the resettlement of other tribes forced enemies to live side by side. Mrs. Webb stated,

government policy formed our lives. The movement west was the major factor, the government policy of resettlement and moving us further and further out of the way of the settlers had a major impact on the Osage survival, on the Osage people and families. All of their policies destroyed the social system, the clan system, just by disease, starvation, and betrayal by government agents. (6-18-97, 11)

The Osage Tribe

External Norms (VALUES)--Box 5: Externally (Box 5), the tribe, Osage families, and individual tribal members all believed their traditional cultural values were of great importance; however, they were cognizant of societal and economic values as well, just as higher education institutions were in Becher and Kogan's (1992) model. The tribe, family members, and individuals within the tribe were fully aware of the larger society's values of becoming civilized which included obtaining an education. They were also aware of the government's intervention in which they had no choice but to abide by government standards; this included adhering to guardianship control and any other policy set forth by Congress. In terms of education, by the late 1800's to early 1900's, tribal members understood the importance placed upon education by society. This is evident by the many Osage people who obtained an education and experienced success in life. They knew that to compete in the job market they would have to send their children to school.

Internal Norms (VALUES)--Box 6: Internally (Box 6), the tribe and Osage families valued their independence to live on their Oklahoma reservation and to choose their own way of life. However, Osage families and individuals within the tribe were willing to adapt to the Euro-American way of life. Many received an education; a necessity in the white man's world.

The Osage Tribe, like many Indian tribes, valued their freedom and independence and enjoyed times of peace. However, when the Osage Tribe was moved to their Oklahoma reservation in the late 1800's, one major factor they had to contend with was the government's desire for Oklahoma to become a state. Mrs. Webb said, "Indian territory. . . was supposed to be an all Indian state promised to these Indian tribes by the federal government. This would be their sanctuary, a place they could live in peace" (6-18-97, 11).

Mrs. Webb emphasized the importance of the Osage Tribe's legal stance as sovereign dependent nations. The tribe negotiated all legal matters with Congress, not the state of Oklahoma. Being a sovereign nation and having the ability to negotiate with Congress provided a way for the tribe to fight for their freedom and independence. The tribe placed a great value on having this status. She stated, "that's our only legal stance and it has to be jealously guarded and every court decision that comes down that erodes the tribal treaties and sovereignty issues destroys us just a little bit more" (Webb, 6-18-97, 15).

For approximately 15 years tribal members negotiated the 1906 Osage Allotment Act, which ensured their ability to maintain their wealth through the allocation of quarterly royalty payments. It was evident the tribe valued their

freedom and independence when they negotiated this act. Tribal members saw to it that all land was divided among tribal members only and all minerals were retained by the tribe as a whole. They also valued their freedom to spend their money as other Euro-Americans were able to do. When the Osage's agreed to allotment in 1906, they ensured their independence by not allowing any unsettled lands to be opened for white settlement. Mr. Stepson explained,

what happened to us was they gave everybody a parcel of land and then they started over again, so there was no surplus. You had a homestead allotment and you might have surplus allotment. They did that over and over again until everything was taken up. (6-17-97, 10)

The minerals that were kept intact by the tribe guaranteed tribal members if an individual Osage sold his/her share of land to a non-Osage, the tribe still benefited from owning the minerals. The profits from these minerals translated into headrights or quarterly royalty shares from the production of oil and gas on their reservation. By retaining their land and mineral rights, many Osage believed the wealth they inherited was a way to maintain their freedom and independence; an outlet many other tribal groups did not have.

Mr. Stepson explained the headright process. He said, "everybody who was alive and on the roll at that time got a headright share. One share of 2,229-- that was the roll of the Osage" (Stepson, 6-17-97, 5). However,

some people got the idea that somehow or another it did away with the Osage Indian reservation, and all it did was do away with the commonality of the ownership. It kept the minerals intact with ownership by the tribe, by the people. (Stepson, 6-17-97, 10)

Becher and Kogan's (1992) institution valued the maintenance of academic regulations; this sets the tone in terms of behavior and expectations for the basic

units and individuals within the system. Both Becher and Kogan's (1992) institution and the tribe internally valued maintaining that which was necessary for people to be successful.

Internal Operations (TASKS)--Box 7: Internally, according to Becher and Kogan (1992), the operational tasks for the institution involved looking at changing circumstances and planning accordingly to meet society's needs. Likewise, the tribe made attempts to accept their changing world by promoting educational opportunities for their children so they could be successful in the ever changing market place. Tribal members negotiated their own allotment act to ensure that the tribe's Osage families would receive royalty shares from the production of oil and gas on their land. This money allowed tribal members opportunities many people did not have. They enjoyed their freedom and independence. However, they were forced to abide by all government policy (Box 7), including guardianship control. The incompetent allottee's freedom, independence, and autonomy were stripped from them; guardians made all financial decisions.

External Operations/Pressures (TASKS)--Box 8: The external pressures (Box 8) placed upon the tribe are also the same external pressures placed upon the Osage families and individual tribal members. Tribal members were expected to become civilized, coupled with society's demands to compete in the job market. The tribe had no choice but to accept the external pressures. Soon after the 1906 Osage Allotment Act, the Osage were forced to comply with BIA and other

government regulations, and adhere to guardianship control. Guardians assigned to incompetent Osages took advantage of their vulnerability and squandered their estates. Many Osages fell victim to fraud, deceit, and murder.

Mr. Stepson stated there was "the perception that the Osage Indians were the wealthiest people on earth" (6-17-97, 11). The inherited wealth "has been a blessing and a curse because it gave us money" (Stepson, 6-17-97, 5). He believed, "flesh peddlers, money peddlers and those sorts of things had a detrimental influence on Osage Culture" (Stepson, 6-17-97, 5). Some Osage "were appointed guardians and the guardians squandered their estates. They got wealthy themselves, they managed to come into the possession of the peoples' real estate" (Stepson, 6-17-97, 8).

The fact that people had land and had money and were not familiar with the dominant non-Indian society left them open and vulnerable. There were other people more than willing to take advantage of that vulnerability. . . . So they used that vulnerability to con them into signing things. Documents, loans, using land as collateral. . . keeping them in such poverty that the only way out was to sell their land. (Stepson, 6-17-97, 15)

The Osage Tribe succumbed to the requirements set forth by larger society.

When the government forced tribes to move west, the Osage had to manage several changes to their new way of life. Mrs. Webb stated,

to force you to live like that meant that you had to give up a lot of ways that you did before. That had a major, major impact on their lives. Then they had to react to that, cope with it. (6-18-97, 11)

Mr. Stepson discussed Osage culture in general and the external influences imposed upon the tribe.

Cultures evolve--the culture of any Indian Tribe or any nation. . . society changes very gradually due to external and internal pressures. The languages change, languages reflect culture and how people look upon the natural world about them. Their religion, their cosmos, everything [changes]. . . . Almost any organism will mutate due to pressure on them from somewhere. (Stepson, 6-17-97, 13)

The 1906 Osage Allotment Act brought numerous external pressures to tribal members. Mr. Stepson discussed the fact that in 1906 when the tribal roll was finalized, many names that were on the roll were either non-Osage or mixed-bloods. He said there were many that were certainly not full-blood and "some of them were questionable at best" (Stepson, 6-17-97, 5). Several of these people "had lived among them. . . intermarried with them. They saw the fruit of that relationship," commented Mr. Stepson (6-17-97, 4). He stated the tribal roll increased in number for about a 16-year period before being finalized in 1906. He said, "that population jump was usually the mixed-bloods getting on the roll. . . . There was a lot of protest about some people being put on the roll, but it fell on deaf ears" (Stepson, 6-17-97, 5). It was profitable for people to get on the roll so they could benefit from the mineral estate.

There was something to be had by being Osage, and that something to be had was wealth, money. . . . When they started taking oil out of the ground, everybody got a share of it, of the royalties, which led to another whole industry, a cottage industry of everything that goes along with the development of natural resources (Stepson, 6-17-97, 5).

The discovery of oil on the Osage reservation "changed the face of Osage culture" (Stepson, 6-17-97, 5). The Osage people had to deal with several foreign pressures. Not only were they having to cope with years of the federal

government's attempts at civilization, but they had an enormous share of land and inherited wealth. Mr. Stepson stated the Osage people,

had to deal with the complicated European society and complicated business issues of oil and gas and mineral administration and real estate administration, plus the fact that these people every three months got annuity payments. . . .So that was probably for most people quite a culture shock. (6-17-97, 8)

Many Osages were murdered for their wealth. It was common to marry an Osage, and "if they were so misfortunate as to die, then the non-Indians could inherit that money" (Stepson, 6-17-97, 6).

In the early 1920's the FBI began its undercover investigation in Osage County, Oklahoma. In 1926 the courts convicted five men for the murders of three Osages and two whites. The FBI files contained a newspaper article from The Butte Daily Post, Butte, Montana. The article declared,

one of the most unusual and successful investigations conducted by G-men was on the Osage Indian reservation in Oklahoma in 1922 and 1923. . . . Agents went to the reservation to investigate. They quickly became convinced that a "murder syndicate" consisting of a group of white men was and had been operating. More than a dozen Indians, both men and women, had died under mysterious circumstances, agents learned. All of the victims were immensely wealthy from royalty rights to almost 10,000 oil wells which were spouting forth millions of gallons of liquid wealth. In several cases the victims were young Indian women who had been married shortly before their deaths to white men. (FBI Roll No. 1)

On May 25, 1923, J. Edgar Hoover, Assistant Director, Bureau of Investigation, wrote,

there is a serious situation on the Osage Indian Reservation in Oklahoma. These Indians you will remember as State wards of the Government and the wealthiest persons per capita for their class in the country. On account of their oil rights they for some time past have been made the victims of murders and other outrages and are now especially being worked upon by all sorts of elements endeavoring to procure appointment as guardians,

only to either murder them or procure their income in other ways. (FBI Roll No. 1)

In Lerner's introduction to the FBI files on the Osage murders he stated, as did the oil, headright royalties flowed while Osage Indians tried, in a variety of ways, to adapt to the demands of the new order. In time, these Native American people became victims of plots to divert the wealth of their nation. (FBI Roll No. 1, Introduction)

In 1926, the year of the convictions, the St. Louis Post-Dispatch, St. Louis, Missouri, stated,

it must be remembered that the sovereign State of Oklahoma permitted the Osage outrages to go unpunished. Sheriffs investigated and did nothing. State's Attorneys investigated and did nothing. The Attorney-General investigated and did nothing. It was only when the Government sent Department of Justice Agents into the Osage country that law became a thing of majesty instead of a butt of travesty. . . . When local laws are mocked, as they were by the Osage murder ring; when state officials fear to do their duty, as they appear to have done during the "reign of terror" in the Osage country, then the Government of the United States steps in. The Government scores again at the expense of democratic law enforcement in a State [sic], and the men whose duty it was to keep their own house in order stand rebuked. (FBI Roll No. 1)

In regard to the holocaust experienced by the Osage Tribe, Mr. Stepson explained,

they were powerless to do anything about it. They did not have the ability. I think if anybody even wanted [to take action] it would have fallen on deaf ears because I think there might have been pay offs, you know the code of silence. . . . So whatever impact that had on the survivors of that is probably a constant reminder. (6-17-97, 16)

The Osage Family

External Norms (VALUES)--Box 9: Externally, the Osage family (Box 9) valued their traditional cultural ways and were aware of societal and economic expectations as well, like the Osage Tribe. This was evident since Osage families

subscribed to wider society's educational norms, as well as the educational norms set forth by the family itself (like Becher & Kogan's, 1992, basic unit). Becher and Kogan's (1992) basic unit found adhering to professional norms to be of great importance due to credibility issues. In the same way, Osage families maintained the educational norms set forth by larger society.

Osage families adopted the Euro-American system in many ways. Societal and cultural values encouraged all citizens to obtain an education so they could compete in the job market. Mr. Stepson noted that "back in the 20's and 30's they [Osage families] sent their kids off to school, a lot of times to military schools because they had good education systems" (6-17-97, 6).

Internal Norms (VALUES)--Box 10: Osage families internally valued (Box 10) their freedom and independence. As mentioned with the Osage Tribe, Osage families knew society valued their becoming civilized which included becoming educated. Just as the tribe as a whole, the Osage families were sure to evaluate individual family members outcomes. In comparison, Becher and Kogan's (1992) basic unit internally valued the maintenance and promotion of its own particular interest areas. However, basic units must abide by the procedure and policy set forth by the institution, just as many Osage families succumbed to the expectations of the larger tribe and the government.

The wealth the Osage's inherited as a result of the 1906 Osage Allotment Act afforded Osage families independence they otherwise would not have had. Mr. Stepson believed the Osage not only sent their children off to school to

enhance their chances in society, but also, "the other effect was getting them out of this place and away from the holocaust or the reign of terror, and that may have saved their lives" (6-17-97, 6). However, their inherited wealth took away freedom and independence from incompetent allottees (Stepson, 6-17-97; Webb, 6-18-97).

Internal Operations (TASKS)--Box 11: Operationally, the Osage families (Box 11) were required to adhere to government policy although they valued their freedom. They understood the social norms and the expectations that all Osage were to abide by government standards and guardianship control. In comparison, Becher and Kogan's (1992) basic unit was concerned with the day-to-day activities of research, teaching and learning, and the allocation of individual tasks. Likewise, the individual teacher from the internal aspect in Becher and Kogan's (1992) model, operationally carried out their tasks of conducting research, teaching, and providing services to students just as tribal members operationally abided by government policy.

External Operations/Pressures (TASKS)--Box 12: As with the Osage Tribe as a whole, what happened to the Osage families externally (Box 12) were the pressures to become civilized, which included society's demands to compete in the Euro-American job market. Osage families experienced government pressures to comply with BIA and all other government regulations and adhere to guardianship control. In the meantime, Osage families, as well as individuals, were

murdered and their land and money was stolen. Becher and Kogan's (1992) basic unit experienced external economic, societal, and cultural pressures as well.

Osage families experienced great external pressures to adapt to the Euro-American ways. They had to contend with the white man's ways beginning in the late 1700's to the early 1800's. When they became wealthy, they were a vulnerable people and as a result many were murdered for money.

When Mr. Stepson was a child he used to play on the grounds of what used to be a home, a home that belonged to an Osage family. However, that family was blown to pieces by "a large charge of T. N. T. or nitroglycerin or a similar high explosive" (FBI Roll No. 2).

That is the fraud, corruption, and graft. . . It took the FBI working undercover to catch these people. I know the fraud and the corruption and the murders. . . were very broad based. . . There were a lot of people involved. . . There were just too many people dying. . . these mysterious deaths. . . that were too young to die, too many people dying violent deaths. (Stepson, 6-17-97, 16-17)

The Leader, Guthrie, Oklahoma, published a January 20, 1926, article which stated,

murder has been committed in the Osage Nation for greed and gain. . . The wreckage of the W. E. Smith home at Fairfax with bits of human bodies strewn for blocks; the decomposed body of Anna Brown lying in a ditch near Fairfax, a bullet hole through her head; the frozen body of Henry Roan Horse [sic] sitting erect in his auto with a bullet through his head--All these and many other lives have been sacrificed for greed in the wealthy Osage nation [sic]. (FBI Roll No. 2)

In a 1923 report, an FBI agent outlined the names of those Osages who had died or who were in some way involved with the deaths. Lizzie Q., Osage, died a natural death in 1921. She was the mother of Anna Brown, Rita Smith,

Minnie Smith, and Mollie Burkhart. All four of her daughters inherited a large fortune when she died. Anna Brown was murdered in May, 1921. Minnie Smith died in 1922. Her death was a result of "quick" consumption. There was never an official inquest made as to the cause of her death. Rita Smith, her husband W. E. Smith, and their servant were killed in 1923 when their house was blown up. At the time Minnie Smith died she was married to W. E. Smith, the husband of her sister, Rita Smith. Mollie Burkhart was married to Ernest Burkhart, a white man and a brother to Bryan Burkhart, and a nephew to Bill Hale. She was still living and married to Ernest Burkhart at the time of this report. Bryan Burkhart and Kelsey Morrison, both white men, were eventually charged with Anna Brown's murder. Bryan Burkhart's uncle, William K. (Bill) Hale, white man, was the "ring leader" behind these murders. Bill Hale provided bond for Bryan Burkhart at the county jail in Pawhuska, Oklahoma and he was acquitted. Bryan Burkhart married Rose Lasley, an Osage Indian. Henry Roan, Osage, and a cousin to Lizzie Q., was murdered in 1923. Bill Hale carried a \$25,000 life insurance policy on Henry Roan. Charles Whitehorn, Osage, was murdered in 1921. At the time of this report there was no evidence if this death was linked to the other murders. Bill Stepson (Marvin Stepson's grandfather), Osage, died in 1922. There was never an official investigation of his death. A man by the name of Kelsey Morrison, white man, married Tillie Foster, the widow of and heir to Bill Stepson's estate (FBI Roll No. 1).

The FBI described Kelsey Morrison as "an unusually shrewd, and reckless and self-confessed criminal" and Ernest Burkhart as "money mad, and a miser"

(FBI Roll No. 1). Kelsey Morrison was also characterized as "a notorious, unscrupulous criminal and a known protege of Bill Hale" and a "high powered crook" (FBI Roll No. 2).

In reference to Ernest Burkhart, husband of Mollie Burkhart, and to the deaths of her family, The Kansas City Times, Kansas City, Missouri, reported,

by killing off all other members of the family, a total of thirteen headrights, with an annual income of \$135,000 had been consolidated in the name of his wife, and he was her only heir. . . Mollie, was ill. . . and it was the supposition that she was being administered slow poison, for when her husband and the other conspirators were imprisoned, she speedily recovered. (FBI Roll No. 1)

Ernest Burkhart was paroled in 1937 by the state of Oklahoma's Governor, E. W. Marland. Ernest Burkhart served only 11 years of a life sentence. The Kansas City Times reported,

the parole of Ernest Burkhart from the Oklahoma state penitentiary recalls what was possibly the most remarkable murder case in the history of the Southwest--the wholesale slaying of Osage Indians for their oil headrights in that part of Oklahoma known as the Osage Hills. . . Even so, the freeing of a principal in so cold-blooded a plot after serving little more than a decade of a life sentence, seems to reveal one of the besetting weaknesses of the parole system. (FBI Roll No. 1)

Even today, the descendants of the murder victims have a difficult time trusting people. Mr. Tall Chief stated,

I think somewhere it is in the back of our minds. We may not realize it, but it is there, especially if it was a family member that was killed. You just have it in the back of your head that you don't trust anybody. (6-18-97, 10)

Mr. Stepson believed it was important to understand the past so one can move forward and not make the same mistakes. He stated,

historians will tell us, if you don't remember the past, you're doomed to repeat it. . . . I figure it had to have had an impact when you come home and you find out that your husband or your father is dead by the hand of a person or persons unknown, that has to have an impact. Because that means you spend the rest of your life without a father. . . and so what does that do to a person. If a person in your life is taken away from you, that is something you remember the rest of your life in some manner or another, and it's something you don't forget. There is a vacuum in your life and somehow or another you have to fill that vacuum. (Stepson, 6-17-97, 17)

Individual Tribal Members

External Norms (VALUES)--Box 13: Externally, individual tribal members (Box 13) also valued their traditional cultural ways and were aware of societal and economic expectations, like the Osage family and the tribe as a whole. Becher and Kogan's (1992) external norms are the same for both the basic unit and individual as they are for the Osage family and individual tribal members.

Even today, individual tribal members subscribe to the present social and cultural values in the United States. Mrs. Webb stated,

so it is important that a lot of the Osage children your generation and younger, plan to be educated, higher education is no luxury, it is a necessity. . . . We want people of integrity. So that means you've got to grow up with integrity and honesty, you don't put yourself first. (6-18-97, 14-15).

Internal Norms (VALUES)--Box 14: Internally, many individual tribal members realized and valued (Box 14) their role in a white man's world. As a result, many individuals believed in the importance of education and valued the professional opportunities to enhance their chances at competing in the market place. Similarly, the individual teacher in Becher and Kogan's (1992) model

internally valued personal goals and at the same time placed a strong emphasis on his/her job duties. Many individual Osage members took advantage of their wealth and opportunities provided them by excelling in our larger society.

Since Mrs. Webb has had the fortune of not being controlled by a guardian or the BIA, she can step back and realize individual tribal members role in society and what Osage people should strive for in their personal goals. She stated,

[this] has allowed me a greater freedom to look at this and to understand what happened to the generation before us, for three or four generations, and the impact it had on them and the results of it has filtered down to our daily life. So the impact of what happened in the past still lives with us today, but we now have options we did not have before and your generation is able to come forth and build a tribal government system that eventually will be beneficial to Osages and not to everyone else around them. At least that's what everybody is hoping for. (Webb, 6-18-97, 14-15)

The greatest impact for her has been, "not being under the control of a guardianship, or the Bureau necessarily, the impact has been in the financial end of the oil and gas estate, the mineral estate" (Webb, 6-18-97, 14).

Internal Operations (TASKS)--Box 15: Operationally, individual tribal members (Box 15) were required to adhere to government policy, just as Osage families and the tribe as a whole. The ways in which individual Osage Tribal members were required to abide by government policy and the involvement of the BIA and legal guardians is clearly delineated in the transcripts of the Oklahoma State Supreme Court case hearings on Paul Peace's (Mrs. Webb's grandfather) estate. M. M. Richardson (BIA Government Field Clerk) stated, "well, I think he [Paul Peace] was in failing health for one thing, we had disbursed money to him a number of times out of his surplus fund for health expenses" (Oklahoma State

Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1366). A. C. Hector (Principal BIA Clerk), told the defendants' attorney, Mr. MacDonald, that in his position at the BIA he had many dealings with the Osage Indians. He said he knew Paul Peace "through the various transactions there [Osage Agency] involving his individual money account" (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1305). Mr. Hector told the plaintiff's attorney, Mr. Cornett, between the December 1926 quarterly payment and prior to Paul Peace's death in February 1927, he came to the BIA office several times needing money. Mr. Hector described the disbursement of Osage quarterly royalty payments.

The quarterly payments for the Indians at Fairfax is [sic] usually made by Mr. Richardson. At the time of the payment, Mr. Meyers or some clerk for hi [sic] goes through his accounts and decides how much shall be forwarded to Mr. Richardson to pay out on payment dates. (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1305-1307)

Mr. Richardson testified regarding a time when Paul Peace attempted to buy a car. He stated, "I told him it was against the policy of the Agency for one family to own two automobiles. . . . I think he wanted to buy that car for his boys" (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1367).

The guardians would often place notices to creditors in the local newspaper warning them to not let a certain Osage purchase anything on credit. An example of such notice printed in The Osage Chief, Fairfax, Oklahoma, follows:

In the Matter [sic] of the Guardianship of Ben Wheeler, Fred Wheeler and Mary Wheeler, Incompetents. Notice is hereby given that credit transactions with said wards will not be recognized by the undersigned [sic] guardian, unless his personal consent to the same is obtained. Given this 4th day of June, 1920. Pitts Beaty, Guardian. ("Notice to Creditors," 1920).

On several occasions the Osage Indian would find him or herself in debt to their legal guardian or to some other white person. Henry Roan's legal guardian was Lila Ashbrook; however, her husband, C. E. Ashbrook is the person who actually took care of Henry Roan's finances. The FBI files contained a statement from C. E. Ashbrook stating,

that it was not customary nor good business for any one to transact credit business of any kind with an Indian that had a guardian, as the debt was not legally binding, and, while a few men would take a chance and allow an incompetent Indian to owe them, yet the amount would be for only a nominal sum. (FBI Roll No. 2)

External Operations/Pressures (TASKS)--Box 16: As with the Osage family and the tribe as a whole, what happened to individual tribal members externally (Box 16) was the same pressures of becoming civilized, including society's demands to compete in the Euro-American job market. All tribal members experienced government pressures to abide by BIA, as well as other government policy, including guardianship control. Mrs. Webb discussed what she believed it felt like to have the external pressures of another person telling you how you can and cannot spend your money. As a young girl she remembered listening to BIA officials tell her grandmother and father why they could not purchase a certain item. The officials would often make reference to the law found in the Code of Federal Regulations. She found it appalling that her grandmother and

father were more educated than the guardian assigned to them, yet their guardian regulated their daily lives. "That did nothing for your self-esteem," she replied (Webb, 6-18-97, 14).

Many individual Osage were victimized because of their inherited fortunes. Mrs. Webb's grandfather, Paul Peace, was killed by a car in Kansas City, Kansas, on February 23, 1927. From family information, she believed his second wife, a white woman, had him murdered so she could inherit his estate. Mrs. Webb considered Paul Peace another Osage victim of murder for money. The reason Paul Peace went to Kansas City, Kansas, at this particular time was because he was ordered either by the BIA office or the county court (according to court documents) to go to the sanitarium to be evaluated because of his wife's insanity charges. He was accompanied by his wife and M. M. Richardson. Two months prior to his death Paul Peace made a second will which left his wife one-third of his estate and his two sons the other two-thirds. However, his wife contested the second will, claiming he was insane when he changed his will (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1393-1414). A little over 1 1/2 years after his death the case ended up with the Oklahoma State Supreme Court. Mrs. Webb's father and uncle won the case. Mrs. Webb stated, "some white woman marries an Osage and they end up getting most of the estate, at least a third" (6-18-97, 13).

Paul Peace and his immediate family believed his wife, Thersa Peace, was poisoning him. Several references were made to this in the Oklahoma Supreme Court case documents, although this is not what the court case was concerned

with. Bright Roddy, businessman, testified that he visited with Paul Peace on the morning of December 16, 1926, the same morning Paul Peace changed his will.

Paul Peace told Mr. Roddy that his mother wanted him to make a new will because she claimed his wife, Thersa, "was feeding him dope - poison, some kind of poison, that she was killing him" (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1336).

Mr. Roddy also testified that he visited with Paul Peace a few weeks later and Paul told him that an attorney in Pawhuska, Oklahoma, Mr. Comstock, "would tear up that will" (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1339). Thersa Peace did testify, "that too many Indians had died at Fairfax, been killed by white people"

(Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1397-1398) and Paul's mother and sister were telling Paul that she was feeding him poison which was the reason for his illnesses. She never admitted to any wrong doing; however, she was not on trial for his death. This case was brought about by her contesting the second will he made.

Ironically, several references throughout the testimonies were made to Paul Peace's mental condition, which read as if he was being administered poison.

Many people believed he appeared to be drugged and unkempt. A. C. Hector stated, "on the last one or two visits which I remember he was not in his good condition, he had four or five days growth of beard and appeared to be ill or dopy"

(Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case

Number 12385, November 22, 1928, 1308). Mr. Richardson found it odd that on one very cold morning Paul Peace went to the BIA office wearing a short sleeve shirt and no coat. Mr. Matthes, businessman, had visited with Paul Peace several times prior to his death. He knew in speaking with Paul that something was not right with him. He did not believe he was insane but stated, "there was something wrong with him though for in our conversation he was absolutely off" (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1293). Mr. Thomason, Special Officer for the BIA, did not believe Paul Peace was intoxicated but was "drugged or just in an abnormal condition mentally" (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1324). Bright Roddy stated, "I could not smell anything [alcohol], and he appeared to me like he was dopy or on dope" (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 1338).

Two doctors filed a certificate with the Osage County Clerk in February, 1927, stating, "we find respectively, that he [Paul Peace] is not insane, and that his condition is such as not to require care, custody and treatment in a hospital for the insane" (Oklahoma State Supreme Court Case Hearings on the Estate of Paul Peace, Case Number 12385, November 22, 1928, 603).

Juanita Tall Chief also had a family member victimized due to his inherited wealth. Mrs. Tall Chief's father, Henry Roan, was murdered in the early 1920's. She stated, "my father was killed when I was about six years old, so I don't remember awfully much about him (Juanita Tall Chief, 6-18-97, 1).

Henry Roan's original last name was Roanhorse. However, he was sent to an all-Indian private school in Carlisle, Pennsylvania. At some point, the "horse" was dropped by school officials so the name would not sound so "Indian." Mrs. Tall Chief's mother attended boarding school in Pawhuska, Oklahoma, where "most of the Indian girls went" (Juanita Tall Chief, 6-18-97, 6).

Henry Roan was found dead in his vehicle by the Fairfax Chief of Police and the Deputy Sheriff. He was killed by a gun shot wound to his head ("Henry Roan Shot," 1923). In 1926 Bill Hale and John Ramsey were convicted of Henry Roan's murder. The motive for the murder was a \$25,000 life insurance policy Bill Hale had taken out on Henry Roan's life. John Ramsey enticed Henry Roan to the place of murder by whiskey. According to the FBI documents, "the murder of Henry Roan was one of a series in which the victims were Osage Indians" (FBI Roll No. 3, File No. 62-5033-474, January 5, 1927).

The house Henry Roan owned and lived in at the time of his murder was bought from Bill Hale. Bill Hale was also a pall bearer at Henry Roan's funeral. Mr. Tall Chief stated, "it just shows how diabolical he [Bill Hale] really was. That's what I mean by so many influences, positive and negative. That particular era, the murders, it has made us distrustful of everybody" (6-18-97, 9).

When Bill Hale was arrested he owned five thousand acres and leased thirty thousand acres of ranch land all used in his cattle operation (FBI Roll No. 3). The FBI described him as "a man of unscrupulous methods. . . the master mind in the murder of a number of Osage Indians, who were killed, ostensibly, for the

purpose of enlarging his fortune" (FBI Roll No. 2). The St. Louis Post-Dispatch described Bill Hale as "King of the Osage Hills" (FBI Roll No. 1).

It was apparent Bill Hale was considered a prominent man with friends from various places and assorted backgrounds.

An influx of prominent men in the frontier history of the state was noted today. Major Gordon W. "Pawnee Bill" Lillie and his brother, Albert Lillie, were here from Pawnee. They have not been subpoenaed and Major Lillie said he came merely to pay his respects to federal authorities. Frank Canton, former United States marshal [sic] and a frontier character around whom at least one novel has been built, also was here. . . . Zack Mulhall, another frontier character and showman was in Guthrie today. Major Lillie, Canton and Mulhall are all intimate friends of Hale and expressed belief in his innocence. (FBI Roll No. 1)

There were other mysterious deaths that took place on the Osage reservation; most of which were never investigated. The Osage Chief reported the following, "John Bates, Osage Indian, 25 years of age, died at his residence in Fairfax last Saturday morning, May 7, 1921, after a short illness" ("John Bates," 1921); "Joe Redeagle (Hha-ah-sha-tsa), 60 years old, died at Hominy [Osage County, Oklahoma] last Saturday morning of acute indigestion after a short illness" ("Joe Redeagle," 1921); "Joe Bates, one of the best known of the Osages, died rather suddenly at his home last Saturday and was buried Sunday" (no title, 1921); "Peter Clark, aged 36, an Osage Indian, died at his home in Grayhorse early Thursday morning" ("Peter Clark Dies," 1922); "Arthur Bonnicastle [sic] possibly the most well known member of the Osage tribe [sic] passed away in a hospital at Kansas City one day last week after an illness lasting but two days" ("Former Chief of Osage Dies," 1923). There was also an attorney of an Osage Indian who was killed as a result of being thrown from a moving train. This attorney had gone to Oklahoma City to consult with his client and was on his way back to Pawhuska, Oklahoma when he was

murdered. His client, "later died under suspicious circumstances in Oklahoma City" (FBI Roll No. 3).

Many Osage families, as well as non-Osages who lived in Osage County, Oklahoma, were fearful for their lives if they divulged any information in regard to the murders. An FBI agent reported, "the majority of the witnesses in these cases are afraid to testify to facts in their possession for fear of personal violence, or even death, at the hands of Hale and his henchmen" (FBI Roll No. 2). It was also reported by the FBI that Bill Hale, "controls the majority of the citizens of Fairfax by his methods, and is closely allied with the big interest of Osage County" (FBI Roll No. 2). George Wright, Osage Agency Superintendent, wrote, "two eye-witnesses to the Annie [sic] Brown murder have been discovered who are ready to give their testimony if assured the protection of the Government" (FBI Roll No. 1). The Butte Daily Post reported, "Indians and white residents of the reservation were extremely hesitant to talk about the deaths, they feared that they, too, might become victims" (FBI Roll No. 1). An FBI agent stated, "there is a universal fear among witnesses of being 'bumped off' for telling or assisting in the investigation which has kept many persons from telling things of material value" (FBI Roll No. 2). An attorney in Pawhuska, Oklahoma told FBI agents, "that his informant refuses to talk to agents or have his identity divulged for the reason that he is convinced that he would be murdered in short order if it ever became known that he had told" (FBI Roll No. 2). The Osage Chief described Shidler, Oklahoma, Osage County, as "such a town as a denizen of the underworld would call--'a regular place'" ("Shidler Wide Open," 1923).

During World War I the Osage Indians were not considered citizens of the United States, but "they donned the uniform. . . . They served anyhow, and oil was taken from the

Osage reservation to help fuel the fires of the war engines" (Stepson, 6-17-97, 11). When these young men of World War I came home, Mr. Stepson stated,

those adults became victims of the reign of terror of Bill Hale. The survivors of that must have [felt] a tremendous impact. I can remember [people] talking about so and so and how they were afraid to go somewhere because. . .of who might be there. It was a scary time. (6-17-97, 11)

Summary. Members of Congress were held accountable to their constituents 100 years ago just as they are today. The political and social pressures placed upon the government by their voters was enormous. Society expected all Indian tribes to be civilized and adapt to the Euro-American ways. These were the external values and tasks impinged upon the government. As a result, Congress passed laws that affected the Osage Tribe, Osage families, and individuals within the tribe.

The BIA was the government agency established to protect the interests of the tribe. BIA agents found themselves involved in processes to civilize the Osage including overseeing and maintaining the money accounts of incompetent allottees. Those Osage deemed incompetent were required to have a legal guardian. The incompetent Osage had to obtain approval from his/her guardian on all spending. The guardian would then gain approval from a BIA official. Guardians regulated the daily lives of these Osages and many squandered their estates. The county court system became involved in overseeing and maintaining incompetent Osage money accounts and probate matters from 1912 to 1925. The same process was in place as it was when the BIA approved expenditures, except the guardian was required to get approval on incompetent Osage's spending from the county court judge instead of a BIA official. In 1925 Congress awarded the control of overseeing and maintaining Osage's financial affairs and probate matters back to the BIA.

This act was passed because of the dissipated estates and lives that were lost as a result of the Osage's wealth. The FBI is another government entity all too familiar to the Osage. In the early 1920's they conducted an undercover investigation on the Osage murders. They finally secured life term convictions on the murderers of a few Osages.

The Osage Tribe, families, and individuals within the tribe all experienced the external norms of wider society's desire for them to become civilized and adapt to the new order. Many Osages responded by obtaining an education and experiencing success in the white man's world. They were fortunate enough to have the financial resources to make this happen.

Their inherited wealth allowed them the opportunity to value their freedom and independence and to realize their role and personal goals in society. However, they were also compelled to abide by all government policy. The guardianship control became a game and many guardians were "in it together" in which they married wealthy full-blood Osages, many whom were related, and they ultimately inherited their fortunes once the Osage was mysteriously dead. As a result of the murdered victims, many Osage and non-Osage were in fear for their lives. Some believe this fear still exists today in Osage Tribal members.

Disequilibrium, Equilibrium, and Change

The following is an explanation of Becher and Kogan's (1992) definitions of disequilibrium, equilibrium, and change as they relate to the Osage Tribe of Indians. Becher and Kogan (1992) discussed types of change and responses to change.

Disequilibrium

Becher and Kogan (1992) outlined four aspects of the normative and operational modes: internal and external norms, and internal and external operations. However, they stress the importance of balance between two, the internal norms and internal operations. The connections between what people in a social system value and what they are actually required to do should "represent a state of dynamic equilibrium" (Becher & Kogan, 1992, p. 130). From the data in the study, the Osage Tribe's internal norms and internal operations experienced disequilibrium because what they valued as families and individuals conflicted with what they were operationally required to do by the government. The changes that occurred in their practice as a result of this disequilibrium have never restored the tribe to the state of equilibrium they experienced before becoming wards of the BIA and victims of fraud, deceit, and murder.

The tribe as a whole, families, and individuals within the tribe all valued their freedom and independence and realized their role and personal goals in society. This was evident by what the respondents revealed. Mrs. Webb stated, "Indian territory. . . was supposed to be an all Indian state promised to these Indian tribes by the federal government. This would be their sanctuary, a place they could live in peace" (6-18-97, 11). The tribe strongly valued independence to make decisions as other non-Indians were allowed to do. However, being a sovereign Indian tribe in a new nation required the Osage to deal directly with Congress. This sovereignty provided the Osage Tribe a negotiating tool to guard their freedom and independence as much as possible. "That's our only legal stance and it has to be jealously guarded" (Webb, 6-18-97, 15).

The 1906 Osage Allotment Act ensured the tribe ownership of their own land and retention of the mineral rights. The royalty shares from the production of oil and gas allowed many Osages the freedom and independence to choose various avenues in life. "There was something to be had by being Osage, and that something to be had was wealth, money. . . . When they started taking oil out of the ground, everybody got a share of it" (Stepson, 6-17-97, 5). Since Mrs. Webb was not under the jurisdiction of a guardian or the BIA she believed,

[this] has allowed me a greater freedom to look at this and to understand what happened to the generation before us, for three or four generations, and the impact it had on them and the results of it has filtered down to our daily life. So the impact of what happened in the past still lives with us today, but we now have options we did not have before. (6-18-97, 14-15)

The internal operations, what the tribe, families, and individual were required to do, did not coincide with what they valued. Mrs. Webb stated, "from statehood on we became wards of the Bureau of Indian Affairs. . . all of our activity was regulated by law . . . Their daily life was regulated by what a guardian said they could and could not do" (6-18-97, 11-12). "That did nothing for your self-esteem," she replied (Webb, 6-18-97, 14).

It was not customary nor good business for any one to transact credit business of any kind with an Indian that had a guardian, as the debt was not legally binding, and, while a few men would take a chance and allow an incompetent Indian to owe them, yet the amount would be for only a nominal sum. (FBI Roll No. 2)

Mr. Stepson stated, "I think the Bureau of Indian Affairs has had the most impact because they virtually had the power of life and death over you" (6-17-97, 8-9). The BIA carried out policies set forth by Congress. Mrs. Webb believed, "the history of the tribe is never separated of the impact of what's going on in Washington politics. Whatever the

United States Congress decides and the Executive Office decides is national policy for American Indians" (6-18-97, 15). Since the Osage Tribe is considered a sovereign dependent nation by the United States government, they will never enjoy complete freedom and independence as they once did. Mrs. Webb stated, "all of their policies destroyed the social system, the clan system, just by disease, starvation, and betrayal by government agents" (6-18-97, 11).

Equilibrium

Becher and Kogan (1992) believed equilibrium "requires a reasonable continuity of values, an organic accretion of knowledge, and patterns of power and authority which allow both" (p. 130). The Osage Tribe, families, and individuals within the tribe were not allowed the luxury of living with this assumption. Tribal members shared the same values and knowledge of what society expected and many adapted to society's expectations.

As did the oil, headright royalties flowed while Osage Indians tried, in a variety of ways, to adapt to the demands of the new order. In time, these Native American people became victims of plots to divert the wealth of their nation. (FBI Roll No. 1, Introduction)

The patterns of power and authority which were supposed to support their values and knowledge were extinguished by government intervention. Mr. Stepson believed the Osage Tribal Council lost its power and authority. When the tribe lost control of their government, there was no longer an opportunity for a reasonable continuity of values between the government and the Osage.

The Tribal Council's function was not only to act as a government which . . . somehow or another they lost that function, they lost the idea that they were really and truly a government. . . . They left a great deal of the administration, not to the people on the Tribal Council, but to the Bureau of Indian Affairs. (Stepson, 6-17-97, 7-8).

The BIA was established to protect the interests of the tribe. Mr. Stepson commented, "there certainly have been people who did not do that" (6-17-97, 8).

Mrs. Webb believed, "all of the policies of the United States government, which is always the policy of the American people with vested interests in commerce, has always been the factor, and still is, that shapes us and forms us" (6-18-97, 11).

Change

Changes in a social system may come from internal or external pressures. Becher and Kogan (1992) contend the change that occurs as a result of the imbalance between norms and operations will once again allow the system to experience a dynamic state of equilibrium. When norms and operations become out of balance, "changes in belief or practice designed to restore normal functioning" will occur; once this takes place, "the system reverts to equilibrium once more" (Becher & Kogan, 1992, p. 130). If this does not happen, the social system will encounter a static state of disequilibrium.

The disequilibrium which occurred between tribal members' internal norms and internal operations and the changes which followed did not return the tribe back to the dynamic state of equilibrium they once knew prior to government intervention and becoming victims. Becher and Kogan's (1992) argument of the change that takes place reverting the system back to normal did not happen with the Osage. Rather, the tribe has experienced equilibrium in the sense they function, however, not to the degree that many

tribal members did prior to guardianship control and being victims of fraud, deceit, and murder.

Types of Change. Becher and Kogan (1992) discussed minor or organic changes and major or radical changes. Analyzing the data with the Osage matrix revealed the changes experienced by the Osage Tribe, families, and individuals within the tribe were major or radical changes. What tribal members internally valued and what they were operationally required to do were changes, "demanding a noticeable shift in existing normative assumptions or established practice or both" (Becher & Kogan, 1992, p. 133).

Prior to the 1906 Osage Allotment Act tribal members did not own individual shares of land and did not receive quarterly royalty checks. However, in 1906 when oil royalties began to flow, those allottees considered incompetent to manage their finances were assigned legal guardians. Many Osage's estates were dissipated. Some Osage "were appointed guardians and the guardians squandered their estates. They got wealthy themselves, they managed to come into the possession of the peoples' real estate" (Stepson, 6-17-97, 8). Acts were passed by Congress awarding the final say in approving incompetent Osage's monetary spending either to the BIA or the county court system (Barney, 1929). From 1906 onward, what the Osages valued and what their daily practices became were certainly radical in terms of the changes that occurred.

Becher and Kogan (1992) also discussed paradigm shifts,

the majority of far-reaching changes come, however, from sources outside the pursuit of knowledge as such: many of them are occasioned by pressures from the outer framework [external norms and pressures] rather than the inner core [internal norms and operations]. . . . In due time, the changes enforced from outside are

either absorbed or rejected. . . then move again to a period of relative stability, a normative steady state, but with a changed framework and mandate. (pp. 134-135)

Mr. Stepson discussed external influences and what happens as a result of these pressures.

Cultures evolve--the culture of any Indian Tribe or any nation. . . society changes very gradually due to external and internal pressures. The languages change, languages reflect culture and how people look upon the natural world about them. Their religion, their cosmos, everything [changes]. . . . Almost any organism will mutate due to pressure on them from somewhere. (Stepson, 6-17-97, 13)

The changed framework experienced by tribal members was a result of pressures from the outside. The government, i.e. Congress and ultimately the BIA, answered to social pressure which was to civilize Indian tribes. Other requirements followed including overseeing and maintaining Osage's money accounts (Barney, 1929). Many tribal members adapted to or absorbed societal expectations of becoming civilized, including obtaining an education (Stepson, 6-17-97; Tall Chief, 6-18-97). Becher and Kogan (1992) discussed the social system eventually moving to a somewhat steady state, but with a change in its overall framework. This is true for the Osage Tribe as well. However, as a system, the tribe will never experience the stability it once did before government intervention and before being victimized. The tribe does have a changed framework, but they had no choice. The discovery of oil on the Osage reservation "changed the face of Osage culture" (Stepson, 6-17-97, 5). The Osage people had to deal with several outside pressures.

They had to deal with the complicated European society and complicated business issues of oil and gas and mineral administration and real estate administration, plus the fact that these people every three months got annuity payments. . . . So that was probably for most people quite a culture shock. (Stepson, 6-17-97, 8)

Becher and Kogan (1992) described planned and unplanned (inexorable) change experienced by social systems. The change the Osage Tribal members experienced was not planned. The changes the tribe endured were unplanned and a consequence of external pressures they could not control. Becher and Kogan (1992) described unplanned inexorable change as, "that type of adjustment which [people in] the system. . . find themselves forced to make in their pattern of everyday activity as a result of external forces which are largely or entirely beyond their control" (p. 137). Becher and Kogan (1992) posit those involved in unplanned changes normally make the necessary changes, usually for mere survival. Mr. Stepson explained,

they were powerless to do anything about it. They did not have the ability. I think if anybody even wanted [to take action] it would have fallen on deaf ears because I think there might have been pay offs. . . the code of silence. . . . So whatever impact that had on the survivors of that is probably a constant reminder. (6-17-97, 16)

Mrs. Webb stated,

to force you to live like that meant that you had to give up a lot of ways that you did before. That had a major, major impact on their lives. Then they had to react to that, cope with it. (6-18-97, 11)

Responses to Change. Becher and Kogan (1992) believed resistance to change may cause hostile reactions, particularly if the change is initiated in a top-down fashion. Osage Tribal members did not overtly resist the changes forced upon them by external forces. As mentioned previously, many tribal members accepted the Euro-American ways.

According to the data, tribal members were vulnerable, therefore, they never refused guardianship control. They were powerless to do anything about it.

The fact that people had land and had money and were not familiar with the dominant non-Indian society left them open and vulnerable. There were other people more than willing to take advantage of that vulnerability. . . . So they used that vulnerability to con them into signing things. Documents, loans, using land as collateral. . . keeping them in such poverty that the only way out was to sell their land. (Stepson, 6-17-97, 15)

Becher and Kogan (1992) stated,

the most effective. . . the most stable. . . changes depend on an alignment between normative and operational modes, the one having interacted with the other to achieve a state of equilibrium. . . . That significant normative change depends on a process of adjustment. . . in which the new norms. . . can be seen to have some continuity with, or bear some discernable relationship to, existing ones. (p. 140)

According to the literature review and what the data revealed, the new norms and operations required of the Osage carried no discernable relationship to what they had prior to the 1906 Osage Allotment Act. The changes forced upon the Osage Tribe are considered unstable because of the lack of alignment between the normative and operational modes.

Mr. Stepson stated,

I figure it had to have had an impact when you come home and you find out that your husband or your father is dead by the hand of a person or persons unknown, that has to have an impact. Because that means you spend the rest of your life without a father. . . and so what does that do to a person. If a person in your life is taken away from you, that is something you remember the rest of your life in some manner or another, and it's something you don't forget. There is a vacuum in your life and somehow or another you have to fill that vacuum. (6-17-97, 17)

The tribe not only experienced an imbalance between their internal values and operations, but the external pressures of becoming victimized as a result of their wealth, left many tribal members with fear and the inability to trust others. Mr. Tall Chief stated,

I think somewhere it is in the back of our minds. We may not realize it, but it is there, especially if it was a family member that was killed. You just have it in the back of your head that you don't trust anybody. (6-18-97, 10)

And "historians will tell us, if you don't remember the past, you're doomed to repeat it," (Stepson, 6-17-97, 17).

Summary. The internal norms and operations of the Osage Tribe, families, and individuals within the tribe were in a state of disequilibrium as a result of what they valued and what they were operationally required to do. The Osages valued their freedom and independence and realized their role and personal goals in society; however, the external pressures imposed upon tribal members by the government created disequilibrium. The tribe has never returned to the state of equilibrium they experienced prior to their inherited wealth as a result of the 1906 Osage Allotment Act. The new norms and operations imposed on the tribe carried no discernable relationship to what they once possessed. Government intervention did not allow for a reasonable continuity of values between the government and the tribe. The type of changes experienced by the Osage were major or radical in form; their internal norms and operations resulted in a major shift in their established practice. The Osage experienced a significant paradigm shift resulting in an overall changed framework. Their new framework was a result of unplanned inexorable change; the tribe was forced to make these changes which were beyond their control. Tribal members responded to the imposed change by accepting the Euro-American ways; they were powerless to do otherwise.

Summary

The Osage matrix, a 16-cell framework, was used to analyze the data. This matrix consisted of four levels: the government, the Osage Tribe, the Osage family, and individual tribal members. Within each of the four levels there were internal and external norms and internal and external operations. The Osage matrix is a revised version of Becher and Kogan's (1992) higher education model.

The government entities that affected the Osage were Congress, the Bureau of Indian Affairs, the county court system, and the Federal Bureau of Investigation. The government possessed internal and external norms and pressures to civilize the Osage. As a result, Congress passed laws. The BIA was established to protect the interests of the tribe. Congress passed laws that enabled the BIA to oversee and maintain the money accounts and probate matters of incompetent allottees from 1906 to 1912 and again in 1925. Congress passed a law in 1912 which awarded the county court these Osages' money accounts and to handle their probate situations.

The Osage Tribe, families, and individuals internally valued their freedom and independence and realized their role and personal goals in society. However, the internal operations required of them were to abide by government policy which included adhering to BIA and guardianship control. The Osage experienced the external norms and pressures of society's expectations to become civilized and to adapt to the new culture. Many Osage accepted the Euro-American culture; several valued education as a way to maintain their freedom and independence. However, other external pressures resulted in the Osage becoming victims of fraud, deceit, and murder. In 1906, the Osage became a

wealthy tribe as a result of the negotiated allotment act. They retained their land and mineral rights which resulted in headrights from the production of oil and gas. Not accustomed to the white man's way left Osage Tribal members vulnerable. As a result of the Osage murders in the early 1920's the FBI conducted an undercover investigation in Osage County, Oklahoma. They eventually convicted Bill Hale and John Ramsey for the murders of Henry Roan, W. E. Smith, Rita Smith, and their servant; Ernest Burkhart for the murder of W. E. Smith; Bryan Burkhart and Kelsey Morrison for the murder of Anna Brown.

The Osage Tribe, families, and individuals experienced an imbalance between their internal norms (what they valued) and their internal operations (what they were required to do). This resulted in a state of disequilibrium. Becher and Kogan (1992) argued when this occurs a change will take place and the system will restore itself to a dynamic state of equilibrium or restore itself to normal functioning. The tribe has never been restored to the state of equilibrium they once possessed prior to the 1906 Osage Allotment Act resulting in their inherited wealth, and the many government interventions. There was not a reasonable continuity of values between the government and the tribe after the government interventions. The tribe no longer possessed a structure of power and authority to control their destiny. The change that took place was that Osage Tribal members succumbed to what they were operationally required to do, abide by government policy. These were radical changes which caused a major deviation in the tribe's established practice. These unplanned inexorable changes were forced upon tribal

members and largely beyond their control. Tribal members responded by accepting their new culture; however, they were powerless to do otherwise. The perceived impact this era has had on the descendants of Osage Tribal members is one of fear and a lack of trust.

CHAPTER V

SUMMARY, CONCLUSIONS, RECOMMENDATIONS AND IMPLICATIONS, AND COMMENTARY

This chapter includes a summary of the study, conclusions, recommendations and implications, and a commentary as a result of the data collected from the three Osage families, the Federal Bureau of Investigation (FBI) reports, transcripts of Oklahoma State Supreme Court hearings, laws pertaining to the Osage Tribe (Barney, 1929), and newspaper clippings from the era covered in this study.

Summary

The purpose of this study was to explore the loss of prominence of the Osage through the lens of Becher and Kogan (1992). Specifically, this study:

1. Examined the experiences of the Osage from the 1870's through the 1920's and the perceived impact this era has had;
2. Described the internal disequilibrium and external pressures evidenced; and,
3. Assessed the usefulness of Becher and Kogan's (1992) model for exploring these realities.

Data Needs

Data from Osage families who understood tribal history, as well as their own individual family history, was needed to achieve the purpose of this study. I needed to interview family members who were descendants of Osages that had lived in the early 1900's and who had access to living family members as they were growing up which allowed them to experience the rich tradition of oral history known among Osages.

Data Sources

The sources used to conduct this study were three Osage families from Osage County, Oklahoma, FBI documents, Oklahoma State Supreme Court case transcripts, laws pertaining to the Osage Tribe (Barney, 1929), and newspaper clippings.

Data Collection

Three Osage families were interviewed using open-ended questions. The questions elicited responses that required both facts and opinions from the respondents. While interviewing respondents, direct observation of the respondent's body language, voice inflection, and environmental conditions were recorded when appropriate. FBI documents, transcripts from an Oklahoma State Supreme Court case, laws pertaining to the Osage Tribe (Barney, 1929), and local newspaper clippings from the 1920's were reviewed.

Data Presentation

Two categories emerged from the data: sovereignty and outcomes. The family information from the interviews uncovered "who" was affected; the events as a result of sovereignty exposed "what" happened within the government and the impact these happenings had on the Osage Tribe, Osage families, and individuals within these families; and the outcomes described "why" and to "what end" the Osages experienced a change within their social system.

Sovereignty. The Osage, like all other Indian tribes, was considered a sovereign dependent nation which gave them the inherent right to govern themselves; consequently, all negotiations were between the Osage and the United States (U.S.) government. As a result of their sovereign status, the Osage were subject to the laws enacted by Congress.

Several events took place between Congress and the Osage Tribe. Congress moved the Osage to a new reservation in 1872, current day Osage County, Oklahoma. Due to the large real estate holding of this reservation, the Bureau of Indian Affairs (BIA) was the government agency charged with overseeing this land as well as protecting all other interests of the Osage.

The 1906 Osage Allotment Act impacted the tribe the most. This act divided the Osage reservation among tribal members that were on the roll in 1906. Excess land was not opened for white settlement as it was for other tribes under the 1887 Dawes Severalty Act. The tribe also retained the mineral rights to the reservation. If a non-Osage purchased land, the tribe continued to profit from the production of oil and gas.

Consequently, the tribe received quarterly royalty checks or what is more commonly known as headrights. This act created a vast amount of wealth for Osage Tribal members.

Three acts or amendments to the 1906 Osage Allotment Act directly impacted incompetent Osages' financial and probate matters. Prior to 1912, the legal guardian went through the BIA Osage Agency Superintendent to obtain final approval on the spending of the incompetent Osage as well as any probate matters. The Act of April 18, 1912 took the power away from the BIA to control incompetent allottees' money accounts and probate situations. Beginning in 1912, the legal guardian was initially required to gain approval from the county court judge, and then a BIA official could sign for a release of funds.

The Act of March 3, 1921, another amendment to the 1906 Osage Allotment Act, had two provisions. First, all Osage that were less than one-half in Indian ancestry could sell or lease their land at their discretion. They were considered competent or non-restricted Osage. All Osage over one-half Indian blood could not sell or lease their land without a competency certificate. Without the certificate these Osage were considered incompetent or restricted. Secondly, this act limited the amount of money the incompetent Osages received quarterly. They were only allowed \$1,000 every three months of their money, and the surplus funds were invested by the Osage Agency Superintendent rather than for personal use by the tribal member.

The Act of February 27, 1925 was enacted by Congress to correct the misuse of Osage money accounts. The power was awarded back to the BIA Osage Agency Superintendent in making all final decisions regarding incompetent allottees' financial matters and probate decisions. Due to the Osage murders, this act stated any murderer of

an Osage could not be an heir to the decedent. Also, as a result of this act, a white person was no longer allowed to inherit any assets from an Osage; however, this law did not apply to wives or husbands in existing marriages.

Sovereignty created a unique relationship between the U.S. government and the Osage Tribe which resulted in several outcomes. These events created tribal gains and losses as well as personal gains and losses for individual tribal members.

Outcomes. Tribally, there were gains as a result of the wealth through the production of oil and gas on the Osage reservation. The negotiated 1906 Osage Allotment Act ensured the retention of the mineral rights by the tribe. Consequently, tribal members received quarterly royalty payments. Wealth was also obtained through oil and gas leases. Tribal members were introduced to a world with which they were not familiar.

There were many tribal losses as well. The Tribal Council was originally the governing body for the Osage; however, the BIA gained much of the administrative responsibilities. The BIA had a lot of power over the Osage, especially the incompetent allottees' money accounts. Due to the many government interventions, tribal members' daily lives were impacted; consequently, their social system changed.

The court system was not unfamiliar to Osage families fighting for their inheritance. The Peace family was challenged by the widow of Paul Peace (my mother's grandfather), a white woman, who maintained her late husband, Paul Peace was insane at the time his last will was made. This case ended up with the Oklahoma State Supreme Court and was won by the Peace family; however, their assets were wiped out in the process.

There were several Osages murdered for their estates in the 1920's. These murders brought the FBI to Osage County, Oklahoma, to conduct an undercover investigation. They eventually convicted Bill Hale and John Ramsey for the murders of Henry Roan, W. E. and Rita Smith, and their servant, Nettie Brookshire; Ernest Burkhart for the murder of W. E. Smith; and Bryan Burkhart and Kelsey Morrison for the murder of Anna Brown. Ernest Burkhart was paroled after serving only eleven years of a life sentence. Other murders and mysterious deaths took place in Osage County, Oklahoma, which were never investigated. It was believed apathy was too commonplace among the local and state officials considering the atrocities that took place in the Osage Nation.

There were personal gains and losses for individual Osage as well. Individual members gained wealth through headrights and land. The wealth obtained from the royalty checks provided individual Osages educational opportunities and it allowed them to get away from the holocaust.

The personal losses endured by individual Osage were enormous. Individuals lost control of their daily activities to guardians. Many Osage estates were squandered. The Peace family lost Paul Peace and, from family information, believe he was murdered for his estate. This family also lost wealth as a result of the Oklahoma State Supreme Court case regarding his estate. The Stepson family lost Bill Stepson to a "mysterious" death that was never investigated. The Tall Chief family lost Henry Roan who was a victim of murder for his estate.

These outcomes were a result of sovereignty and the tribal/government relations. Fear and injustice triumphed in the Osage Nation.

Analysis

Data was analyzed through the lens of Becher and Kogan's (1992) model of the British higher education system. This model explained the functions and interconnectedness of a social system and addressed the effects of an imbalance between the internal norms and operations within the system.

Findings

Given the data, the Osage Tribe, Osage families, and individuals within the tribe experienced disequilibrium as a result of an imbalance between their internal norms and operations. The government interventions did not allow for a reasonable continuity of values between the government and the tribe; thus, equilibrium was not restored. The types of changes experienced by the tribe were major or radical in form; their internal norms and operations resulted in a major shift in their established practice. This significant paradigm shift resulted in an overall changed framework for the Osage. Their new framework was a consequence of unplanned inexorable change; the tribe was forced to make these changes which were beyond their control. Tribal members responded to the imposed change by accepting the Euro-American ways; they were powerless to do otherwise.

Conclusions

The conclusions derived from the findings center around the three statements which guided the purpose of the study.

Examine the Experiences of the Osage From

the 1870's Through the 1920's and the

Perceived Impact This Era Has Had

Given the findings of this case study, it could be concluded that the experiences of the Osage from the 1870's through the 1920's were tumultuous. This was a time which resulted in a powerless, fearful people.

The Osage were required to abide by the government's rules; rules not originated by tribal members. Becher and Kogan (1992) believed change should never be imposed on individuals in social systems without first providing them the opportunity to assimilate the change to their own experiences and allow them the chance to acclimate those changes to their daily lives. What happened to the Osage was a worst case scenario of assimilation. Unger (1996) defined assimilation, accommodation, equilibration, and disequilibrium as follows:

[Assimilation and accommodation is] the accumulation and absorption of new information and knowledge and the rearrangement of one's scheme of understanding to include the new knowledge. . . . Assimilation is the first step in knowledge acquisition, as new information enters the scheme, or one's framework of knowledge and understanding. Whenever new data invades, however, the shape of the scheme necessarily changes as it accommodates the new knowledge and reshapes the recipient's understanding. . . . Piaget called the process of reshaping the scheme through assimilation and accommodation equilibration. While new knowledge is assimilated, the scheme is said to be in disequilibrium, and once accommodation is complete--that is, the moment the subject can say, "I

understand!"--the scheme is said to be in equilibrium. The scheme is in disequilibrium far more than in equilibrium, according to Piaget, because all new knowledge generates a need for more knowledge, more assimilation and, therefore, more disequilibrium. This constant reshaping of the scheme, by assimilation and accommodation, necessarily keeps it in a state of continual imbalance, or disequilibrium. (pp. 83-84)

Unger's (1996) definitions of assimilation, accommodation, equilibrium, and disequilibrium applied to cognitive learning; however, the change process affects people the same, whether it be an individual, or a group of people. If the change is forced upon a group, as it was with the Osage Tribe, and the change involves the atrocities, as it did with the Osage, the group never has the opportunity to say "I understand!". Consequently, equilibrium has not been achieved. The white man's ways were inappropriately incorporated into the Osage way of life. The tribe was forced to make these changes which were beyond their control. This resulted in a culture clash between the Osage and the U.S. government.

Describe the Internal Disequilibrium and External Pressures Evidenced

It appears the white man's rules reigned. Every attempt made by the government to civilize the tribe devalued the Osage way of life. The assumption of equilibrium was nullified when the tribe internally valued their freedom and independence, but were operationally required to abide by government policy. Consequently, the tribe's internal norms and operations were in a state of disequilibrium. The external pressures included all laws enacted by Congress as well as the control imposed by BIA officials and legal guardians. These pressures were a result of larger society's requirements for all Indian

tribes to adhere to the new order. Other external pressures included tribal members being murdered by white people so they could inherit the Osage's large estates.

Assess the Usefulness of Becher and Kogan's (1992)

Model for Exploring These Realities

Becher and Kogan's (1992) model of the British higher education system is useful if modified, collapsing the 16-cell matrix into 8-cells (Figure 3, Appendix A). With reference to the data collected, it is not possible to separate the tribe from the families and individuals within those families. The 8-cell Osage matrix has two levels and the same internal and external normative mode and internal and external operational mode as in Figure 2. The two levels are: (1) the government, and (2) the Osage. The definitions of the internal and external norms and operations still hold true.

The culture of the Osage does not foster separation between the tribe, families, and individuals within the families. With the revised 8-cell matrix, all data pertaining to the Osage Tribe, families, and individuals can be analyzed more effectively.

Implications and Recommendations

I had hoped this research would add to or illuminate existing theory, add to the present knowledge base, and impact practice (Hoy & Miskel, 1991). The following will explain how this case study met each of these components.

Theory

Becher and Kogan's (1992) model of the British higher education system explained the interrelationships and interconnectedness of the central authority, the institution, the basic unit, and the individual. Revising this model to correspond to the Osage Tribe provided a means to add to what is already known about the treatment of Native Americans in the United States, specifically the Osage. The relationships between the government, the Osage Tribe, the Osage family, and individuals within these families have been illuminated.

Future research should explore the usefulness of the 8-cell matrix. Could Becher and Kogan's (1992) model be more effective if the four levels were collapsed into: (1) central authority, and (2) institution?

Research

The findings of this case study added to the present knowledge base of research on social system change by documenting the sovereign relationship the Osage had with the U.S. government and the outcomes of this relationship. The disequilibrium between the tribe's internal norms and operations and the types of and responses to the changes experienced by the tribe were also documented.

The body of literature was enhanced by uncovering this change process of an underrepresented group, specifically the Osage Tribe. It is anticipated the results of this study will push toward the resolution of this underrepresentation, not just its illumination.

Practice

It is hoped that Osage Tribal members will use the findings from this study to understand, cope, and accept the past. This will allow a healing process to begin which will enable these indigenous people to feel capable and worthy of experiencing success in a white man's world.

It is also hoped that publishers of Oklahoma and American history text books will print the truth about the treatment of Native Americans. State Departments of Education in the United States must require public schools to teach the reality of tribal/government relations. When Mary Jo Peace Webb, my mother, taught Indian History in the Fairfax, Oklahoma Public Schools, she did teach the facts as they related to Osage Indian history.

Commentary: "Voices from the Past"

Speeches Delivered in 1881 at the Osage Tribal Council Meeting

James Bigheart: In regard to the paper that we want to send to the President, I have been appointed to speak on that subject. We have a petition that we want to present to the great father. It is about an Act of Congress, about our lands in Kansas. We are all united in protesting against that bill. It is against the main features of our treaty with the government; our treaty says that we are to have \$1.25 per acre for all of our land. We want to call the attention of the government to our treaty.

Wah-ti-an-kah: The chiefs requested me to talk to you. Heretofore, we have met with men in whom we had confidence, but they always forgot us when they got home. I hope in this instance we may receive some reply to our requests. . . . Heretofore, we only cared for hunting, but that is now gone. I was well aware that we would have to become civilized. After we left Kansas we wanted to settle down and live like white men. Our forefathers were talked to about things. . . . It was the desire of the government that we should settle down here. . . . About our commissary goods, all is wrong. The biggest beggar gets the most. They are of

little benefit. . . we have eyes to see; we can tell good articles from bad ones; we can trade as well as white people. It makes me feel bad sometimes, as though the government thought we were children. . . . If you will give us our money, we can buy our own goods, but such things as we want and not things we don't want; and we'll all have our equal share. . . . A portion of our people live along the line, and white people marry some of them. . . . It is not our girls that these white men marry, but our lands and our money. If one of our women wants to marry a white man, let her sign away her right in our nation, and see if the white man will marry her then.

Hard Rope: I am dissatisfied with a great many things. I was born and raised in Kansas. . . we had plenty room to roam around. . . . About ten years since the government sent out four commissioners. . . . We have tried to adopt the government's plan. We pledged our honor to those commissioners that we would do as we agreed. . . . We don't want the government to send us any more goods, we want them to send us the money in their stead.

Ne-kah-ke-pah-ne: We have an agent here sent by the government; he has been with us three years, but has only been able to make us small money payments. People say we have lots of money, but we don't see much of it.

Saucy Chief: I am to speak on these subjects. You are appointed to inspect everything. I know that you are an honorable man. . . . For the last eight years I have encouraged education. I spoke about it in every council. . . . From what I can learn of the white people, they are not compelled to all go to the same school, and think we ought to have the same privilege. . . . Much of our money is spent for goods and things that are valueless to us. . . . If we received money, we would only buy what we need. (Council Proceedings File, Retired files, Osage Agency, Pawhuska, Oklahoma, August 15, 1881, pp. 1-7)

The Osage people entered the 20th century on a wave of change that promised much but delivered little. After a century of negotiated resettlement treaties in the 1800's with the U.S. government, they were on the brink of accepting allotment of their lands and division of their property. They had ages ago developed their religion based on a spirituality that rested on creation that they understood was designed for their benefit by a powerful and generous god. They were a people of prayer; invoking this god every daybreak in a communal prayer. They had their religious leaders and prophets who guided them through daily life. And this momentous decision to accept the 1906 Allotment Act

was preceded by accounts of tribal prophetic visions and dreams about the land which became their Oklahoma reservation and the mysterious power which lay under the earth. One of the reported visions spoke of strange machines that flew in the air and traveled on the ground with men in them; there was a promise heard in their hearts that this land they would purchase from the Cherokees, for their last move to settlement, would provide for them, and that their children would never go hungry because of what lay beneath. That is why in this new treaty, the 1906 Osage Allotment Act, they insisted on keeping the land underneath the surface intact by owning it in common.

This set a precedent in legal circles that became known as "sub-surface" rights. In the aftermath of the "reign of terror" in the 1920's, when five men were indicted for murdering Osages, the issue of states rights over Indians vs. federal jurisdiction was settled in the U.S. Supreme Court and set a legal precedent that Indian rights rested within the province of federal jurisdiction. Tribes were indeed "sovereign dependent nations" that only Congress could regulate.

The immense oil and gas wealth generated during the 20th century brought down on the Osage a severe bureaucratic policy of rigid regulations designed ostensibly to protect them, but which in actuality stifled and choked them. They were treated as children, naughty children even, who were incapable of making intelligent decisions so that bureau decisions were necessary. This was done to a race of people who for centuries had developed and been guided by a system of life that empowered them to not just live, but to flourish in whatever circumstances they had to encounter.

In my mother's memories, as a child, is an incident in which she and her parents were at the BIA Osage Agency, her father asking for some of his money for items she

needed. He was told, even though it was his money, it was not allowable. The bureaucrat walked to a bookcase which held tomes of large books, taking one down, flipping through the pages until the right one was found. He brought it over and read out of it to them and showed why the request was not allowable. She was about six years old. That night her father got drunk. A year later her parents divorced. Her father died at the age of 49 from alcoholism.

The descendants of those Osage who led their tribe into the modern era of the 20th century are now faced with another century into which they must go. After the civil rights movement of the 1960's, Congress and tribes initiated the concept of "self-determinism" and they began to receive government programs funded through Congressional Acts. They began to administer their own education, social, and economic programs. Change came, for some it was too rapid; for others not rapid enough.

For the Osage, much conflict arose within the tribe over voting rights; only headright owners could vote. In 1994, under a Federal District court order, a constitutional government was voted in by all Osage, not just headright owners. This action resulted in the Osage having two governments existing at the same time: (1) the original 1906 Osage Allotment Act Tribal Council, and (2) a court mandated National Council. This constitutional government allowed all Osage to vote, not just the headright owners. The original Tribal Council government was still in existence and was not affected as to mineral matters. In September 1997, the Tribal Council appealed to the 10th Circuit Federal Court and the 1994 constitutional government was abolished. At present, the tribe is trying to regroup and come together to address serious problems that affect all Osage people. As they go into the next century they are struggling to become

masters of their own destiny again, just as their ancestors were doing 100 years ago.

Hopefully, the U.S. government that was founded on Christian principles will finally act on the prophecies of their ancient religious book:

For a child will be born to us, a son will be given to us; and the government will rest on His shoulders; and His name will be called Wonderful Counselor, Mighty God, Eternal Father, Prince of Peace. There will be no end to the increase of His government or of peace, on the throne of David and over his kingdom, to establish it and to uphold it with justice and righteousness from then on and forevermore. . . . And the work of righteousness will be peace, and the service of righteousness, quietness and confidence forever. Then my people will live in a peaceful habitation. And in secure dwellings and in undisturbed resting places. . . .
(Isaiah 9:6,7; 32:17,18)

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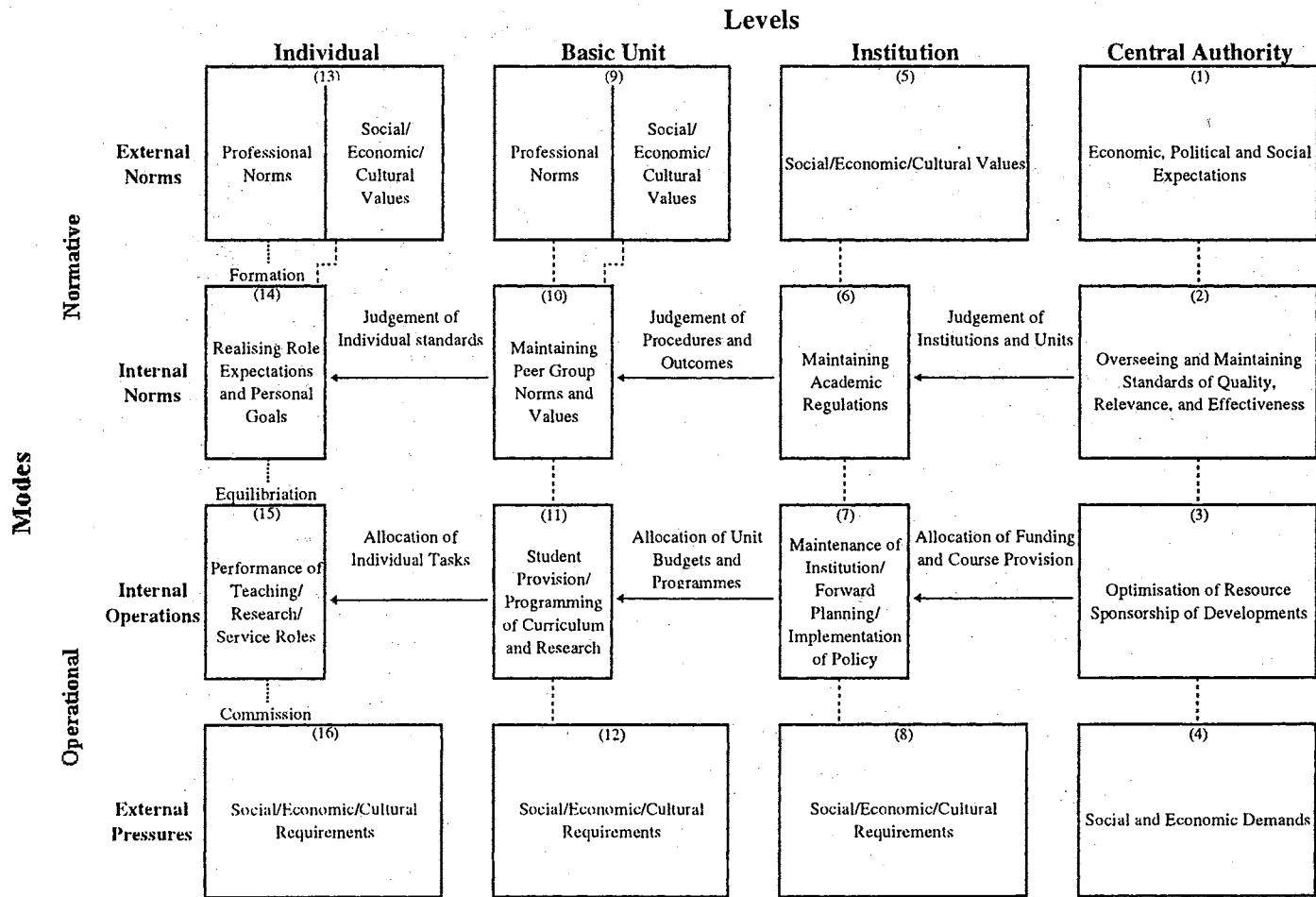
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APPENDIXES

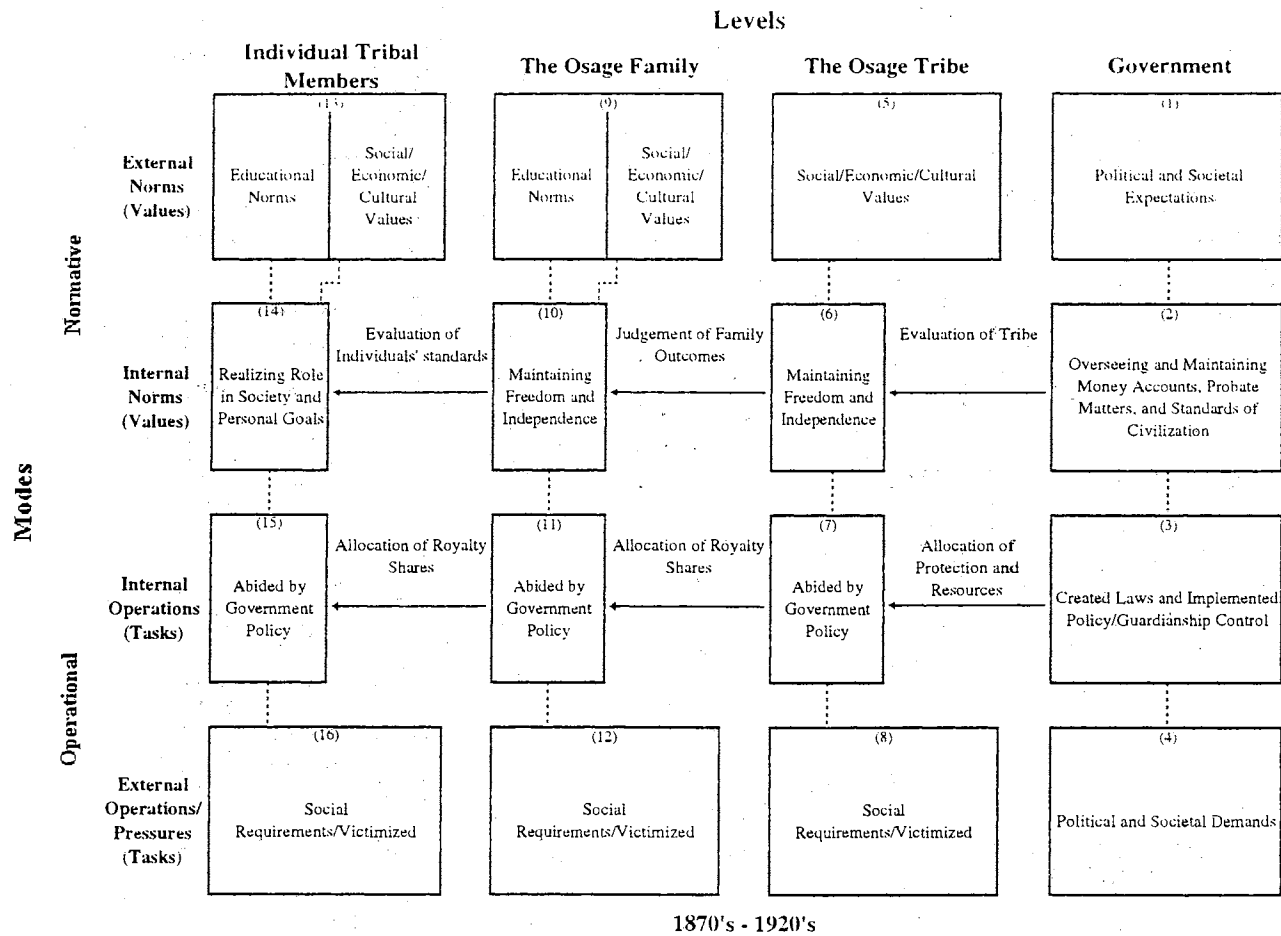
APPENDIX A

FIGURES



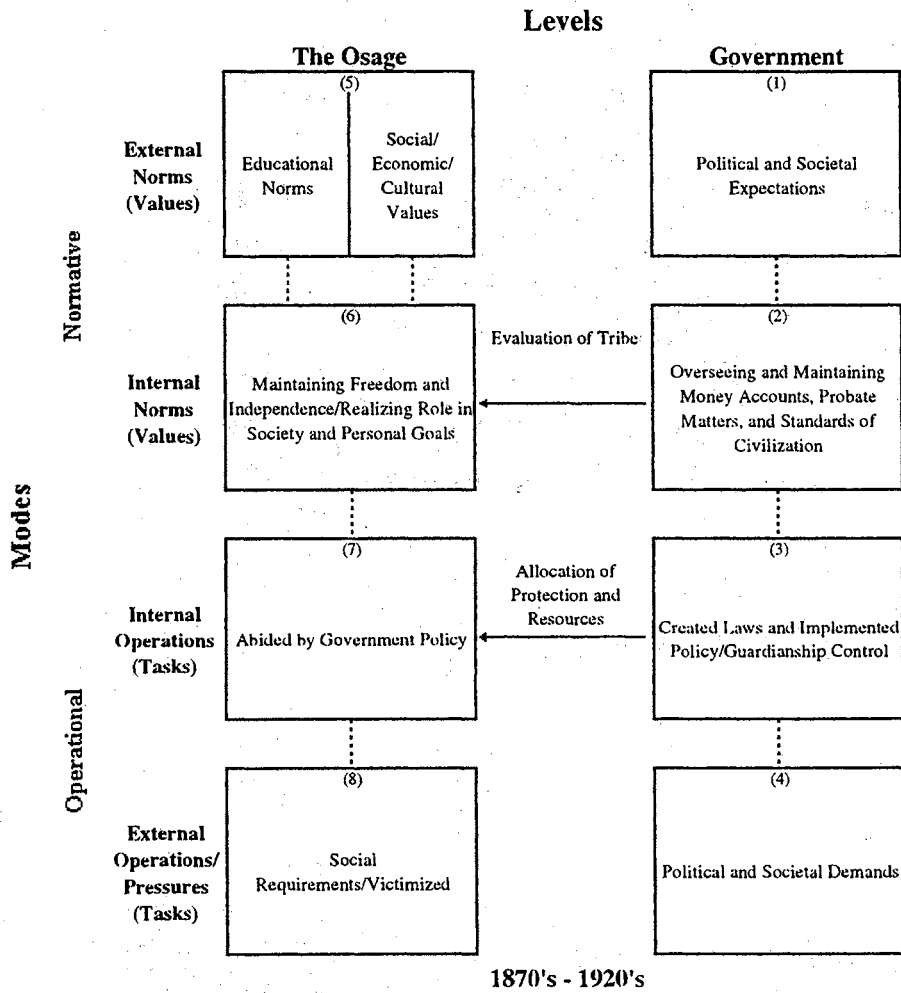
Adapted From: Becher, T. & Kogan, M. (1992). *Process and Structure in Higher Education*, p 18. New York: Routledge

Figure 1. Higher Education Model



Adapted From: Becher, T. & Kogan, M. (1992). *Process and Structure in Higher Education*, p 18. New York: Routledge

Figure 2. Osage Matrix



Adapted From: Becher, T. & Kogan, M. (1992). Process and Structure in Higher Education, p 18. New York: Routledge.

Figure 3. Revised Osage Matrix

APPENDIX B

INSTITUTIONAL REVIEW BOARD

APPROVAL FORM

OKLAHOMA STATE UNIVERSITY
INSTITUTIONAL REVIEW BOARD
HUMAN SUBJECTS REVIEW

Date: 04-02-97

IRB#: ED-97-092

Proposal Title: CULTURE CLASH: A CASE STUDY OF THREE OSAGE
NATIVE AMERICAN FAMILIES

Principal Investigator(s): Adrienne Hyle, Anna Webb-Storey

Reviewed and Processed as: Exempt

Approval Status Recommended by Reviewer(s): Approved

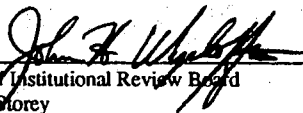
ALL APPROVALS MAY BE SUBJECT TO REVIEW BY FULL INSTITUTIONAL REVIEW BOARD
AT NEXT MEETING, AS WELL AS ARE SUBJECT TO MONITORING AT ANY TIME DURING
THE APPROVAL PERIOD.

APPROVAL STATUS PERIOD VALID FOR DATA COLLECTION FOR A ONE CALENDAR YEAR
PERIOD AFTER WHICH A CONTINUATION OR RENEWAL REQUEST IS REQUIRED TO BE
SUBMITTED FOR BOARD APPROVAL.

ANY MODIFICATIONS TO APPROVED PROJECT MUST ALSO BE SUBMITTED FOR
APPROVAL.

Comments, Modifications/Conditions for Approval or Disapproval are as follows:

Signature:


Chair of Institutional Review Board

Date: April 7, 1997

cc: Anna Webb-Storey

APPENDIX C

INTERVIEW QUESTIONS

Each participant in the case study was asked to respond to the following questions and statements. Three Osage families were interviewed.

1. Please tell me about your history.
2. Can you add anything more about the history of your family/tribe?
3. Who do you think has had the greatest impact upon that history? Why?
 - family members
 - BIA members
 - missionaries
 - white settlers
 - other white government officials
4. What events do you think have impacted that history? Why?
 - What groups/agencies do you think has impacted that history? Why?
 - What world events?
 - What state events?
 - What county events?

APPENDIX D

CONSENT FORM

General Information

You have been asked by a doctoral student at Oklahoma State University working on a research project (dissertation) to be interviewed about the Osage Indian Tribe and its past. The interview serves two purposes: (1) information collected will be used to create a scholarly project (dissertation) about the tribe and (2) the same information may be used in scholarly publications of the doctoral student and/or the project director .

The interview should last approximately one and one half hours. All participants will be asked the same general questions. The interviews will be audio tape recorded and transcribed by the doctoral student for analysis. Only the doctoral student and project director will review the transcripts. The transcripts will be kept in a locked office until completion of the dissertation at which time they will be destroyed.

You will be assigned a pseudonym that will be used in all discussions and in all written materials dealing with interviews.

Subject Understanding

I understand that participation is voluntary, that there is no penalty for refusal to participate, and that I am free to withdraw my consent and participation in this project at any time without penalty after notifying the project director.

I understand that the interview will be conducted according to commonly accepted research procedures and that information taken from the interview will be recorded in such a manner that the subject cannot be identified directly or through identifiers linked to the subjects.

I understand that the interview will not cover topics that could reasonably place the subject at risk of criminal or civil liability or be damaging to the subject's financial standing or employability or deal with sensitive aspects of the subject's own behavior such as illegal conduct, drug use, sexual behavior, or use of alcohol.

I, _____, hereby authorize Anna Webb-Storey to interview me as part of an investigation entitled Cultural clash: A case study of three Osage Native American Families.

If I have questions or concerns, I may contact Adrienne E. Hyle, project director, at telephone number (405) 744-9893. I may also contact Gay Clarkson at University Research Services, 305 Whitehurst, Oklahoma State University, Stillwater, OK 74078; telephone: (405)

744-5700.

I have read and fully understand the consent form. I sign it freely and voluntarily. A copy has been given to me.

Date: _____

Time: _____ (a.m./p.m.)

Signed: _____

Signature of Subject

I certify that I have personally explained all elements of this form to the subject before requesting the subject to sign it and have provided the subject with a copy of this form.

Signed: _____

Signature of Doctoral Student

Filed: Initials of Project Director _____

Date: _____

APPENDIX E

CORRESPONDENCE

(DATE)

Dear Family Member:

Thank you for agreeing to be one of the participants in this study. I will be at your home on (DATE) at (TIME). During that time I would like to interview you regarding the history of the Osage and what took place from the early 1870's through the 1920's. The interview will take approximately 1 to 1 1/2 hours.

The purpose of my study is to explore the loss of prominence of the Osage and to examine the history of this tribe. Specifically, the experiences of the Osage will be studied from the 1870's through the 1920's and the perceived impact this era has had. The internal disequilibrium and external pressures experienced by the tribe will be explained in this study. A social system model will be used for exploring these realities. To accomplish this task I need to interview those Osage family members that remain who understand the past and how it has impacted the present. You were selected to participate by Mary Jo Peace Webb, a half-blood Osage Tribal member who is a life-time resident of Osage County.

Enclosed you will find consent forms allowing me to interview you and to use the data in my study. Please sign two copies, keep one for your records and give me the other when I arrive at your home to conduct the interview.

If you have any questions, feel free to contact me at the address below or by telephone at (281) 647-9706 (H) or (281) 396-6700 extension 313 (W). Again, thank you for agreeing to participate in my study.

Sincerely,

Anna Webb-Storey
3250 Windmoor
Katy, TX 77449

(DATE)

Dear Family Member:

I would like to thank you for agreeing to be a participant in my study. I appreciate you taking the time out of your schedules to allow me to interview you. I am certain the information you gave me will prove to be an invaluable source for my study.

Enclosed you will find the typed transcripts of our conversation. Please proofread and correct any information you feel is necessary. If you add material, I ask that you print so I will not have any problems deciphering information. Delete information by drawing a line through words, sentences, etc.

After proofreading the transcripts, please mail to me as soon as possible in the enclosed self-addressed stamped envelope.

Again, thank you very much for agreeing to be a part of my study and taking the time to allow me to interview you. If you have any questions feel free to contact me at the address below or by telephone at (281) 647-9706 (H) or (281) 396-6700 extension 313 (W).

Sincerely,

Anna Webb-Storey
3250 Windmoor
Katy, TX 77449

2

VITA

Anna Webb-Storey

Candidate for the Degree of

Doctor of Education

Thesis: CULTURE CLASH: A CASE STUDY OF THREE OSAGE NATIVE
AMERICAN FAMILIES

Major Field: Educational Administration

Biographical:

Personal Data: Born in Fairfax, Oklahoma.

Education: Graduated from Ross Case High School, Fairfax, Oklahoma, in May, 1980; received a Bachelor of Science degree in Business Administration with a double major in Management/Personnel Management and a double minor in Economics and Marketing from Oklahoma State University, Stillwater, Oklahoma, in May, 1984; completed the requirements for certification in Business Education from Central State University, Edmond, Oklahoma, in July, 1987; received a Master of Science degree with a major in Educational Administration from Oklahoma State University in May, 1992; completed the requirements for Oklahoma Secondary School Principal certification from Oklahoma State University in May, 1992; completed the requirements for the Vocational Administrator Endorsement from Oklahoma State University in May, 1992; completed the requirements for Texas Pre-K-12 Principal certification from the Texas Education Agency in December, 1996; completed the requirements for Oklahoma School Superintendent certification from Oklahoma State University in May, 1998; completed the requirements for the Doctor of Education degree at Oklahoma State University in July, 1998.

Experience: Taught Business Education at Fox High School, in Fox, Oklahoma; taught the Retail/Marketing and Accounting programs at Meridian Technology Center in Stillwater, Oklahoma; currently an Assistant Principal at Katy High School, in Katy, Texas.

Professional Memberships: American Vocational Association; Delta Kappa Gamma Society International; Kappa Delta Sorority Alumnae; Kappa Delta Pi, International Honor Society in Education; Oklahoma State University Alumni Association; Oklahoma State University College of Education Alumni Association; Oklahoma Vocational Association; Texas Association of Secondary School Principals.