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# Bringing *Indian Affairs: Laws and Treaties* to the World Wide Web

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**Presentation Highlights**

- Overview
- Text
- Grants and Contract
- Process
- Equipment
- Format
- Standards
- Recommendations
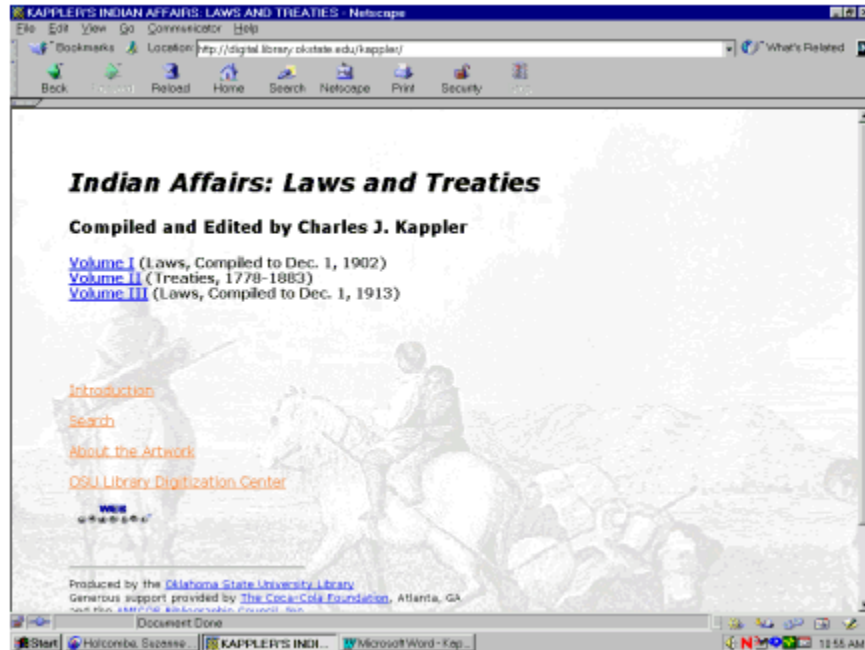- OSU Digitization Center

**Overview**

In the mid-90's the OSU Library decided to begin a digitization effort as was taking place at other various institutions. The administration agreed that *Indian Affairs: Laws and Treaties* would be a text with which to start. It is a seven volume Federal publication that provides the most comprehensive record to date of the relationship between Native Americans and the Federal Government, 1778-1971. It is of value to various populations (Native peoples, researchers, attorneys, legislators, teachers) and it had not yet been digitized in full.

**On the Web**

Volume II (Treaties) in its entirety is now available on the Web. We have added a Table of Contents for access to the treaties by year, as they are organized in the text, in addition to the original index. Page images have been included in JPEG format. The text is also available in SGML (archival copy), and the images will also be in compressed TIFF format for archival purposes. We are in the process of coding Volumes I and III in HTML for the Web and they should be available later this year; the JPEG images are now available, as is some text. We are currently seeking additional funding to complete Volumes IV-VII. We have tried to retain as much as possible the appearance and intent of the original work.

**http://digital.library.okstate.edu/kappler/**



## Images

The top image used on the site is "Indians Traveling" by Seth Eastman in Henry Rowe Schoolcraft's *Indian Tribes of the United States 1851-1857* (BIA). This text was selected and celebrated by the OSU Library as its two-millionth volume.

## Text: *Indian Affairs: Laws and Treaties*

*Indian Affairs* is a seven-volume set of U.S. laws, treaties and executive orders pertaining to Native American Indian tribes. It was compiled and edited by Charles J. Kappler. It includes margin notations and a comprehensive index in each volume.

- Volume I: U.S. Laws, exec. orders, proclamations, 1871-1902.
- Volume II: U.S. Government treaties with Native Americans, 1778-1883.
- Volume III: Laws through 1912, annotated with citations, opinions.
- Volume IV: Laws, unratified treaties, discussion of legal matters and a reprint of Title 25 (Indians) of the USC.
- Volume V: Laws through 1938.
- Volumes VI, VII: Laws, exec. orders, regulations, through 1970.

## Text: Publication

- Volumes I-V first published in the Serial Set (1903-1941).
- Volumes I-II republished (2d ed.) in the Serial Set and by the Senate Committee on Indian Affairs.

- Volumes I-V republished by GPO in 1975 and Volumes VI-VII published in 1979 by the Dept. of Interior (P.L. 90-284, 1968). All classed in I 1.107:
- Should be updated again (P.L. still in effect).
- A Supplement compiling Federal regulations relating to Native Americans was published by the Department of the Interior in 1975. I 1.77:K 14

**Text: Reproduction, etc.**

The seven volume set has been reproduced by private presses. Volume II (Treaties) as a solo publication has also been reproduced. OSU's online reproduction is in progress.

*Documents of American Indian Diplomacy* covers 1920's-90's and includes unratified treaties (agreements rejected by the Senate and others by tribes), etc.

The University of Oklahoma is attempting to represent current materials (charters, codes, constitutions) on their site <http://www.thorpe.ou.edu/>.

**Why *Indian Affairs* and Why Digitize It?**

- Comprehensive source of treaties, statutes, proclamations, executive orders, etc. pertaining to the U.S. Government's dealings with Native Americans
- Margin notes included by the editor assist the reader and provide cross-references to statutes and session laws and provide a source of legislative history. Indexes in each volume.
- Software on server provides for comprehensive indexing of Web site (search signatures, margin notes, etc.)
- Active readership
- Absence of copyright
- Value to researchers and Native peoples
- Digitize it to preserve it and provide universal access to it

**Grants: AMIGOS**

In May 1996, the AMIGOS Bibliographic Council awarded the OSU Library a $1,500 fellowship to convert 150 pages of text or 59 treaties from Volume II of *Indian Affairs* to a digital format, maintaining as much as possible the appearance and intent of the original work while allowing for enhanced access including full-text indexing. These pages included all of the pre-removal treaties of the Five Tribes: Cherokee, Chickasaw, Choctaw, Creek and Seminole (significant to the state of Oklahoma).

The $1,500 was used for student wages. A small scanner and software were already available in-house. Students scanned the text and did initial proof-reading, staff completed the proof-reading and tagged the text in HTML in both table and non-table/simple-text formats. Average time per page: Staff: 66 minutes, Students, 32.5. Images of the pages were added later. This took over a year to complete. The signatures, etc., were very time-consuming to mark up in HTML, and there was one librarian working on this as time allowed.

**Grants: Coca-Cola**

In September 1999, the Library received word from the Atlanta-based Coca-Cola Foundation (which has an interest in supporting Native American projects) that it would be the recipient of a $25,000 grant to continue work on *Indian Affairs*. The Library contracted with TechBooks, a data conversion company in Fairfax, Virginia, to digitize the remaining text from Volume II and continue with Volumes I and III.

**Grants: Suggested Resources**

The OSU Library's Director of Library Development, who generates private gifts and financial support for the OSU Library, suggests that it is best to request assistance from foundations, etc., that have an interest in the subject material with which you are working. If the material will be published on the Web, corporate foundations are often eager to be advertised on the Web site as supporters.

**Contract**

With the $25,000 grant from Coca-Cola, TechBooks scanned the remaining pages in Volume II and tagged the text in HTML and SGML. They scanned Volumes I and III, and tagged them in SGML. Pages: 3,000. Cost: over $21,000. Time: 5 weeks.

**Process**

We organized the Vol. II files (1 treaty = 1 file), linked them to the online index and organized the Web site.

SGML code was then stripped from Volumes I and III (by Libronix Corporation) and we are coding the text in HTML in-house using an HTML editor (Arachnophilia). Students scanned the pages as .jpg images using new equipment (workstation, scanner, software) purchased with other funds. Inclusion of images of the actual pages adds authority by allowing researchers to verify the accuracy of the electronic text (OCR is 99.9% accurate).

This work is very time intensive and notably costly. As a small project, scanning and tagging the first 59 treaties in-house was slow but relatively cost effective. The contract for approximately 3,000 pages of text was time efficient and less costly in the long run.

Coding in SGML is complex and requires some programming. As standards and systems move toward XML, the production of digitized archival quality material may be somewhat streamlined as the tagging can be done by staff, software, etc.

**Equipment**

- For Scanning and Editing, we are currently using a higher-end workstation with:
- Scanner (Minolta PS 3000)
- Scanning Software (Caere's Omnipage Pro (for OCR) and Epic 3000(images) for Windows)
- Word Processing Software (MS Word)

- Web Editing Software (Arachnophilia)
- For Web Access: Gateway ALR 8300 server, running Windows NT with indexing software. 45 GB of storage.

## Format

- Links for Home, Table of Contents, Index, Search, Page or Chapter and Page Images are available at the top of each document.

- The Margin notes are hyperlinked and are at the top of each document.

- Other links include Introduction, Vision, Mission, Disclaimer and Usage.

## Standards

*Indian Affairs* followed the lead of major digitization projects worldwide by using Standard Generalized Markup Language (SGML) for archival copy, a standard for representing texts in electronic form that is platform independent (defines structure), ensuring long-term access.

The SGML files use a modified version of the Text Encoding Initiative (TEI) Lite, a document type definition (DTD) that SGML requires. The TEI definition is used for scholarly texts.

Institutions are currently pursuing the Extensible Markup Language (XML) as a replacement for SGML (flexibility, ease of use, cost).

The images are also being produced in a TIFF format for archival purposes, in addition to the JPEG version that can be viewed on the Web.

Meta tags (describe the document so that search engines can retrieve it) using the Dublin Core Standard.

## Recommendations: Administrative Support and Funding

- Digitization projects should support an institution's overall mission.

- The library administration must provide the financial and human resources necessary for staffing, training and consulting services as required.

- The OSU Library created a Digitization Task Force after digitizing the first 59 treaties of Kappler to recommend to the Dean what would be necessary if the Library wished to commit to additional digitization projects. From this, two librarian and two staff positions now have part-time responsibility for Digital Collections.

- Financial: Use in-house funding if available, pursue foundation and grant funding. The Digitization Center at OSU is generating income for projects by digitizing material for other institutions.

- Human Resources: Release time for employees to pursue project goals. If a full-time project, create a new professional position. Give staff the opportunity to attend professional training in digitization technology (conferences, etc.). Contract with a digitization consultant to assist in the initial planning and onset of digital operations.

## Recommendations: Goals, Equipment and Organization

- Define your *goals* as to what your organization wants to accomplish, how you will accomplish it, the final results and time/cost estimates for both in-house and outsourcing.

- Keeping with your goals, choose equipment which will complement your plans if working in-house (consult literature, systems department).

- Decide on what computer the files will be stored and how the files will be named, organized and accessed. How will the Web page delivering the data be organized and designed?

## Recommendations: Contractual Arrangements

- Unless an organization is equipped with the necessary equipment (hardware, software, etc.), trained staff and time, it is often more time and cost-efficient to contract with a data conversion vendor, also if thousands of pages are to be scanned.

- Select a vendor (from vendors at meetings, literature, recommendations) according to your needs.

- Get a quote if the vendor is able to give an estimate. Get a written contract if necessary and understand all terms. Be as clear as possible as to what you want done and give as many guidelines as possible.

## Recommendations: Formats and Standards

- Format: SGML or XML tagging should be used for archival materials (in addition to the HTML files that are viewed on the Web).

- For images, the TIFF format is archival quality. JPEG can be used for viewing on the Web.

- PDF files created by Adobe software are widely used by Government and industry but are not guaranteed to be useable 100 years from now.

- Standards: Keep abreast of the standards that exist for the digitization of materials and work within these guidelines, always with a long-term view as to the future accessibility of the information.

The World Wide Web Consortium <http://www.w3.org/> develops common protocols that promote the evolution of the Web and ensure its interoperability. The Web Standards Project <http://www.webstandards.org/> is an organization that works with browser software emphasizing the importance of standards. See also the DigLib list <http://www.ifla.org/II/lists/diglib.htm> (discussion list for digital libraries, researchers and librarians).

**Digitization Center**

The OSU Library has created the OSU Library Digitization Center to continue with the *Indian Affairs* project and other digitization projects. It is staffed by two full-time librarians and two support staff. We also have a Native American student assistant working on the Kappler project.

For more information visit <http://digital.library.okstate.edu/kappler/> or contact Cokie Anderson.

**Of Note: Ad Hoc Committee on Digitization of Government Information**

This committee has recently been created and currently exists under the jurisdiction of ALA GODORT <http://www.lib.berkeley.edu/ GODORT/DGI/ah_dgi.html>. Its charge is to coordinate the digitization of Federal documents. Cathy Hartman, University of North Texas, is chairing this effort.

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*Indian Affairs, Laws and Treaties*
Charles J. Kappler
Washington, D.C., U.S. Government Printing Office, 1903-1941, 1976, 1979
7 volumes

**Description**

*Indian Affairs, Laws and Treaties*, compiled and edited by Charles J. Kappler, is a historically significant, seven volume compilation of U.S. treaties, laws and executive orders negotiated between the U.S. Government and Native American Indian tribes. Each volume includes margin notes and a comprehensive index. The volumes cover U.S. Government treaties with Native Americans from 1778-1883 (Volume II) and U.S. laws and executive orders concerning Native Americans from 1871-1970 (Volumes I, III-VII). The first five volumes comprise the original set which was published between 1903-41 by the U.S. Government Printing Office. In 1968, Public Law 90-284 authorized and directed the Secretary of the Interior to revise and extend Kappler's compilation resulting in Volumes VI and VII being issued in 1979, updating the set to 1970. As this law is still in effect, updates should be issued for 1971 - present. Web sites such as the Native American Constitution and Law Digitization Project <http://www.thorpe.ou.edu/>, are accumulating legal documents concerning Native Americans, but there is not one resource to access for a complete record of recent documents.

The first five volumes are available in the U.S. Serial Set. Kappler compiled these volumes from the statutes. The first two volumes were reissued as a second edition again in the Serial Set and also by the Senate Indian Affairs Committee. In 1975, GPO reprinted the first five volumes in the set and classed them under I 1.107:. Volumes VI and VII, issued in 1979, are a cumulation of various groups of laws and proclamations in the U.S. Statutes at Large, selected provisions of the 1970 U.S. Code, and executive and departmental orders from the Federal Register. See below for Serial Set and SuDocs numbers.

The set has also been reproduced by private publishers. William S. Hein & Co. and AMS Press have produced it in paper and several companies have republished Volume II (treaties). Various publishers have also issued the set in microfiche.

For treaties that were not ratified (negotiated with Native Americans but not passed by Congress), see *Documents of American Indian diplomacy: v. 1-2: Treaties, agreements and conventions, 1775-1979* by Vine Deloria and Raymond J. DeMallie, 1999. 2 v. From the May 2000 *Choice* review: "… encompasses unratified treaties, … railroad agreements, land grants to private parties and land settlement acts of the 1920s-90s for broken treaties. Most welcome is the inclusion of formal agreements rejected by the Senate and others that were rejected by tribes."

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Volumes:

I. *Indian Affairs, Laws and Treaties* I. (Laws, executive orders, proclamations, etc.) compiled to Dec. 1, 1902

II. (Treaties) v. I-II: 57th Congress, 1st session. Senate Document 452. Serial Set nos. 4253-4254.

III. (Laws) compiled to Dec. 1, 1913v. III: 62d Congress, 2d session. Senate Document 719. Serial Set no. 6166.

IV. (Laws) compiled to March 4, 1927 v. IV: 70th Congress, 1st session. Senate Document 53. Serial Set no. 8849.

V. (Laws) compiled from Dec. 22, 1927 to June 29, 1938 v. V: 76th Congress, 3d session. Senate Document 194. Serial Set no. 10458.

VI-VII. (Laws) compiled from 1939 to 1971 (2 v.) v. VI-VII: 76th Congress, 1st session - 91st Congress, 2d session, 1979. I 1.107:

- 2d ed.: *Indian Affairs, Laws and Treaties*, 2d ed., v. I-II: 58th Congress, 2d session. Senate Document 319. Serial Set nos. 4623-4624.

- 2d ed.: *Indian Affairs, Laws and Treaties*, 2d ed., v. I-II. ix +1162 + 1099 p. (Indian Affairs Committee, Senate). Y 4.IN 2/2:L 44/v. 1-2

- *Supplement to Kappler's Indian affairs, laws and treaties: compiled Federal regulations relating to Indians*, Charles J. Kappler. U.S. Dept. of the Interior, 1975. I 1.77:K 14

- Reprint: *Indian Affairs, Laws and Treaties*. U.S. GPO, v. I-V, 1975. I 1.107:

**Notes:**

- Commonly known as the Kappler report.
- Vols. VI-VII issued by the Dept. of the Interior with title: Kappler's Indian affairs.
- All volumes include bibliographical references and index.

**Reproductions:**

*Indian Affairs, Laws and Treaties*, Charles J. Kappler, v. I-VII

New York: William S. Hein & Co., 1990, 1995. $550.00
New York: AMS Press, Inc., 1971?. $895.00

*Indian treaties 1778-1883*, Charles J. Kappler

(Originally published as *Indian Affairs*…Volume II.)
New York, Interland Publishing, Inc., 1973
Laguna Hills, CA, Histree, 1992
Mattituck, NY, Amereon House, 1972

ONLINE: *Indian Affairs, Laws and Treaties*

To date: v. II, images for vols. I-III.
http://digital.library.okstate.edu/kappler/