

CHARLES J. KAPPLER
ATTORNEY AND COUNSELLOR AT LAW
TRANSPORTATION BUILDING
WASHINGTON, D. C.

TELEPHONE, MAIN 2218

CABLE ADDRESS
"KAPLAT"

May 25, 1938.

Hon. Wesley E. Disney
House of Representatives

Dear Congressman:

Referring to our conversation this morning at the House concerning the Osage Civilization Fund bill and the proposed amendment thereto covering set-offs and gratuities, I am enclosing herewith pages from our brief in the Wichita Indian case now pending in the Court of Claims.

On page 642 you will find the Cochran amendment to the Deficiency Appropriation Bill of August 12, 1935. On page 643 there is the interpretation thereof made by Mr. Cochran in the House on February 10, 1938, in which he says "offsets, gratuities and advances made to tribes of Indians, not individual Indians." On page 645 you will find the holding of the Court of Claims in the Osage case, to the effect that expenditures for individual Indians at schools are not within the meaning of the Osage jurisdictional act. On the same page you will see that Congress in the Sisseton-Wahpeton act, expressly provided that individual expenditures should^{be}/included in gratuities. This shows that when Congress intended expenditures for individuals should be considered as chargeable gratuities, it so provided in the act.

Mr. Goodwin and I want to assist you all we can in getting the proper recommendation from the Comptroller General, and if you want either of us to accompany you, please phone. In our opinion, it is of great importance that you see the Comptroller General at once and before he makes up his mind on the letter from the Department of Justice.

Sincerely,

Charles J. Kappler