

MACDONALD, FILES & BARNEY
ATTORNEYS AT LAW
PAWHUSKA, OKLAHOMA

C. S. MACDONALD
F. W. FILES
R. A. BARNEY
G. V. LABADIE

March 26th, 1937

Osage Civ Bill
3-29

Hon. Wesley E. Disney, Member of Congress
Washington, D.C.

Dear Mr. Disney:

Receipt is acknowledged of your letter of the 23d with reference to the Osage Civilization Fund Bill. You are advised that we thoroughly appreciate the efforts which we know you have given this legislation in the past. We also appreciate the many difficulties which have been placed in the way of this legislation by certain members of the House. We will see that it is explained to the members of the tribe what the difficulty has been in the past with reference thereto.

We believe that a paragraph with reference to the Osage Civilization Fund could be attached as an amendment to any of the Interior Department deficiency bills when such bills are before the House Indian Committee and, if possible, in the Appropriation Committee before the Bill reaches the House. We suggest that, if such procedure meets with your approval, the following language could be used for such amendment:

" There is hereby appropriated the sum of \$776,742.03, being the net amount received by the United States from the sale of lands of Osage Tribe of Indians in Kansas, under article 1 of the Treaty of September 29, 1865 (14 Stat. L. 687) which sum was credited to the 'Civilization Fund' on the books of the Treasury of the United States, and used for the benefit of Indian Tribes other than Osage, as found by the Court of Claims in its opinion of May 28, 1928 (66 Ct. Cl. 64), in a case known as B. 36 entitled ' Osage Nation of Indians against United States of America ' instituted under act of February 6, 1921

Hon. Wesley E. Disney, Member of Congress -
p. 2.

(41 Stat. L. 1097); provided, that said sum is to be placed in the Treasury of the United States to the credit of Osage Tribe of Indians and distributed in accordance with the rules and regulations governing the payment of moneys accruing to members of the Osage Tribe of Indians; provided, that such sum shall be in full, complete and final settlement of the claims of said Indians against the United States arising under said Treaty of 1865, above cited; and provided further, that the Secretary of the Interior is hereby authorized and directed to pay out of the said sum so appropriated the fees and expenses of the attorneys of record, in accordance with the provisions and percentages in their contract approved by the Secretary of the Interior May 5, 1931. "

You, of course, are familiar with the findings of the Court of Claims and know that there is a great deal of merit to this legislation. You are aware of the fact that this Civilization Fund legislation is not a gift to the Osage Tribe but is merely the repayment of a just, moral obligation that should have been paid many years ago. This legislation is of extreme importance to the tribe and means a great deal to the citizenship of Osage County. We feel that you are in a position to insist that it be enacted into law at this session of the Congress since it is a just obligation and directly affects the people of Osage County which is in your district.

Again thanking you for your best interest in the matter and with kind personal regards, I am,

Very sincerely yours,

Frank Hill
E. S. Mendenhall

FWF:J