

Now, \$34,982.23 is to $\left\{ \begin{array}{l} \$29,509.57 \\ 5,472.66 \end{array} \right\}$ as \$6,000 is to the proportion payable from the appropriation for "salaries and commissions of R. and R.," and the amount payable direct from the Osage moneys—which is salaries and commissions \$5,061.35; Osage moneys \$938.65.

You will see by this that the register and receiver receive their *proportion* of the Indian filing fee when the earnings are in excess of maximum, and when less than maximum, the register and receiver receive the full filing fee, as is often the case at the land office at Independence, Kansas. Now, if the right of the Osage Indian nation to the filing fee is denied, it is plain to be seen that the United States has not only collected and paid from the Osage moneys \$938.65, but also \$5,144, or \$6,082.65, or \$82 65 more than the maximum allowance due the register and receiver.

Is it held that the Government has the right to charge the Indians twice for selling their lands? Can it be equitable that the Government should deduct from the Osage moneys more than the entire cost of selling both the public and Indian lands? I respectfully call attention to the fact that in this instance the public land sold at Garden City amounted to \$120,161.25, and the Indian land to \$21,577.61, and yet it is proposed to charge the said Indians with more money than was actually paid out to the register and receiver. I think your sense of justice will lead you to the conclusion that this is unjust. Not only are the officers above named paid a proportion of salaries and commissions, from the Indian fund, but a just proportion of all other expenses is also deducted. The filing fee is a revenue derived from the sale of Indian lands, in this instance; it is therefore a part of the proceeds of the lands—for if no Indian lands were sold, no fee would of course be collected.

I also desire to call attention to the fact that the First Comptroller has already virtually decided that these fees