

treaty to pay the Indians a definite price for their lands, we might concede the right of the Government to "make money" by the sale of them, but as the law says in so many words that these lands are to be "*sold for their benefit*," we insist that the statute means exactly what it says, and that the United States has no interest whatever in the sale of the Osage lands.

In the latter part of said paragraph you further say:

"The provisions of section 2238 R. S. were in force long before this cession was made; and those making the cession are presumed to know how said lands were to be sold, and were willing, as they stipulated that the same should be done as other lands are sold."

The decision of the Comptroller (III Lawrence, 365) was not in force until December 30, 1882, or fifteen years after the treaty was signed.

By that decision the United States enters into partnership to sell its own lands with those of the Indians, and to divide the expense of the same.

Prior to that time it had been customary to pay from the Indian moneys the only real expenses of selling them, namely, clerk hire, but under said decision the Government proposes to go back to the date of the commencement of the sale of the land and calculate a pro rata of the salaries and commissions of registers and receivers, clerk hire, office rent, stationery, furniture, and the expense of depositing the public money.

The Land Office saw the effect of that decision at once, viz: that the United States would be charging the Indians twice with the expense of selling their lands, and accordingly the order was issued turning the Osage filing fees into their proper channel, to the credit of the said Indians.

If the Government is obliged to pay \$6,000, the maximum compensation of a register and a receiver, for the sale of its own or the public lands, what can be the expense