

shall be used, but once the Indian moneys are in the Treasury, we insist that they should constitute a fund for the benefit of the Indian, as provided by law.

I therefore respectfully request that you will reconsider your decision that the filing fees are not a part of the proceeds of the sale of the Osage Indian lands.

If this is denied, I make a second request—that as you do not propose to readjust the accounts already stated on the supposition that these fees belong to the Indian, on the ground that they are *res judicata*, that you will decide that said Indians are entitled to the amount of said filing-fees *as an offset* to the expenses charged them under the act of August 5th, 1882, and the Lawrence decision, from the date of the commencement of the sale of said lands to Dec. 31st, 1885. In support of this proposition I need only say, that by reference to my brief, dated March 20th, 1886, page 2, you will see that the amount chargeable to the Osages as salaries and commissions of register and receiver is \$938.65. If the proportion were computed on the basis that said fees belong to the Government, the amount chargeable to the Osages would be \$56.37. The Commissioner of the Land Office has not, I am informed, changed his ruling in this matter up to the present time; and it would be impossible for him to return the accounts since July 1st, 1884, and have them restated; some of them have been adjusted and certified by yourself as correct. The most equitable plan, therefore, it seems to me, would be to give the Indians credit for the filing-fees *as an offset* to the \$132,676.45, which you have certified is reimbursable from the Osage moneys to the appropriations. Commencing with the 1st of January, 1886, the Commissioner could then direct the receivers to restate their accounts.

Very respectfully,

SAMUEL J. CRAWFORD,

*Attorney for the Osage Nation.*