



GOING SOUTH

Osages still off course

by:

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“Spiritual One” Speaks

Many of you are probably aware of the *Memorandum of Understanding* (MOU) proposed by John Red Eagle and set for signature during the month of January of this year. Those of you who are not aware need to become aware immediately.

It seems that the “Spiritual One” is under the same spell as our previous great leader in that he believes that the Osage Nation is the owner of the Minerals Estate and that the income from the Minerals Estate is for the benefit of the Osage Nation.

In this MOU that he presented to the Minerals Council for signature, he refers to Article XV, Section 2 of the New Osage Nation Constitution which does in fact say: “The **Oil, gas, coal, and/or other minerals** within the boundaries of the Osage Reservation are hereby reserved to the Osage Nation pursuant to the Act of June 5, 1906 (34 Stat.539), as amended, and

is hereby designated the **Osage Mineral Estate.**”

The only problem with this particular Article and Section of the Osage Nation Constitution is that it is wrong. Using the term: Osage Nation in conjunction with; pursuant to the Act of June 5, 1906 (34 Stat.539) is completely incorrect because NOWHERE in the 1906 Act will ANYONE find the term Osage Nation but will find the term OSAGE TRIBE in practically every paragraph of the document.

Take time to grasp what I’m telling you. From the time this new government came into being, the Osage Nation was invented. This is a mere play on words but very important words! What makes these two words (Tribe & Nation) so important is that in the 1906 Act and even in the new law of December 2004, reference is made to the Shareholders of the Minerals Estate and they are described as the Legal Members of the Osage Tribe. It is the legal members of the Osage

Tribe or their heirs who are entitled to income from the Osage Minerals Estate according to the 1906 Act a Federal Law, but it is the members of the Osage Nation who are claiming ownership of the Estate.

The MOU suggests that the Management of the Osage Minerals Estate is to be governed by the Osage Nation, that the Minerals Estate of the Osage Reservation is reserved to the Osage Nation and that the Legislature of the Osage Nation shall provide for the utilization, development and conservation of all natural resources within the territory of the Nation for the maximum benefit of the Osage People (Not Tribe, Not Shareholders).

The MOU further suggests that Shareholders will continue to pay rent to the Nation for office space. The hill and the villages are and have been the property of the Shareholders since 1906. The sole purpose of the 1906 Act was Allotment and the Allotment was made to the

legal members of the Osage Tribe or their heirs and assigns which would be today's Shareholders with the exclusion of the Shares given to non Osages. If any rent is to be paid, it should be paid to the Shareholders, the legal members of the Osage Tribe, not the Osage Nation.

The MOU Further suggests that the Osage Nation Constitution requires that the Osage Nation Treasurer accept receipt for and safeguard all tribal funds and that the accounts previously managed by the Minerals Council prior to the adoption of this new Constitution, known as the S-510, C-395 and C-510 accounts belong to the Osage NATION! (Not the Tribe, Not the Shareholders) Therefore, the MOU suggests that these accounts not only belong to the Osage Nation but that by Osage Law these monies are to reside in the Osage Nation's Treasury and that the nation will spend the funds in accordance with congressionally approved budgets!

The MOU unwittingly suggests that the Kansas Property specifically bequeathed to the Osage Minerals Estate is in fact not in the purview of the Mineral Council's authority and that management of said land may be legally inappropriate and/or unconstitutional!

Not missing one scrap on the ground, the MOU further states that "Since the Mineral Estate is reserved to the Osage Nation, the Principal Chief and/or a duly authorized Attorney General of the Nation are the ONLY officials legally authorized to litigate claims on the Nations behalf.

Last but not least, the MOU lays out the Government-to-Government relations with the Dept. of Interior and basically informs the Minerals Council that the supreme executive power of the Osage Nation is vested in the Principal Chief and that the Principal Chief is the sole representative of the Tribe authorized to engage in

government-to-government relations with the U.S. Government.

It's the Thought that Counts

Some suggest that this was only a draft which perhaps it was but it is the thought of such nonsense that counts. Somebody somewhere thought this up and John Red Eagle presented it to the Minerals Council.

Time to Think

Because you know my rules: No statements without documentation, I ask that you read and reread this information. Expect more information on this matter within the week. I will be working with others to get facts for your review.

Please send this to all those on your e-mail list. Advise anyone who wants to be on my mailing list to e-mail me:

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Attached: Complete MOU

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