

- Reminder of the Past
- Reminder of the Law

# THE MILLERIST

WHERE GOOD, HONEST OSAGES COME TO READ

BY:  
JENNY MILLER

December 3, 2004	H.R. 2912 signed into PL. 108-431**An Act to reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government. **This Act of Congress states: <i>“Today, only Osage Indians who have a headright share in the mineral estate are “members” of the Osage Tribe.” “Congress hereby reaffirms the inherent sovereign right of the Osage Tribe to determine its own membership, provided that the rights of any person to Osage mineral estate shares are not diminished thereby.”</i>
February 4, 2005	Sovereignty/Independence Celebration held to celebrate the passing of H.R. 2912. Announcement states: <i>“HR 2912 allows the tribe to set its own tribal membership criteria and add as many as 8,000 new members to its voting rolls.”</i> Erroneous comprehension of what P.L. 108-431 states. P.L. 108-431 did not say that the tribe could open membership to all Osages. The law said: it was the right of the Osage Tribe (Osages who have a headright share in the mineral estate) to determine its own membership, provided that the rights of any person to Osage mineral estate shares are not diminished thereby.
February 4, 2005	First indication of force being put into play against the will of the rightful legal government, the Osage Tribal Council. The Osage Tribal Council form of government was crafted by the United States Congress in the Osage Allotment Act of 1906. This form of government is specific to the Osage because of the uniqueness of the Osage Mineral Estate. The Osage Mineral Trust is held under the protection of the United States Government for the individual members of the Osage Tribe who are descendents of the Original Allottees and have inherited an interest in the Osage Mineral Estate.
November 19, 2005	Osage Government Reform Committee (Shareholders & non-Shareholders) finalized three referendums and election on the three referendums were held (Shareholder & non-Shareholders) voting.*** <b>This action was not legal. The only group of people who had the right to determine its own membership and form of government were Osage Indians who have a headright share in the mineral estate.***This is the first act performed that defines this new government a de facto<sup>1</sup> government.</b>

<sup>1</sup> One that maintains itself by a display of force against the will of the rightful legal government and is successful, at least temporarily, in overturning the institutions of the rightful legal government by setting up its own in lieu thereof. *Wortham v. Walker*, 133 Tex. 255, 128 S.W.2d 1138, 1145.

December 3, 2005	Results of the Referendum votes regarding the selection of the form of government were announced. <b>These results were not legal – Osage Indians who do not have a headright share of the Osage Mineral Estate voted.</b>
March 11, 2006	By March 11, 2006 a Constitution was written and a Constitutional Referendum was held. Shareholder and non-shareholders voted in this election. 1,454 individuals voted for the Constitution---728 individuals voted against the Constitution. <b>***The Constitution was voted on and implemented illegally because non-shareholders participated in the drafting of the Constitution and voting process.</b> The only legal members at the time were according to P.L. 108-431: <i>“Today, only Osage Indians who have a headrights share in the mineral estate are “members” of the Osage Tribe.”</i>
March 11, 2006	Osage Nation Constitution was signed. Authorizing Signature Statement: We, the undersigned, members of the Osage Government Reform Commission, the 31 <sup>st</sup> Osage Tribal Council, the Assistant Principal Chief and the Principal Chief do hereby certify the adoption of this Constitution, duly ratified by a vote of the Osage People on March 11, 2006, and declare this Constitution to be the fundamental law of the Osage Nation.
March 11, 2006	<b>This is the day that the Shareholders lost complete control of the Osage Mineral Estate illegally.</b>
March 11, 2006	Article 15 of the Osage Nation Constitution assumes all control over the Mineral Estate, suggests that the Shareholder representation was now the Osage Mineral Council, formerly known as the Osage Tribal Council and composed of 8 members elected by the mineral royalty interest holders. <b>***</b> This is the usurpation <sup>2</sup> of the Shareholders legal right to govern their interest in the Osage Mineral Estate. Because of this action, this new government has taken over control of the Mineral Estate.
June 5, 2006	Osage Nation Chief and Assistant Chief Election held. Osage Nation Congress election held. Osage Mineral Council election held. <b>***</b> This leaves Shareholders without a Chief and Assistant Chief elected by shareholders only and a Congress of 12 individuals, some are shareholders, some are not and all have been elected by shareholder and non-shareholder alike. This is diminishment of the rights of shareholders. What you have now is a Mineral Council voted for by Shareholders only that has been stripped of any and all authority regarding your interest in the Osage Mineral Estate.
June 5, 2006	Elected to Osage Nation Chief was Jim Gray. Assistant Chief – John Red Eagle – Congress members: Faren Revard, Debbie Littleton Atterberry, Shannon Edwards, Jerri Jean Branstetter, Mark Sims, Kugee Supernaw, Raymond Red Corn, Doug Revard, Anthony Shackelford, Mark Freeman, Archie Mason and Eddy Red Eagle.

<sup>2</sup> The unlawful encroachment or assumption of the use of property, power or authority which belongs to another. An interruption or the disturbing a man in his right and possession. The unlawful seizure or assumption of sovereign power. The assumption of government or supreme power by force or illegally, in derogation of the constitution and the rights of the lawful ruler.

June 5, 2006	Elected to the Mineral Council were: Kenny Bighorse, Cynthia Boone, David Dubler, Kathryn Red Corn, Robert Martin, John H. Mashunkashey, Jewell Purcell, Talee Red Corn. (No Chief and No Assistant Chief as prescribed by the 1906 Act).
May 16, 2008	A meeting of the Osage Mineral Council was held. Osage Nation Congress Speaker, Archie Mason stated that he believed the Osage Minerals Trust belonged to the Osage Nation rather than the Osage Tribe aka Shareholders.
May 21, 2008	A meeting of the Osage Mineral Council was held. Cynthia Boone asked for a vote on whether or not Council members believed that the Osage Nation owns the Mineral Estate. Kenny Bighorse, David Dubler, Kathryn Red Corn, Robert Martin and Jewell Purcell voted “yes” that they believe the Mineral Estate belonged to the New Osage Nation government. Cynthia Boone, John Mashunkashey and Talee Red Corn voted “no” that they did not believe the Mineral Estate belonged to the new Osage Nation government and that they believed it belonged to the Osage Tribe aka Shareholders.
December 30, 2009	A group of Shareholders filed suit against the Bureau of Indian Affairs (BIA) for failing to honor their fiduciary duty to protect the Shareholders interest.
February 12, 2010	Mineral Council received a reply from the Bureau of Indian Affairs stating that they viewed the 2004 Osage Reorganization Act as eliminating the BIA’s authority under Part 90, and expressed their view that BIA participation would be an intervention in the internal governmental affairs of the Osage Nation. <b>(The BIA recognizes this New Government as legal.)</b>
February 12, 2010	<p>Mineral Council Resolution no. 1-255 was proposed. Purpose of the Resolution was to replace Cynthia Boone with Jewell Purcell on the Osage Trust Team. The Osage Trust Team is a group that oversees the Osage Tribe Highest Posted Price Case. Cynthia was removed from the Trust Team. Cynthia was also replaced by Jewell Purcell as chairman of the Budget Committee and signatory on all accounts.****This Resolution was prepared prior to the meeting and an Executive Session was held before going into general Session. The Resolution was voted on in regular session with John Mashunkashey voting no, Talee Red Corn voting no and Cynthia Boone voting no. All Mineral Council members who believe the Osage Mineral Estate belongs to the Osage Nation government voted to remove Cynthia from here previous responsibilities.</p> <p>Immediately after this vote was taken, the Accounting Department gave a report of the Mineral funds. Cynthia Boone reported in the meeting that she had just uncovered the fact that <b>Certificates of Deposit</b> belonging to the Mineral Trust Account were no longer accessible to the Mineral Council <b>and that \$170,000.00</b> in the Citizens Bank was not accessible to the Mineral Council either. Jim Gray and John Jech, Treasurer of the Osage Nation were now the only people on the signature cards of these funds.****</p>

February 25, 2010	Mineral Council passed a Resolution to request that the Osage Nation Congress amend the Osage Nation Election Code to allow the Osage Minerals Council to promulgate its own election rules and regulations for the 2010 election. The Resolution also requests that Jim Gray contact the BIA and ask for technical assistance during the election.*** <b>For the Mineral Council to recognize this New Congress as having control over them is completely unthinkable but as reported, Six of the Council members believe the Mineral Estate belongs to this new government and not the Shareholders.</b>
June 7, 2010	New Mineral Council Members – Election 2010: Cynthia Boone, Dudley Whitehorn, Curtis Bear, Melvin Core, Galen Crum, Andrew Yates, Sonny Abbott and Myron Red Eagle.
September 29, 2010	New Mineral Council passes Resolution No. 2-17 to donate \$50,000.00 to the Shareholder Lawsuit against the BIA.
March 29, 2011	Shannon Edwards introduces Bill ONCA 11-51 to the Osage Nation Congress that would authorize the Osage Nation Treasurer to establish the Osage Tribe Annuitant Non-Mineral Estate Distribution Account; directing the Treasurer to audit accounts to determine the amount of funds generated by Kansas Real Property deeded to the Osage Nation for the benefit of the Osage Tribe Annuitants; to segregate those funds and deposit them into the Osage Tribe Annuitant Non-Mineral Estate Distribution Account and report to the Osage Congress in writing so that the funds can be appropriated to the Osage Tribe Annuitants; to direct the Treasurer to request technical assistance of the Secretary of the Interior to identify the Osage Tribe Annuitants and provide a calculation of the distribution percentage for each Osage Tribe Annuitant; to declare an emergency and establish an effective date.****This property is that of the Shareholders and should not be in the Osage Nation Treasury or under the Osage Nation Congressional authority. <b>These are S510 Funds that have been transferred to the Osage Nation Treasury.</b>
April 4, 2011	Congress Member Kugee Supernaw posted the following information on the Osage Shareholder Forum: “ A little history on this issue is that \$600,000 was taken from the C395 account. There was no resolution to authorize it ever passed by the Minerals Council. Shortly after the transfer a check for \$595,000 was issued to Akin-Gump Attorneys. >>>>>Before the current Constitutional government was installed some money was placed into the C395 account from gaming. I believe it was \$600,000 or even more. When the current government was installed, Jim Gray requested the money to be returned to gaming. To my knowledge there was never an agreement to repay the money and when only the Tribal Council existed, it could be argued that there was no one to repay it to and those members of the Tribal Council say there was never an agreement to repay the money. >>>>>>When Geoffrey Standingbear and I spoke to the Minerals Council a few months ago, I said that I would sponsor legislation to give the money back if we received a request from the MC. This offer has been made several times in the last four years, but we have

	never received such a request, but the offer still stands.’’
April 20, 2011	New Mineral Council rescinds Resolution No. 2-17 to donate \$50,000.00 to Shareholder Lawsuit against the BIA. Andrew Yates made the Motion, Galen Crum seconded the motion, Andrew Yates, Galen Crum, Melvin Core, Sonny Abbott and Myron Red Eagle voted to rescind the donation.
April 29, 2011	Osage Nation Attorney General, Jeff Jones, issues opinion that Osage Mineral Council is subject to the Osage Nation Government’s Open Meeting Acts and Open Records Act. Osage Mineral Council Attorney disagrees and states that the Mineral Council is not under the ON Open Meeting Act.
May 25, 2011	Mineral Council member Myron Red Eagle made a motion to vote on or re-affirm Mineral Council Chairman each June; motion was seconded by Galen Crum. Dudley Whitehorn was current Chairman, he abstained from voting. Cynthia Boone and Curtis Bear voted to not change the Chairman. Myron Red Eagle, Sonny Abbott, Melvin Core, Galen Crum and Andrew Yates, the five who voted to rescind the 50K donation to the Shareholder Lawsuit all voted to remove Dudley Whitehorn as Chairman.
July 5, 2011	Congress calls for 10 <sup>th</sup> Special Session. The purpose: 1) Investigative hearing on accounting and treasury practices within Accounting and Treasury; and 2) Consideration of legislation to address accounting and treasury practices within Accounting and Treasury if necessary.

### FACTS

Shareholder assets have been placed in jeopardy since 2005 and the BIA has allowed these illegal acts to occur by turning a blind eye to the fact that P.L. 108-431 did not effect any changes in the 1906 Act nor did the CFRs Part 90 become null and void due to the P.L. 108-431.

Shareholders should understand after reading the above facts that your assets have been confiscated by this de facto Osage Nation Government and your rights have been diminished which was not the intent of P.L. 108.431. Your only recourse is to help finance the Shareholder Lawsuit. Your payments can be made directly to the law firm handling the case. Barrow & Grimm, P.C., for the protection of the Osage Mineral Trust, 110 W. 7<sup>th</sup>, Suite 900, Tulsa, OK 74119-1044 or call 918-585-1600 to pay by credit card. Pay Pal is also available online at: [www.osagemineraltrustprotection.com](http://www.osagemineraltrustprotection.com). A lot of information is provided at that website and at the HOT TOPICS page at: [www.jenny2010.com](http://www.jenny2010.com).

Letters to Senator Coburn and Representative Lucas are available at [www.jenny2010.com](http://www.jenny2010.com) HOT TOPICS page. These letters are requesting a U.S. Congressional Investigation due to corruption and probably racketeering. This usurpation of the Osage Tribal Assets must be stopped. Some have said: “Let them touch it.” Well. It has been touched. Get behind this lawsuit and be thankful that those who initiated it had the insight to do so.