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BY:
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THE MILLERIST

WHERE GOOD, HONEST OSAGES COME TO READ

Website Statistics

Welcome newcomers! Because of the Osage Trust Settlement I've noticed a huge increase in visitors to my site. This is exciting but while I have you here, DON'T TAKE THE MONEY AND RUN! You are very much needed so stick around for what's coming down the road!

I promise you that if you take the time to read all the newsletters and documents on my HOT TOPICS page, you'll come to realize (if you haven't already), that many of us have been relentlessly fighting for **your** rights and we have not completed the mission. We have a very volatile situation here that threatens YOUR interest in the Mineral Estate.

Elections are crucial, letter writing campaigns have been successful, educated voters are priceless and your, your children's and your grandchildren's interest in the Osage mineral estate is at stake! Consider yourselves extremely fortunate to be "legal members of the Osage Tribe," recognize the

uniqueness of having *had* your very own form of government and help us see to it that you get it back. Your Tribal Council has been usurped by the de facto Osage NATION government due to an attempted hostile takeover that is still in the making. Take responsibility along with us, read the material provided at this website and you'll be more than eager to financially support the Shareholder Lawsuit.

What's Down The Road?

Six (6) Osage Nation Congressional seats are up for grabs in June 2012. It is crucial that you are familiar with names and actions of people who are already in government positions such as how they think, what they've done, what they've said. Have their actions been above board or otherwise? Remember, a zebra doesn't change its stripes. We've had more experiences with untruthfulness and shysters than we have with honesty and integrity. We need YOUR help if nothing more than educating yourselves on the issues, staying abreast of

personalities and character and being prepared to vote for candidates who believe in following the law rather than trying to outsmart it.

Considering the circumstances, the possibility exists that the de facto government may be subservient to the Tribal Council by the next election but if not, we need people in the Congress who respect and will defend the 1906 Act and the Shareholders. So...For your sake and your children's sake, stay involved, informed and aware!

Now. This is a "must read" and a good example of what to watch out for:

News Article 8-16-11

A perfect example to help you know what to watch for is an Article in the Osage News dated August 16, 2011.

To begin with the article states: "*Proposed wind farm development in Osage County may interfere with the Osage Nation's mineral*

estate, according to the Bureau of Indian Affairs.”

Jenny’s take: The Mineral Estate is NOT the Osage Nation’s; it is the Osage Shareholder’s. The legal members of the Osage Tribe who own a headright share in the Mineral Estate.

The article continues by stating: *“In a letter sent to the Osage County Commissioners and Osage Nation representatives, the BIA stated that the mineral rights in Osage County were retained by the Osage Nation in 1906 and that “the oil and gas estate is the dominant estate and the surface is the subservient estate.”*

Jenny’s take: This statement is NOT true. The mineral rights in Osage County were retained by the Osage TRIBE in 1906 consisting of 2,229 Osage Indians who were allotted one full headright in the Osage Mineral Estate and three separate land allotments of 160 acres each. The so called Osage Nation was non-existent in 1906.

In paragraph 5 of the article, Red Eagle is quoted as follows: *“We have always been confident that the Bureau of Indian Affairs would uphold its fiduciary*

responsibility, and we’re pleased with their actions.”

Jenny’s take: Red Eagle doesn’t say to whom the BIA would uphold its fiduciary responsibility to although he clearly means the NATION.

Cautionary Tale

The Trust Fund management Code of Federal Regulations clearly states in 25 CFR 1200.2 the following: ***“Tribal Council means the elected or appointed governing officials of any tribe which is recognized by the Secretary of the Interior.”***

It is a documented fact that since 2004, when H.R. 2912 (P.L. 108-431) was signed into law, the Secretary of the Interior has taken the position that the De facto Osage Nation Government is to be recognized as the government to conduct the business of the Osage Mineral Estate and this in a nut shell is the purpose of the Osage Shareholder (Jech) Lawsuit.

It is because of the Secretary of the Interiors position on this matter that Shareholders have lost complete control over their mineral affairs and those affairs are being governed by people who were elected by shareholder and non-shareholder alike.

Non-shareholders having no business voting on or making any decisions regarding Osage Mineral Estate affairs but are in fact being allowed to as are Chief’s and Assistant Chiefs who were not voted for by Shareholders only.

Furthermore, this document referred to as the Osage Nation Constitution of which was adopted by Shareholder and non-shareholder alike states: *“This tribe shall hereafter be referred to as the Osage Nation, formerly known as the Osage Tribe of Indians of Oklahoma.”* (Article I – Title)

To add insult to injury Article II of the document referred to as the Osage Nation Constitution states that: *the Osage Reservation consists of the land established in the Treaty between the United States of America and the Great and Little Osage Indians, September 29, 1865, Article 16 of the Treaty between the United States of America and the Cherokee Nation of Indians, July 19, 1866 and the Act of June 5, 1872 (An Act to Confirm the Great and Little Osage Indians a Reservation in the Indian Territory), and all other lands under federally-restricted status title to which is held by the Nation or the People, or by the*

United States in trust on behalf of the Nation or the people, and any such additional lands as are hereafter acquired and similarly held by the Nation or the People or by the United States on behalf of the Nation or the People. Territory is defined as, but is not limited to, air, water, surface, sub-surface, natural resources and any interest therein, notwithstanding the issuance of any patent or right of way in fee or otherwise by the government of the United States of the Osage Nation, existing and/or in the future.”

Not True-Hasn't been for years

This de facto Government just spent over a million dollars in court claiming this nonsense only to lose the case which the loss was a dead cinch. The Supreme Court made the decision not to even give the case the time of day but nowhere do I see an amendment to this claim in the Constitution nor have I heard of anyone considering amending this claim. It is because of this continued defiance of the law that this de facto government intends to continue to claim of all things the air, water, surface and subsurface of the entire 1.5 million acres

which is absolutely WRONG.

It should be clear to you, whether you are a shareholder or not but in particular if you are a shareholder, that the Bureau of Indian Affairs has been WRONG on many occasion therefore, because they have written this asinine letter claiming that the mineral estate belongs to the NATION and that REAL property owners cannot put a wind farm on THEIR property if they so choose; simply isn't going to fly in the courtroom. If this were actually the case, what is keeping these radicals from bulldozing every housing addition, farm house, barn and building within the confines of the great County of the Osage in the State of Oklahoma?

The Bottom Line

All I can say about this continued display of incompetence is that if you value your interest in the Osage Mineral Estate and if you want to get control of your assets you're going to have to get in the fight against the BIA for their erroneous actions and you're going to have to stay informed of what is going on with your assets. Important elections are being held as

though they were personality contests or family affairs. You have 5 members on the inadequate Mineral Council who are selling you out as I write this newsletter. To be clear, the only three (3) members on the Council who are protecting you are Cynthia Boone, Curtis Bear and Dudley Whitehorn. Dudley Whitehorn is a litigant in the Shareholder Lawsuit against the BIA.

To financially support this lawsuit, send payments to:

Barrow & Grimm, PC
Osage Shareholder Lawsuit
110 W. 7th, Suite 900
Tulsa, OK 74119-1044

Credit Card Payments:
918-585-1600

Side Note

A lot of this same information is in the Vol. 11 Newsletter. Because of the Trust Settlement announcement, Vol. 11 was overlooked according to my statistics. I felt this was all worth repeating for our new readers.

Mailing list

Anyone who would like to be added to my mailing list, drop a note to: jenny2010@cableone.net.