

# Finally, justice

## Osages await trust settlement

By World's Editorial Writers  
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**Justice for the Osage Nation was neither swift nor certain. But after 11 years of litigation, it appears some tribal members finally will get the trust proceeds they are owed from the U.S. government.**

Funds will be divided among those who own headrights, or shares, of the tribe's subsurface mineral estate.

Barring any unforeseen circumstances, the government will pay \$345.8 million into the tribal trust account on Oct. 30, and checks will be distributed to individual headright owners by Dec. 5. Some 2,229 Osages own headrights, and \$155,136 will be paid out for each whole one. Many headrights, however, were fractionated as they passed from generation to generation. Attorneys involved will receive \$34.2 million.

About 30 percent of headrights are owned by non-Osage entities, which also will receive part of the settlement. That is a bone of contention with headright owners.

"Given the history of tribal litigation for trust mismanagement, this is probably about as good as it's going to get," said tribal member and headright owner Joe Conner of Fairfax. "And given the political environmental right now, this is a minor miracle."

Some members of the Osage Nation aren't impressed with the settlement, nor do they believe it ever will arrive, given the fact that Uncle Sam has to borrow to pay all its bills, including, probably, this one.

A "conclusion" to the long-running lawsuit that alleged the U.S. government mismanaged many tribal assets - that were placed in a trust - came last year when a federal judge issued a monetary judgment for trust mismanagement for the years 1972-2000. Pre-1972 claims are set for trial early next year, but the settlement might end the case.

In the 1920s, the Osages, with their oil-rich prairie land in Osage County, were the richest people per capita in the world. Those who stand to finally receive what's owed them are justifiably disappointed that their share will not be larger given the mismanagement of the trust for decades by the government. The amount they receive probably should be much larger. This debacle never should have occurred in the first place. But finally the Osages will receive at least a piece of justice.

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