

case by the same informers, complainants, above named, and each against the same respondents, to wit, those above named, in the District Court for the Western District of Arkansas; each presecuted under the same statute, presumably section 2103; the one being for \$270,283.71, to wit, that on behalf of the Creek Nation, and the other for \$191,294.20, to wit, on behalf of the Seminoles.

We give below first a synopsis of the complaint on behalf of the Creek Nation, and, afterwards, give a synopsis of the complaint on behalf of the Seminoles.

The two complaints are substantially identical in all the respects, which we shall here consider, but we will below indicate briefly wherein the two complaints differ.

The following is a synopsis of the complaint filed on behalf of the Creek Nation:

#### SYNOPSIS OF COMPLAINT ON BEHALF OF THE CREEK NATION.

1. The title and the parties are as above set forth.
2. Avers that the names, vocations, and the places of the parties are correctly set forth in caption.
3. That on March 1, 1889, respondents, Porter, Hodge, and Esparhecher, were appointed and confirmed delegates representing the Creek Nation in pending negotiations for sale of their tribal lands designated as "Oklahoma," and that sale was consummated on said day for a consideration of \$2,280,887.10; that the functions of the delegates ceased with the consummation of said sale and the making of their report; that afterwards, on March 15, 1889, without any proper authority from the Creeks, the delegates obtained from the Treasurer of the United States, on account of Creek Nation, \$270,283.71, part of the consideration of said sale; that said money paid to said delegates was for the account of said Creek Nation, and such delegates received it in trust to be carried and paid to the treasurer of