

payment to the Cherokees of the sums properly to be paid on account of these lands."

Under these communications the act of May 29, 1872, was enacted; and finally, under it, as stated, the entire tract was appraised by the Secretary and the President. It was not appraised as for particular tribes, but as it had been all at the date of the law authorizing it set apart for certain tribes, the boundaries of said district distinctly set forth, and the occupants determined, it was, without reference to the difference in value of timber, valley and pasture land, appraised as one entire tract, the valuation being for the whole as a single body thus disposed of, and not an appraisement of particular tracts.

It was neither the purpose of the law, nor would it be in accordance with either law or equity, to pick out the most valuable tracts and take them at the price fixed for the whole. We could not permit such a gross abuse of the trust, nor is it to be presumed that the United States authorities would be guilty of it. We have already suffered great wrong by this delay. We ask a prompt remedy. The whole amount should be paid now, and it is all due under the only existing regulations and provisions; nor is there any authority of law under which only a part of it could be paid.

If the United States is unable to pay for it all at present, we ask that it pay principal and interest for what it wants, and restore the remainder to us as it was before the treaty of 1866.

To one of these two things we are beyond all question entitled. Asking your favorable recommendation at an early day as practicable, we are, very respectfully,

DANIEL H. ROSS,
R. W. WOLFE,
Cherokee Delegation.

W. A. PHILLIPS, *Special Agent.*