

and eighty acres each for single persons, where they now reside, but all other lands embraced in the reservation set apart to them by executive order, as aforesaid, were included in the Creek and Seminole cessions of last winter, and are now public lands.

It being the purpose and policy of the government, as we understand it, to open to settlement all surplus and unoccupied lands west of the 96th degree of longitude in the Indian Territory. The Cheyennes and Arapahoes do not wish to reoccupy or take possession of the lands embraced in their reservation on the so-called Cherokee outlet, but are willing to enter into negotiations with the proper authorities of the United States for the sale and relinquishment of said lands upon just and equitable terms.

These lands, as we have shown, belong absolutely to the Cheyenne and Arapahoe tribes, and although the Government may have neglected or failed in the performance of its duty with the Cherokee Nation, it may have failed to complete its payments or neglected to pay interest justly due, but that in no wise interferes with the lawful rights of the Cheyennes and Arapahoes, nor does the fact that the Cherokees claimed the right of possession and jurisdiction over said lands, or the right to lease the same, detract in the least from the Cheyenne and Arapahoe rights.

Since the ratification of the Cheyenne and Arapahoe treaty of 1867, the Cherokees have never been permitted, by the proper authorities of the United States, to exercise any