

Washington, D. C., August 19, 1889.

Hon. John W. Noble,
Secretary of the Interior:

SIR: I have, unofficially, learned that the Attorney-General of the United States has been appealed to by certain parties, who, in making said appeal, profess to act under section 2103 of the Revised Statutes of the United States, to institute against myself and others prosecutions for alleged wrong-doings in regard to the disposition made of the \$280,857.10 of Creek moneys, which are named in the 4th section of the act of Congress approved March 1, 1889, and entitled:

"An act to ratify and confirm an agreement with the Muskogee (or Creek) Nation of Indians in the Indian Territory, and for other purposes."

I am also informed that the Attorney-General has asked you to furnish him with such facts as your Department may be enabled to furnish bearing upon the fact of such alleged wrong-doings, and which tend to show the propriety of instituting such legal prosecutions.

I have further been informally and unofficially informed through the courtesy of your Department that, pursuant to the said request by the Attorney-General asking you to furnish information, Special Agent Gardner, an agent of your Department, was directed to proceed to make investigation and report to you regarding said matter of the disposition of said moneys, and that he has, under such authority, taken certain *ex parte* affidavits, and has made a report to your Department, pursuant to his said authority, submitting said *ex parte* affidavits and other documents along with his report. I have been permitted, through your courtesy and that of the Commissioner of