

But, in abundant caution, we deem it proper to present to you two other views of this matter which lead to the same result.

One of these views may be stated as follows:

Granting, for the sake of argument, that sections 2103 and 2105 would, in the *absence* of the legislation we are now about to refer to, make the money, received by Crawford, "forfeitable," and make him criminally liable under section 2105, yet the joint operation and effect of section 4 of the act approved March 1st, 1889, (25 Stats., 759), and of that legislation of the National Council, embodied in Exhibits B and C, set forth in said printed statement, ratifying the contracts with Crawford for six and one-half per cent., plus three and one-half per cent.; these taken in connection with that other legislation of the Council, of date January 31st, 1889, embodied in Exhibits E and F, in said printed statement, requiring the \$280,857.10, named in said section 4, to be paid according to the directions of the Council to the delegates, is to exempt said last-named moneys, so directed to be paid over under said section 4, from the operation of said sections 2103 and 2105 (did these sections otherwise apply) and to authorize and empower the Creek Nation to *pay*, and said attorneys of the Nation to *receive*, their said six and one-half plus three and one-half per cent. upon said \$2,280,857.10, (equalling \$228,085.71).

The way in which this legislation of Congress and of the Creek Council operates to exempt the said ten per cent. ordered to be paid to attorneys, from said sections 2103 and 2105, did such sections otherwise apply, may be stated in paragraphs as follows:

First. Whenever an act of Congress recognizes some treaty, law, rule, government, institution, or other state of things as existing, and provides some legislation concerning them, or either of them, which legislation con-