

templates the *continued* existence of the matter so recognized, there the act of Congress *validates* the thing so recognized; *provided* it is within the powers of Congress; this without any express words in the act of Congress so validating the matter recognized.

No principle of law is better settled than this. Take, for example, the case of *Holden v. Joy*, 17 Wallace, 211. There the Supreme Court held that the sale of "the Cherokee neutral lands" west of the Mississippi, made by Treaty of December 29th, 1835, even if not otherwise valid as a sale, was rendered valid by the fact that Congress made appropriations in execution of the treaty; and the Supreme Court held that such appropriations would validate the sale without express provision, in such appropriation, acts so accomplishing the validation.

So in the case of *Phillips v. Payne*, 92 U. S., 130. There that court held that whether the law which re-ceded to Virginia that part of the District of Columbia which was taken from that State, was originally a valid law and worked the retrocession or not, yet the fact that *other* laws of Congress had been passed which *recognized* that said part of the District was re-ceded to the State of Virginia, this *recognition* validated the cession without regard to the question of the validity of the original law of retrocession, and although no law expressly validated the retrocession.

Other authorities, to the same effect, might be added, but this is unnecessary since the principle is familiar and settled.

Second. When the act of Congress of March 1st, 1889, 25 Stats., 759, was considered by Congress, and when it was passed, the said legislation of the Creek Nation which voted said ten per cent. (or \$228,085.71) to the attorneys who had been instrumental in collecting said \$2,280,857.10, *was on the statute books of the Creek Nation*. This