

12-18-1888

Letter from the Secretary of the Treasury,  
transmitting a communication from the Secretary  
of the Interior, recommending an appropriation for  
legal proceedings in behalf of the Eastern Band of  
Cherokee Indians of North Carolina

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EASTERN BAND OF CHEROKEE INDIANS.

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L E T T E R

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

*A communication from the Secretary of the Interior, recommending an appropriation for legal proceedings in behalf of the Eastern Band of Cherokee Indians of North Carolina.*

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DECEMBER 18, 1888.—Referred to the Committee on Indian Affairs and ordered to be printed.

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TREASURY DEPARTMENT,  
December 15, 1888.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of the Interior in relation to the necessity for an appropriation of \$2,500 to insure proper attention to the legal proceedings heretofore directed and now being prosecuted on behalf of the Eastern Band of Cherokee Indians in North Carolina, relating to their land matters.

Respectfully, yours,

C. S. FAIRCHILD,  
Secretary.

The SPEAKER HOUSE OF REPRESENTATIVES.

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DEPARTMENT OF THE INTERIOR,  
Washington, December 13, 1888.

SIR: I have the honor to inclose herewith for presentation to Congress, in accordance with the provisions of section 2 of the act of July 7, 1884 (23 Stat., 254), copy of a communication of 12th instant from the Commissioner of Indian Affairs, and accompanying copy of a letter of the honorable Attorney-General, relative to the necessity for an appropriation of \$2,500 to insure proper attention to the legal proceedings heretofore directed and now being prosecuted on behalf of the Eastern Band of Cherokee Indians in North Carolina, relating to their land matters. The Commissioner recommends that an item be incorporated in the bill making appropriations for the Indian service for the fiscal year ending June 30, 1890, in the sum of \$2,500, or so much thereof as may

be necessary, to be expended under the direction of the Secretary of the Interior in the payment of necessary expenses incurred by the Department of Justice in the prosecution of litigation growing out of matters pertaining to the Eastern Band of Cherokee Indians in North Carolina, said appropriation to be immediately available.

The recommendation of the Commissioner is concurred in by the Department.

I have the honor to be, very respectfully,

WM. F. VILAS,  
*Secretary.*

The honorable the SECRETARY OF THE TREASURY.

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, D. C., December 12, 1888.*

SIR: I have the honor to submit herewith a copy of a communication from the Hon. A. H. Garland, Attorney-General, dated the 19th of October last, in which he refers to previous correspondence relative to the matter of the Eastern Band of Cherokee Indians in North Carolina, and informs this office that his Department is without funds to insure proper attention to the legal proceedings heretofore directed and now being prosecuted on behalf of said Indians.

He states that it is necessary, in his judgment, in order to secure this attention, that a special appropriation be made to be employed in the prosecution of the litigation, not to exceed \$2,500, and suggests that Congress be asked to include such appropriation in the annual appropriation for the current and contingent expenses of the Indian Department for the next fiscal year.

In connection with this request I have to state, owing to complications growing out of land matters pertaining to this band of Indians, it was necessary for this Department to call upon the Attorney-General to prosecute the matter in the courts, and as there are no funds at the disposal of either of the Departments named, applicable to the payment of the expenditures incident to the litigation, I respectfully recommend that Congress be requested to incorporate an item in the bill making appropriations for the Indian service for the fiscal year 1890, in the sum of \$2,500, or so much thereof as may be necessary, to be expended under the direction of the secretary of the Interior, in the payment of necessary expenses incurred by the Department of Justice in the prosecution of litigation growing out of matters pertaining to the Eastern Band of Cherokee Indians in North Carolina, said appropriation to be immediately available.

Very respectfully,

JOHN H. OBERLY,  
*Commissioner.*

The honorable the SECRETARY OF THE INTERIOR.

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DEPARTMENT OF JUSTICE,  
*Washington, October 19, 1888.*

SIR: Referring to previous correspondence relative to the matter of the Eastern Band of Cherokee Indians in North Carolina, I have the honor to inform you that the Department is without funds to insure

proper attention to the legal proceedings heretofore directed, and now being prosecuted on behalf of said Indians.

It is necessary, in my judgment, in order to secure this attention that a special appropriation be made, to be employed in the prosecution of the litigation, not to exceed \$2,500, to be used by this Department or the Department of the Interior, and I would suggest that Congress be asked at the ensuing session to include such appropriation in the annual appropriation for the current and contingent expenses of the Indian Bureau.

Very respectfully,

A. H. GARLAND,  
*Attorney-General.*

The COMMISSIONER OF INDIAN AFFAIRS.

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