

LAWS

OF THE

CHOCTAW NATION

PASSED AT THE

CHOCTAW COUNCILS

OF 1876 AND 1877.

ATOKA, CHOCTAW NATION:
W. J. HEMBY, PRINTER.

1878.

25.00
12.50
37.50

1883
1863
22

450
340

400
500
140

11 250.00



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CHOCTAW NATION

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ATOKA, CHOCTAW NATION:

W. J. HEMBY, PRINTER.

1878.

1902 mch 28<sup>th</sup>

This pamphlet contains the  
law that was enacted 26 years  
ago, and every name mentioned  
in this pamphlet has died  
since its publication, except  
Green M. Cartain, J. B. Jackson  
and H. B. Ainsworth

This march 28<sup>th</sup> 1902

## L A W S .

### BILL NO. 1.

AN ACT entitled An Act extending the time for holding the Court of Claims.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the time of holding the court of claims is extended three months, beginning on the 1st Monday in May, 1876, and ending on the last day of July, 1876, in Apuck-Shunubbee District; beginning on the 1st Monday in May, 1876, and ending on the last day of July, 1876, in the Pushmataha District; beginning on the 1st Monday in May, 1876, and ending on the 15th day of July, 1876, in the Mosholatubbee District.

SEC. 2. Be it further enacted, That the commissioners for the Second District are required to hold their court, for the first month, at a meeting house near Meyashé-tubbee's, in Wade county; for the second month, at B. Davenport's place, in Cedar county; for the third month, at Lokfatah, in Boktoklo county. That the commissioners for the Third District are required to hold their court, for the first month, at Coleman Nelson's, in Kiamichi county; for the second month, at the town of Atoka, and for the third month at William Frazier's, in Jack's Fork county. That the commissioners for First District are required to hold their court, for the first month, at the circuit court grounds, in Sugar Loaf county; and at Gaines county circuit court ground for two weeks, beginning on the first Monday in June, 1876; and at McAlester's, in Tobucksey county, for two weeks, beginning on the third Monday in June, 1876; and at McKee King's for two weeks, beginning on the first Monday in July, 1876.

SEC. 3. Be it further enacted, That the chief commissioners of the several courts, and the National Secretary, and a clerk, to be appointed by the National Attorney, by and with the advice and consent of the Principal Chief, shall meet at the town of Atoka, on the first Monday in September, 1876, to compare and revise the books and papers of the several courts of claims for the Choctaw Nation, and

shall have power to reject any claims which may have been allowed by the several courts, not in accordance with the treaty of Dancing Rabbit Creek, September 27th, 1830, and said commissioners, the National Attorney, and the clerk, shall each receive the sum of five dollars per day for every day actually engaged in comparison and revision of said books and papers, and shall make report thereon and turn over all said books and papers to the General Council of the Choctaw Nation, at its next regular session, to be held at Chahta Tamaha, commencing on the first Monday in October, 1876.

SEC. 4. Be it further enacted, That the commissioners for the several courts shall be appointed by the Principal Chief, by and with the advice and consent of the Senate, who, when assembled on the first Monday in May, 1876, in their respective districts, shall proceed to elect one of their own number, to be known and styled as chief commissioner, and shall also select a clerk for duty in their own court.

SEC. 5. Be it further enacted, That all the provisions of "an act entitled an act to create a court of claims, to define the duties and powers, and fix the pay of commissioners, and other purposes," which became a law on the 8th day of November, 1872, are hereby re-affirmed, except such as come in conflict with the provisions of this act, which are hereby repealed.

SEC. 6. Be it further enacted, That commissioners appointed under the law of Nov. 8th, 1872, are hereby required to turn over all their books and papers relating in any manner to their duties as said commissioners, and to the claims adjudicated or unadjudicated by their respective courts, to the commissioners who may be appointed under the provisions of this act.

SEC. 7. Be it further enacted, That the commissioners, and their respective clerks, before entering upon the duties of their respective offices, shall take the oath of office prescribed in the constitution, before some judge of a court of records of the Choctaw Nation.

SEC. 8. Be it further enacted, That this act shall take effect and be in force from and after its passage.

Approved March 4th, 1876.

BARNETTE DAVENPORT, *dead*  
Chairman Committee.

COLEMAN COLE, *dead*  
Principal Chief, Choctaw Nation.

### BILL NO. 2.

A RESOLUTION authorizing the Principal Chief to employ a sufficient number of Clerks—citizens of the Choctaw Nation—to copy the Scrip Roll for the Court of Claims, and for other purposes.

Be it resolved by the General Council of the Choctaw Nation assembled, That the Principal Chief of the Choctaw Nation is hereby authorized to employ a sufficient number of clerks—citizens of the Choctaw Nation—to copy the scrip roll and such other papers as may be necessary for the use of the court of claims.

Be it further resolved, That the copying of said scrip roll and other papers shall be done as speedily as possible, that the several courts may begin their labors on the day appointed; that it shall be the duty of the Principal Chief to forward a copy of said scrip roll and other papers to each of the courts of claims as soon as possible after the completion of the same.

Be it further resolved, That each of said clerks, before commencing said copies, shall take an oath before some officer competent to administer oaths, that he will copy correctly said scrip roll and other papers, and that said clerks shall receive for their services the sum of ten cents for each one hundred words they may write in making said copies; on which they shall make out their respective accounts against the Choctaw Nation, to be certified to by the Principal Chief, and upon which the Auditor shall issue them warrants for the respective amounts, which shall be paid by the Treasurer out of the appropriation to defray the expenses of said court of claims.

Approved March 4th, 1876.

BARNETTE DAVENPORT,  
Chairman Committee.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

### BILL NO. 3.

A RESOLUTION authorizing the Principal Chief to procure suitable paper, and a sufficient quantity, on which to make copies of the Scrip Roll, and other papers for the use of the Court of Claims, and for other purposes.

Be it resolved by the General Council of the Choctaw Nation assembled, That the Principal Chief of the Choctaw Nation is hereby authorized to procure suitable paper, and a sufficient quantity, on which to make copies of the scrip roll and other papers necessary for the use of the court of claims.

Resolved further, That the said Principal Chief shall make out

an account for the said paper against the Choctaw Nation, and certify to its correctness, whereupon the National Auditor shall issue a warrant for the same, which shall be paid by the National Treasurer out of the appropriation to defray the expenses of the said court of claims.

Approved March 4th, 1876.

BARNETTE DAVENPORT,  
Chairman Committee.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

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**BILL NO. 4.**

A SUPPLEMENT to An Act approved November 12th, 1875, in reference to the Duties, etc., of National Agent.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation, assembled in extra session, That there shall be one competent public weigher, a citizen of the Nation aforesaid, stationed at each mine worked, or where the coal mined at such mine may be weighed; and he shall be appointed by the National Agent, by and with the advice and consent of the Principal Chief, who shall hold his office for the term of two years, if not sooner removed, and shall give bond with good and sufficient securities, to be approved by the Principal Chief of the Nation aforesaid, payable to the Choctaw Nation, and in an amount proportionate to the responsibility on the weigher and the quantity of coal to be weighed, which amount shall be determined by the said Principal Chief, and to be filed in the office of the National Secretary; conditioned that the said public weigher will truly and personally attend to weighing the coal for which he was employed and appointed, that he will make a full and detailed quarterly report of each and every year of his labors, to the National Agent, beginning on the first day of June, 1876; and the National Agent will forward the same to the Principal Chief, to be by him presented to the General Council for its information and action thereon.

SEC. 2. Be it further enacted, That the books of different mines of the Nation aforesaid, shall at all times be open to inspection by the National Agent, for comparison with accounts kept by the public weighers, with a view to a more perfect understanding and harmony of action in developing the resources of the country.

SEC. 3. Be it further enacted, That the compensation of the public weighers shall be 10 per cent. of the amount of royalty actually turned over to the National Agent, for the use of the Nation aforesaid, from the mine at or near which he is stationed, and for which

he does the weighing, to be paid monthly by the National Agent, said National Agent taking said public weigher's receipt therefor, and to be by said National Agent reported in his quarterly report, as required by law, beginning on the first day of July, 1876.

SEC. 4. Be it further enacted, That the National Agent is hereby authorized and directed to purchase strongly leather-bound books, and such other stationery as may be necessary for the proper and efficient management and conduct of his own office, and that of the public weighers, to be paid for out of the royalty, and to incorporate a detailed statement of all such expenses in his quarterly report to the Principal Chief of the Nation aforesaid, and to be by said Principal Chief submitted to the General Council for its information.

SEC. 5. Be it further enacted, That the royalty accruing on coal under the said act, approved Nov. 12, 1875, is hereby declared to be due and payable, in the proportion of three-fourths to the Choctaw Nation and one-fourth to the Chickasaw Nation, and the National Agent of the Choctaw Nation is hereby instructed to collect from the mining company or companies only that part which is due the Choctaw Nation, leaving that which is due the Chickasaw Nation to be collected direct from said mining company or companies by the Chickasaw National Agent.

SEC. 6. Be it further enacted, That the pay of the public weighers aforesaid is due from the said Choctaw and Chickasaw Nations in the proportion respectively of three-fourths by the Choctaw Nation and one-fourth by the Chickasaw Nation.

SEC. 7. Be it further enacted, That this act shall take effect and be in force from and after its passage.

Approved March 7th, 1876.

B. DAVENPORT,  
Chairman Committee.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

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**BILL NO. 5.**

A RESOLUTION authorizing and directing the National Treasurer to reimburse the Appropriation set apart to defray the expenses of the Court of Claims.

Be it resolved by the General Council of the Choctaw Nation assembled, in extra session, That the National Treasurer is hereby authorized and directed to reimburse the appropriation set apart to defray the expenses of the court of claims with forty-five hundred dollars (\$4,500.00), out of any money coming into his hands for com-

mon expenses of the Nation aforesaid: the above amount having been taken by the General Council for the use of the eastern boundary delegates to Washington City in 1874.

Resolved further, That this resolution take effect and be in force from and after its passage.

Approved March 8th, 1876.

B. DAVENPORT,  
Chairman Committee.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

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**BILL NO. 6.**

A MEMORIAL to the Government of the United States.

Your memorialists, the General Council of the Choctaw Nation, assembled at Chahta Tamaha, in extra session, would most respectfully ask the appropriation, at as early a day as practicable, of the net proceeds fund, as awarded by the Senate of the United States, on the 3d day of March, 1859, in pursuance of the 11th article of the treaty of June 22d, 1855, between the United States and the Choctaws and Chickasaws; which award was to be final, and was to satisfy the individual claims arising under the 14th, 16th and 19th articles of the treaty of Dancing Rabbit Creek, September 27th, 1830, in compliance with the 12th article of the treaty of June 22d, 1855, aforesaid.

Your memorialists respectfully ask the appropriation of the said net proceeds fund, with 5 per cent. interest thereon from the date of the Senate award of the same; and that the principal and interest be held subject to the requisition of the Choctaw Nation, to satisfy, first, the claims of the individuals which have been and may be adjudicated and allowed by the court of claims of this Nation, who will soon complete their work of adjudicating such claims of individual citizens of the Nation. We are fully aware that the individual claimants will, if the appropriation is made, after waiting so long and impatiently, demand immediate payment of their just claims, being unable to see why it should be deferred longer.

And we further ask, that when requisition for an amount sufficient to satisfy all the claims of individuals, so adjudicated and allowed, is made by this Nation, the same may be brought here and paid to the individual claimants themselves, by the U. S. Indian Agent for the Choctaw and Chickasaw Nations, as provided for in the 12th article of the treaty of June 22d, 1855, aforesaid.

Believing a great, powerful, wealthy and Christian government

like that of the United States of America, to be too generous and magnanimous to withhold the payment of a debt, just in itself, any longer, and which has been recognized by yourselves so long as due and payable, in evidence of which the Choctaw Nation holds your most solemn guarantees, we subscribe ourselves,

With much respect and consideration,

YOUR MEMORIALISTS.

B. DAVENPORT, Chairman Committee on Chief's Message.  
Repassed the Senate March 8th, 1876.

J. B. MOORE, President.

Repassed the House, by unanimous vote, March 8th, 1876.

J. WHITE, Speaker.

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**BILL NO. 7.**

A RESOLUTION authorizing and requesting the Principal Chief of the Choctaw Nation to forward one authenticated copy of a certain Memorial to each of certain parties in Washington City.

Be it resolved by the General Council of the Choctaw Nation assembled, in extra session, That the Principal Chief of the Choctaw Nation is hereby authorized and requested to forward one authenticated copy of a memorial of this Council, each to the Secretary of the Interior, the President of the United States, the President of the Senate, and the Speaker of the House of Representatives, of the United States of America, and Peter P. Pitchly, the Choctaw Delegate.

Resolved further, That each copy of the memorial aforesaid to be sent to Washington City, shall be signed by each member of the General Council of the present session, and that this resolution shall take effect and be in force from and after its passage.

B. DAVENPORT,  
Chairman Committee.

Repassed the Senate March 8th, 1876.

J. B. MOORE, President. *dead*

Repassed the House, by unanimous vote.

J. WHITE, Speaker. *dead*

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**BILL NO. 8.**

RESOLUTION to pay the Officers and Members of the present General Council, National Officers and National Light-horsemen.

SECTION 1. Be it resolved by the General Council of the Choc-

law Nation, assembled in extra session, That the sum of two dollars per day be and is hereby allowed to the officers and members of the present session of the General Council, and National officers and National Light-horsemen in attendance on duty during the present session of Council.

SEC. 2. Be it further resolved, That the National Auditor be and he is hereby directed to issue his warrant for the same on the National Treasurer.

SEC. 3. Be it further resolved, That this resolution take effect and be in force from and after its passage.

Proposed by Lewis Cass. *Dead*  
Repassed the Senate March 6th, 1876.

J. B. MOORE, President Senate.  
Repassed the House, unanimously, March 8th, 1876.  
J. WHITE, Speaker.

#### BILL NO. 9.

AN ACT entitled An Act to provide for the collection of Fines and Bonds within the limits of the Choctaw Nation.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the circuit courts of said Nation shall have jurisdiction in all matters of fines and bonds to be collected, and that all suits to be instituted against delinquent parties resting under fines, and against the principal and securities to all bonds forfeited to said Nation, District Attorney shall commence by information to the circuit courts in the county wherein the prime delinquent may reside.

SEC. 2. Be it further enacted, That to begin action on fines and the forfeitures of bonds, the evidence in such cases must be records of courts, or such as required by law, and the rules of the several circuit courts in criminal cases, except as to cases which come within the personal knowledge of the circuit courts themselves, when an action will lie.

SEC. 3. Be it further enacted, That in all cases of imposition and conviction of fines and the forfeitures of bonds, the circuit courts shall direct their clerks to enter up judgments thereon upon the records of said courts, in the necessary amounts, and to issue writs of execution thereon directed to the sheriff of that county, commanding said sheriff to levy upon and sell any property of said delinquents, not except under existing laws (act approved Nov. 14, 1854).

SEC. 4. Be it further enacted, That the sheriff, before selling any property under the requirements of this act, shall give at least

thirty days' notice by putting up notices in at least three public places in the county, such sale to be to the highest bidder, and at the court grounds for that county, and between the hours of 9 A. M. and 5 P. M. on the first Monday of some month.

SEC. 5. Be it further enacted, That all recoveries under this act shall first be devoted to the payments of costs, the balance to go to the Choctaw Nation, and the first recovery, either upon fines or forfeitures of bonds, shall be final in that county; but the circuit courts may have certified copies of writs of execution forwarded to such other counties as defendants or securities may have property in, there to be executed as a similar process from the circuit court then would be.

SEC. 6. Be it further enacted, That in all cases coming up under this act, the circuit court shall direct its clerk to make an entry on his docket as in criminal cases; for instance: The Choctaw Nation vs. A. B., or E. F., as the case may be.

SEC. 7. Be it further enacted, That hereafter, in making up bonds, the securities shall be required to make oath before some officer competent to administer oaths, as to what the cash valuation of their property is, over and above what is exempt from execution.

SEC. 8. Be it further enacted, That the National Secretary is hereby required to furnish one authenticated copy of this act to each of the county judges in the Nation aforesaid.

SEC. 9. Be it further enacted, That this act shall take effect and be in force from and after its passage.

Approved March 9th, 1876.

COLEMAN COLE,

Principal Chief, Choctaw Nation.

I hereby certify that the foregoing act is a true and correct copy taken from the original now on file in my office.

THOMPSON MCKINNEY, *Dead*

National Secretary, Choctaw Nation.

#### BILL NO. 10.

A RESOLUTION of Adjournment.

Be it resolved by the General Council of the Choctaw Nation, assembled in extra session, That the present session of the General Council adjourn on the 9th day of March, A. D. 1876, at 10 o'clock A. M.

Proposed by Alfred Wright. *Dead*

Approved March 8th, 1876.

COLEMAN COLE,

Principal Chief, Choctaw Nation.

## BILL NO. 11.

A RESOLUTION authorizing the Principal Chief of the Choctaw Nation to appoint three Commissioners on the part of the Choctaw Nation to meet like Commissioners on the part of the Chickasaw Nation, and adjust mutual interests.

Be it resolved by the General Council of the Choctaw Nation, assembled in extra session, That the Principal Chief of the Choctaw Nation is hereby authorized and instructed to appoint and commission three commissioners, one from each district, on the part of the Choctaw Nation, by and with the advice and consent of the Senate, and to confer by letter or otherwise with the National authorities of the Chickasaw Nation, and invite them to take like action as the Choctaw Nation, and have the commissioners of the two Nations to meet at Caddo, Choctaw Nation, at such time as may be agreed upon between the executive heads of the two Nations; and said commissioners, when assembled, to adopt such plan of action as in their combined wisdom and judgment may seem best for the government of the mutual mining, stone and timber interests, and a tax on the Missouri, Kansas & Texas Railway, as well as the subject of the switch railroad leaving the main track of the Missouri, Kansas & Texas Railway, at or near McAlister's, and running east three miles, more or less, to the Joshua Pusley coal mines.

Resolved further, That the result of the labors of the joint commission herein provided for, is to be submitted to the legislative authorities of the two Nations as soon as practicable after it is obtained, for their ratification or rejection; and to this end the commissioners of the Choctaw Nation are hereby instructed to get an authenticated copy of all the measures agreed upon by the said joint commission, and turn over the same to the Principal Chief of the Choctaw Nation, to be by him presented to the General Council at its first session thereafter.

Resolved further, That the commissioners on the part of the Choctaw Nation are hereby allowed the sum of five dollars per day for each day actually engaged in the duties required and contemplated by this resolution, and mileage at ten cents per mile in going to and returning from Caddo, Choctaw Nation, by the nearest traveled routes; that upon the joint certificate of the commissioners of the Choctaw Nation, the National Auditor of the Choctaw Nation is hereby directed to issue warrants for the respective amounts, and the National Treasurer is directed to pay the same.

Resolved further, That the commissioners appointed under this resolution shall select one competent clerk, a citizen of this Nation,

whose duty it shall be to keep a perfect record of all the proceedings had between the Choctaw and Chickasaw commissioners aforesaid, and whose pay shall be the same as that of the said Choctaw commissioners, and obtained in the same way.

Resolved further, That the National Secretary is hereby required and directed to furnish an authenticated copy, each, of this resolution, the two acts prescribing the duties of the National Agent, and the act taxing the railroad, to the Choctaw commissioners aforesaid, and an authenticated copy of this resolution, to the Principal Chief of this Nation, to be by him sent to Governor Overton of the Chickasaw Nation.

Resolved further, That this resolution shall take effect and be in force from and after its passage.

Approved March 8th, 1876.

B. DAVENPORT,  
Chairman Committee.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

## BILL NO. 12.

AN ACT entitled An Act Levying a tax upon Railroad and other kinds of Property within the limits of the Choctaw Nation.

WHEREAS, Under the treaty of April 28th, 1866, the Choctaw and Chickasaw tribes of Indians did grant a right of way to two railroads, the one to run north and south, and the other to run east and west;

*And whereas*, The Missouri, Kansas and Texas Railway secured the right to run north and south, and has been already constructed through the limits of the Choctaw and Chickasaw Nations;

*A d whereas*, It is usual and customary in states and organized governments to assess railroad property in the same way as private and individual property, and impose a tax thereon;

*And whereas*, It will be unfair in the Choctaw Nation to make any such unjust distinctions;

*And whereas*, The said Missouri, Kansas and Texas Railway company force the Choctaw and Chickasaw people, and citizens of the United States, resident in the Choctaw and Chickasaw Nations, to pay the most exorbitant rates of freight and passenger fare; therefore,

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That a tax of (1½) one and one-half per cent.



per annum is hereby imposed upon all railroad property within the limits of the Choctaw Nation, assessed at its cash valuation; and also the same tax is imposed upon the property of telegraph and express companies.

SEC. 2. Be it further enacted, That in the valuation of the railroad property within the limits of the Choctaw Nation, there shall be taken into consideration not only such property as lies and remains permanently therein, but the rolling stock and all transient material of the railroad company shall be assessed in an amount proportionate to the length of the track within the limits of said Nation.

SEC. 3. Be it further enacted, That all persons not citizens of the Choctaw or Chickasaw Nations, who have made settlements upon lands immediately adjacent to the Missouri, Kansas and Texas Railroad within the limits of the Choctaw Nation, by building houses, hotels, shops, mills or other tenements, and are occupying them as such, and who are not officers, servants or employees of said Missouri, Kansas and Texas Railway company, and also those who have made settlements upon the public domain remote from the said railroad, as well as ministers of the gospel and missionaries, who have made, and are making, settlements upon Choctaw and Chickasaw lands, pretending to be entitled to do so under the treaty of 1866, 17th article, and all without authority or permission of the Choctaw and Chickasaw people, are hereby held to be subject to the pains and penalties of the Revised Statutes of the United States, section 2118; provided, however, that if these intruders, under section 2118 revised statutes, shall obtain permission to retain the occupancy of said buildings, improvements, settlements, or tenements, from the principal chief of the Choctaw Nation, and shall pay a tax of (1½) one and one-half per cent. per annum upon the cash valuation of such buildings, improvements, settlements, or tenements, and besides shall obtain permits in the manner prescribed by law, they shall be exempt from the penalties of said section 2118 so far as prosecution by the Choctaw national authorities is concerned.

SEC. 4. Be it further enacted, That no part of this act is intended to prevent or restrain or discourage the dissemination of the refining influences of christianity, but to declare to the world that if the Choctaw Nation should throw open her doors and set apart a reservation or claim, with all the rights and privileges of occupancy, such as are enjoyed by Choctaw citizens, to every individual who might presume to be a minister of the gospel, or missionary, said nation would soon be flooded with a most demoralizing popu-

lation; that the 17th article of the treaty of 1866 is conditional, the conditions of which have never been fulfilled; that the Choctaw Nation cannot afford to be imposed upon in such a way, nor has it the disposition to stand quietly and see the intercourse law (revised statutes, section 2118) violated, and an exception made in favor of any class of persons.

SEC. 5. Be it further enacted, That the taxes imposed by this act shall be due and payable immediately upon the passage of this act, and upon the first day of November of each succeeding year.

SEC. 6. Be it further enacted, That such taxes shall be paid only to the revenue collector of the Choctaw Nation, or some one of his legal and authorized deputies.

SEC. 7. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by Alfred Wright. *Dead*

Approved March 9th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

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**BILL NO. 13.**

A RESOLUTION authorizing part payment on Translating and Publishing the laws of the Choctaw Nation.

Be it resolved by the General Council of the Choctaw Nation, assembled in extra session, That an appropriation of seventeen hundred and fifty dollars is hereby made as payment and expenses to Albert Carney, for translating and publishing the laws of the Choctaw Nation, (500 copies) in the Choctaw language, provided for by an act passed in regular session, 1875, and the remainder to be appropriated when the books are ready for delivery.

Resolved further, That the National Auditor will issue warrants in accordance hereto, and the national treasurer will pay the same, and this resolution shall take effect and be in force from and after its passage.

Proposed by Lewis Cass. *Dead*

Approved March 9th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

PASSED IN EXTRA SESSION IN MARCH, 1876.

I hereby certify that the foregoing acts and resolutions are true and correct copies taken from the originals now on file in the Secretary's office at Chahta Tamaha.

[SEAL.]

In witness whereof, I have caused the seal of the Nation to be affixed, this December 15th, 1877.

THOMPSON MCKINNEY,  
National Secretary Choctaw Nation.

## REGULAR SESSION.

### BILL NO. 1.

RESOLUTION requesting the Principal Chief to communicate with the Interior Department, etc.

WHEREAS, It appears that the Principal Chief was notified that when it became necessary to convene the Grand Council, that the Principal Chief of this Nation would be again notified of the fact;

And whereas, The General Council of the Choctaw Nation is desirous of obtaining information in regard to the matter; therefore,

Be it resolved by the General Council of the Choctaw Nation assembled, That the Principal Chief be and he is hereby authorized and requested to communicate with the proper officers of the department at Washington City, and ascertain as to the time of the meeting of the Grand Council composed of members of the five tribes of Indians in the Indian Territory.

B. J. PICKENS. *sd*

Approved Oct. 7th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

### BILL NO. 2.

Be it resolved by the General Council of the Choctaw Nation, That the President of the Senate and Speaker of the House of Representatives be and they are hereby requested to refer to appropriate committees the several matters herein set forth, viz:

1st. A law in regard to extension of time to the court of claims (refer to special law committee).

2d. For one or more commissioners to visit the State of Mississippi (refer to special law committee).

3d. In relation to freedmen in the Choctaw Nation (refer to special law committee).

4th. The attachment of suitable certificate to election law (refer to special law committee).

5th. In regard to white persons wishing to establish citizenship (refer to special law committee).

6th. In relation to royalty on coal (committee on claims).

7th. Net proceed claim (committee on claims).

8th. Change Constitution, section 18, article 7. General provisions in regard to mineral (refer to committee on public domain).

9th. Change Constitution in regard to the consolidation of the judiciary (refer to special law committee).

10th. Enacting procedure for impeachment (refer to special law committee).

Also under the special message, your committee find the following:

1st. Additional Light-horsemen (refer to special law committee).

2d. In regard to improvements made by non-citizens (refer to special committee on public domain).

3d. In regard to public domain (refer to special committee on public domain).

4th. Additional powers to Light-horsemen in regard to intoxicating liquors (refer to special law committee).

5th. Report to National Agent and National Weigher (committee on reports).

6th. Report of District Chief (refer to committee on reports).

7th. Report of the Superintendent of Public Schools. Law of compulsion demanded (refer to committee on reports.)

8th. Additional power to Light-horsemen in regard to the removal of intruders (refer to special law committee). And that the respective committees examine the subjects thus referred to them, and report to the General Council their opinions at as early a day as practicable.

Be it further resolved, That this resolution take effect from and after its passage.

And your committee ask to be relieved from further duty in this particular.

Approved the 12th day of October, A. D. 1876.

L. P. WILLIS, Secretary. *Read*

McKEE KING, *Read*

Chairman Committee.

Chahta Tamaha, October 10th, 1876.

COLEMAN COLE,

Principal Chief, Choctaw Nation

### BILL NO. 5.

A RESOLUTION requiring both Houses of the General Council to elect Certain Officers.

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That both Houses assemble in the Representative Hall, at the hour of 10 o'clock A. M., on Tuesday, the 24th day of October, 1876, and then and there proceed to the election of Supreme Judges, Superintendent of Public Schools and district school trustees.

SEC. 2. Be it further resolved, etc., That this resolution take effect and be in force from and after its passage.

Proposed by J. F. McCurtain. *Read*

Approved October 20, 1876.

COLEMAN COLE,

Principal Chief, Choctaw Nation.

### BILL NO. 6.

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the school report of Edmund McCurtain, district school trustee for Mosholetabe District, Choctaw Nation, be this day accepted as correct by the General Council.

SEC. 2. Be it further resolved, That this resolution take effect and be in force from and after its passage. And your committee beg to be relieved from further duty in this particular.

J. B. JACKSON, Secretary. *Read*

HARRIS DANA, *Read*

Chairman of Committee.

Approved Oct. 20, 1876.

COLEMAN COLE,

Principal Chief, Choctaw Nation.

### BILL NO. 7.

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of S. P. Willis (for the year 1874-5), district trustee for Apuck-Shunubbe district, Choctaw Nation, be accepted as true and correct, by this Council, and that he be exonerated from any responsibility in regard to the (\$30.00) thirty dollars, above mentioned in the preamble to this resolution.

SEC. 2. Be it further resolved, etc., That this resolution take effect from and after its passage.

HARRIS DANA,  
Chairman Committee.  
Approved Oct. 20, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 8.**

AN ACT removing an Election Precinct in Tobokse County of the Choctaw Nation.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the election precinct in Tobokse county, Choctaw Nation, formerly known as Tushka Himitta's precinct, be and the same is hereby removed to South Canadian, in the aforesaid county.

SEC. 2. Be it further enacted, etc., That all acts or parts of acts, heretofore passed, coming in conflict with this act, be and the same are hereby repealed, and this act take effect and be in force from and after its passage.

MOSES FLETCHER, *Dead*  
Chairman Committee.  
Approved Oct. 21st, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 9.**

AN ACT for the relief of Certain Persons therein Named.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That there be and is hereby appropriated out of any money in the National Treasury not otherwise appropriated, the sum of twenty-six dollars each to Simon Iklana and Willis Payne, it being the amount due them as expense money, while in attendance at the General Council as Light-horsemen, in the year 1873.

SEC. 2. Be it further enacted, That the above specified sums shall be received by them as payment in full of all dues in that particular.

SEC. 3. Be it further enacted, That the National Auditor be

and is hereby authorized and required to issue warrants to the parties above named, and the National Treasurer is authorized to pay the same.

SEC. 4. Be it further enacted, That this act take effect from and after its passage.

MOSES FLETCHER,  
Chairman Committee.  
Approved Oct. 21st, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 10.**

To the Honorable Senate and House of Representatives of the General Council of the Choctaw Nation :

We, your committee, who were appointed to examine the petition of James D. Davis in regard to an extension of the charter on said bridge, would most respectfully beg leave to report the following:

WHEREAS, On the 1st day of December, 1866, there was an act passed by the General Council and approved by the chief executive of our Nation, granting unto the said James D. Davis the right to erect a toll bridge over the Muddy Boggy creek, in this Nation ;

And whereas, It appears to your committee that the said James D. Davis has strictly complied with the provisions of the aforesaid act ;

SECTION 1. Therefore be it enacted by the General Council of the Choctaw Nation assembled, That the time of the charter to James D. Davis, in regard to the above mentioned toll bridge, be and the same is hereby extended ; the same to commence on the 1st day of December, 1876, and extend to the 1st day of December, 1886, under the same rules and regulations as for the past ten years.

SEC. 2. Be it further enacted, That this act take effect and be in force from and after its passage.

And your committee beg to be relieved from further duty in this particular.

MOSES FLETCHER, *Dead*  
Chairman of Committee.  
Approved Oct. 21st, 1876.

*Dead*  
COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 11.**

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of William Gardner, district school trustee of the Pushmataha district, Choctaw Nation, be accepted by the General Council, as true and correct.

SEC. 2. Be it further enacted, That this resolution take effect and be in force from and after its passage.

HARRIS DANA,

Chairman of Committee.

Approved Oct. 21st, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 13.**

AN ACT to Authorize the Purchase of Chairs and Bell for the use of the General Council.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That D. F. Harkins <sup>is</sup> hereby authorized and directed to purchase chairs and a bell for the use of the General Council of the Choctaw Nation, out of any money that may come into his hands as a royalty on coal.

SEC. 2. Be it further enacted, That he shall keep an exact account of the cost and transportation, and shall report the same in his quarterly report at the October session of 1877.

SEC. 3. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by Thompson McKinney. *Dead*

Approved Nov. 1st, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

RESOLUTION Authorizing the Appointment of a Special Committee for a Special Purpose herein Named.

Be it resolved by the General Council of the Choctaw Nation assembled, That a committee of three from each House shall be appointed, in the usual way of appointing committees, to be known as a special committee, whose duty it shall be to examine and report upon the report of the National Agent, and said report only.  
Be it further resolved, That the committee on finance are

hereby requested to turn over the report of the National Agent, and all accompanying papers, to the special committee authorized under this resolution; and that the committee on finance shall be discharged from further duty on said National Agent's report. Be it further resolved, That this resolution take effect and be in force from and after its passage.

Proposed by Thompson McKinney. *Dead*

Approved October 26th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 18.**

AN ACT to remove an Election Precinct in Red River county, of Choctaw Nation.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the election precinct heretofore established at Good Land School House, in Red River county of the Choctaw Nation, be and the same is hereby removed to Good Water Meeting House, in the said county, to be known as the Good Water precinct.

SEC. 2. Be it further enacted, etc., That the act approved November 10th, 1868, locating the election precinct at Good Land School House, be and it is hereby repealed, and that this act take effect and be in force from and after its passage.

Proposed by Alfred Shoney. *Dead*

Approved October 26th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 22.**

AN ACT entitled An Act Establishing an Additional Election Precinct in Nashoba County, Choctaw Nation.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That there be and is hereby established one additional election precinct in Nashoba county, of the Choctaw Nation, to be established at Post Oak Grove School House, in the said county, and to be known as the Post Oak Grove School House precinct; and any of the voters of the aforesaid county are privileged to cast their votes at the above mentioned precinct.

SEC. 2. Be it further enacted, etc., That this act take effect and be in force from and after its passage.

Proposed by Sylvester Williams. *Dead*

Approved October 30th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

To the Honorable Senate and House of Representatives of the Choctaw Nation:

We, your committee, to whom was referred the Principal Chief's message, after having carefully considered the same and reported to your honorable bodies upon the various subjects demanding legislation, and deeming that your committee have performed the duties for which they were appointed, would most respectfully ask to be relieved from further duty upon the same. Hoping that the services of your committee may be accepted and appreciated, we beg to be discharged. Respectfully submitted.

S. P. WILLIS, Secretary. *Dead*

McKEE KING, *Dead*  
Chairman Committee.

Approved October 30th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

### BILL NO. 31.

#### RESOLUTION of Adjournment.

Be it resolved by the General Council of the Choctaw Nation assembled, That the present session of the General Council adjourn on Wednesday, the first day of November, 1876, at 10 o'clock A. M.

Be it further resolved, that this resolution take effect and be in force from and after its passage.

Proposed by Charles Winston. *Dead*

Passed the Senate October 25th, 1876.

J. B. MOORE, President Senate.

Passed the House October 25th, 1876.

GREEN McCURTAIN, Speaker.

### BILL NO. 32.

AN ACT entitled An Act Removing an Election Precinct in Sugarloaf County.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the election precinct heretofore established at Stephen Holston's place, in Sugarloaf county, Choctaw Nation, be and the same is hereby removed to Jonas White's old place, in the aforesaid county, to be known as White's precinct.

SEC. 2. Be it further enacted, etc., That any and all laws in any manner conflicting with the provisions of this act, be and they are hereby repealed.

SEC. 3. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by J. F. McCurtain. *Dead*

Approved October 31st, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

### BILL NO. 33.

AN ACT entitled An Act making Appropriation to carry out the Provisions of a former Act.

WHEREAS, There was an act, approved November 8th, 1875, passed, authorizing the printing of certain laws, and employing one Albert Carney to perform the labor of translating and printing the same; and for the said purpose there was the sum of thirty-five hundred dollars appropriated;

And whereas, there was only the sum of seventeen hundred dollars in warrant given, and payment partly made by the Treasurer to the said Albert Carney, not enough to complete the work of translation and publishing the same, in consequence of which he has not been able to complete the labor assigned to him; therefore,

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That, in order to have the printing of the laws completed as contemplated by an act of the General Council, of the 8th of November, 1875, there be and is hereby appropriated the sum of seventeen hundred and fifty dollars, out of any moneys in the National Treasury not otherwise appropriated, to pay the expenses incurred in the printing of the laws aforesaid.

SEC. 2. Be it further enacted, That this act shall not be construed as making any new appropriation, but simply to fulfill or

carry out the provisions of a former appropriation, passed in regular session, October, 1875, which has become a nullity by limitation, and that the resolution passed in extra session in February, 1876, appropriating seventeen hundred and fifty dollars, to be paid when the books were completed and delivered, will not be construed as making similar application and appropriation of the present act, and that the National Auditor is hereby authorized to issue his warrant for the remaining amount of seventeen hundred and fifty dollars, and the National Treasurer pay the same.

SEC. 3. Be it further enacted, etc., That this act take effect and be in force from and after its passage.

Proposed by Sylvester Williams. *Dead*  
COLEMAN COLE,  
Principal Chief, Choctaw Nation.

BILL NO. 34.

AN ACT making an Appropriation for the Court of Claims held in the Year 1876.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That there be and is hereby appropriated, out of any money in the National Treasury not otherwise appropriated, the sum of \$1,650.00 (one thousand six hundred and fifty dollars), to pay the Chief Commissioners, National Attorney, Clerk, Doorkeeper, and other expenses incurred in holding the "Revisory Court," at Atoka, Choctaw Nation, commencing on the 4th day of September, and ending on the 31st day of October, 1876.

SEC. 2. Be it further enacted, That the National Auditor is hereby authorized and required to issue warrants in favor of the following parties, viz:

|             |                                                |          |
|-------------|------------------------------------------------|----------|
| <i>Dead</i> | George Durant, 58 days, at \$5.00 per day..... | \$290 00 |
| "           | B. F. Smallwood, 58 " 5.00 " .....             | 290 00   |
| "           | Ed. McCurtain, 58 " 5.00 " .....               | 290 00   |
| "           | Ellis W. Folsom, 58 " 5.00 " .....             | 290 00   |
| "           | C. E. Nelson, 58 " 5.00 " .....                | 159 00   |
| "           | G. Nelson, 53 " 3.00 " .....                   | 15 00    |
| "           | James Colbert, rent for house.....             | 5 00     |
| "           | J. D. Davis, " .....                           | 21 00    |
| "           | Incidental expenses, stationery and book.....  |          |

And the National Treasurer is hereby required to pay the same.

SEC. 3. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by J. F. McCurtain. *Dead*  
Approved November 1st, 1876. COLEMAN COLE,  
Principal Chief, Choctaw Nation.

BILL NO. 3.

To the Honorable Senate and House of Representatives:

We, your Special Law Committee, to whom was referred that part of the Principal Chief's message which referred to the election law, after having carefully considered the same, would most respectfully recommend the passage of the following bill.

And your committee would ask to be relieved from further duty in this particular.

Attest: S. P. WILLIS, *Dead* Secretary.  
MCKEE KING, *Dead* Chairman of Committee.

Chahta Tamaha, October 14, 1876.

AN ACT entitled "An Act Amendatory of An Act providing for holding Elections in this Nation, and for other Purposes."

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That from and after the passage of this act, it shall not be lawful for the Supreme Judges of the several districts of this Nation to receive and include the votes in any of the poll books returned to him, without the same shall be in strict conformity to law. But he shall re-seal and forward the same, with his endorsement thereon, considered illegal, with the National Secretary, to be by him laid before the General Council at its next regular session, for the consideration of that body.

SEC. 2. Be it further enacted, etc., That in the election of district and county officers, if there should be a tie vote, or if two or more candidates shall be equal, or highest in votes, the Supreme Judge shall forthwith report the fact to the Principal Chief, giving the names of the two or more candidates so tied; and the Principal Chief shall forthwith appoint one of the candidates to the position mentioned in the report of the Supreme Judge.

SEC. 3. Be it further enacted, etc., That in the election of national officers, the poll books shall be delivered by the National Secretary to the Speaker of the House of Representatives, who shall proceed to examine and count all of the legal votes in the presence

of both branches of the General Council. And in the event of a tie vote, or if two or more candidates shall be equal or highest in votes, then the Speaker shall notify the two Houses, and the members thereof shall proceed to vote, as directed in section 3d, article 5th, Executive department of the Constitution, for the officers, after the manner of electing the Principal Chief.

SEC. 4. Be it further enacted, etc., That so much of section 17th of the above act, as requires the Supreme Judge to deposit the abstract of votes made by him with the Clerk of the Supreme Court, be and the same is hereby repealed, and that the Supreme Judge shall forward the abstract made by him to the National Secretary, as required by the Constitution.

SEC. 5. Be it further enacted, etc., That section 18th of the above act be so amended as to insert in the second line, between the words "of" and "votes," the word "legal."

SEC. 6. Be it further enacted, etc., That this act take effect and be in force from and after its passage.

D. B. ROBUCK, *had*  
Recording Secretary.

Approved October 19th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

#### BILL NO. 4.

To the Honorable Senate and House of Representatives:

We, your Special Law Committee, to whom was referred the question of persons wishing to establish citizenship in the Choctaw Nation, after giving the subject our most earnest and careful consideration, would most respectfully recommend the passage of the following bill; and your committee ask to be discharged from further duty in the premises.

Attest: S. P. WILLIS,  
Secretary.

McKEE KING,  
Chairman Committee.

AN ACT entitled An Act Directing and Authorizing the Appointment of a Committee by the General Council.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That any person who is not now recognized as a citizen of this Nation, or of Choctaw descent, and claiming to be a citizen, or of Choctaw descent, shall petition to the General Council, during the regular session thereof, for the rights and

privileges of citizenship of the Choctaw Nation. Such petitioner shall prove his or her blood, or other means by which they claim citizenship, by not less than two good, respectable Choctaws, disinterested persons, before a proper committee, or the chairman thereof; and the chairman or secretary of the committee shall have power to administer any and all oaths that may be necessary in conducting the investigation.

SEC. 2. Be it further enacted, etc., The committees aforesaid to be appointed by the General Council, and they shall report to the body, by act or resolution, or otherwise, in reference to the petition or petitions of the person or persons claiming to be citizens, or of Choctaw blood or descent; and in the event of the adoption of such report of the committees, then such person or persons shall thereafter be deemed and considered to be *bona fide* citizens of the Choctaw Nation.

SEC. 3. Be it further enacted, etc., That it is hereby made the duty of the sheriff of each county in this Nation to ascertain, at as early a day as is practicable, the number and names of persons (colored excepted) or parties in their respective counties, who claim Choctaw rights, by blood or otherwise, who are subjects of this act, and who have never established the same in accordance with the laws of this Nation; also, all such as may hereafter come into this Nation, and report the fact to the Principal Chief immediately.

SEC. 4. Be it further enacted, etc., That all persons, as mentioned in a preceding section of this act, living in this nation and claiming to be a citizen by blood or otherwise, and who shall fail to comply with the provisions of this act, after having been duly notified thereof by the sheriff, or other authorized person, shall be deemed and considered an intruder, and shall be removed beyond the limits of the Nation forthwith, by the Principal Chief.

SEC. 5. Be it further enacted, etc., That any and all persons who make the attempt, under the provisions of this act, to establish their rights, and fail in establishing the same, shall be reported immediately to the Principal Chief, by the President of the Senate, and the Principal Chief shall forthwith proceed to remove them as other intruders.

SEC. 6. Be it further enacted, etc., That the National Secretary be and he is hereby required to furnish the sheriff of each county in this Nation with a copy of this act, at as early a day as possible or furnish the same, certified to by him.

SEC. 7. Be it further enacted, etc., That all expenses incurred on the part of the officers of this Nation, in carrying out the pro-



visions of this act, be and the same shall be paid by the parties wishing to establish citizenship; provided, however, that the cost shall be made out by the Principal, and presented to the committee for collection, previous to said committees proceeding to act upon the case before them; the said cost, collected under the provisions of this act, to be, by the chairman of the committee, paid into the National Treasury, for national purposes.

SEC. 8. Be it further enacted, etc., That all acts or parts of acts, heretofore passed, coming in any manner in conflict with the provisions of this act, be and the same are hereby repealed, and that this act take effect and be in force from and after its passage.

DAVID B. ROBUCK,

Recording Secretary.

Approved Oct. 19th, 1876.

COLEMAN COLE,

Principal Chief, Choctaw Nation.

#### BILL NO. 12.

AN ACT to Punish Attorneys at Law for Malpractice in Certain Cases.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That from and after the passage of this act, any attorney who may have been paid to prosecute or defend any suit in any of the courts of the Choctaw Nation, and who after receiving such pay shall accept or receive any compensation or pay from the opposing parties, for services rendered them in the same suit, shall, after the fact has been established to the satisfaction of the court wherein such suit may be tried or pending, be thenceforward prohibited from practicing in said courts, or others in the Choctaw Nation.

SEC. 2. And be it further enacted, That an order prohibiting such attorney so offending from practicing therein shall be entered upon the records of said court, and a copy of such order shall be furnished by the clerk to the clerk of the supreme court.

SEC. 3. And be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by G. W. Walker. *Dead*

Approved Oct. 23d, 1876.

COLEMAN COLE,

Principal Chief, Choctaw Nation.

#### BILL NO. —.

To the Honorable Senate and House of Representatives of the Choctaw Nation:

We, your joint committee on schools and school reports, to whom was referred the report of James H. Colton, Superintendent of Spencer Academy, in the Choctaw Nation, would beg leave to report the following for your consideration:

THAT WHEREAS, Under an act of the General Council of the Choctaw Nation, approved November, 1842, the superintendent and trustees of schools in this Nation did enter into an agreement with James H. Colton, representative of the Board of Foreign Missions;

And whereas, The academy known as Spencer Academy was to be governed by and be under the control of the said Board of Missions, in compliance with the laws of this Nation, approved in November, 1842;

And whereas, It was agreed and stipulated that the said Academy should be under the control of the said Missionary Board for a period of ten years; provided, either of the parties hereto may terminate or rescind the same by giving the other party six months notice of such intention;

And whereas, Your committee have reliable information to the effect that the said James H. Colton has violated the laws of the Choctaw Nation, in this: That the said James H. Colton did establish a trading house at the Academy, and also that James H. Colton did at his own pleasure, expel students from the Academy without the authority of law; now, therefore,

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the Superintendent of Public Schools and the Board of Trustees of this Nation be, and they are hereby authorized and required to proceed at once and investigate the matter of difference existing between this Nation and the Superintendent of Spencer Academy; and in the event of the inability of said Superintendent of Spencer Academy to establish his innocence to the satisfaction of the Superintendent of Public Schools, the Superintendent of Public Schools and the Board of Trustees shall report the said Superintendent of Spencer Academy to the Missionary Board, and ask his removal, and ask that some other good and true man, a member of the Missionary Board, be placed in his stead.

SEC. 2. Be it further enacted, etc., That in the event of the Missionary Board failing or refusing to comply with the intention

of the above, the Superintendent of Public Schools and the Board of Trustees shall notify the Missionary Board of the intention of the Choctaw People to terminate or rescind the articles of agreement entered into in the year 1871.

SEC. 3. Be it further enacted, etc., That the Superintendent of Public Schools and the Board of Trustees shall make a report of his action in the premises to the next General Council, to commence on the first Monday of October, 1877.

SEC. 4. Be it further enacted, etc., That this act take effect and be in force from and after its passage.

DAVID B. ROBUCK,

Recording Secretary of the Senate.

HARRIS DANA, *Dead*  
Chairman Committee.

Approved.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 15.**

To the Honorable Senate and House of Representatives of the Choctaw Nation:

We, your joint committee on finance, to whom was referred the report of the Principal Chief in regard to the contingent fund used, expended and disbursed by the said executive, have duly considered and carefully examined the same, and find it correct. Therefore, your committee would respectfully recommend the following resolution, and ask to be relieved from further duty in this particular.

Attest: G. W. WALKER, *Dead*  
Secretary.

B. J. PICKENS, *Dead*  
Chairman Committee.

Chahta Tamaha, October 20th, 1876.

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of the Principal Chief in regard to the contingent fund be and the same is hereby accepted as true and correct by the General Council.

SEC. 2. Be it further resolved, etc., That this resolution take effect and be in force from and after its passage.

D. B. ROBUCK,  
Recording Secretary.  
Approved Oct. 26th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 16.**

To the Honorable Senate and House of Representatives of the Choctaw Nation:

We, your committee on schools, to whom was referred the report of E. R. Shapard, Superintendent of New Hope Seminary, would most respectfully recommend the following to your honorable bodies for your consideration; and further, your committee beg to be relieved from further duty in the matter.

JACOB JACKSON,

Secretary.

HARRIS DANA,

Chairman Committee.

Chahta Tamaha, October 24th, 1876.

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of Rev. E. R. Shapard, Superintendent of the New Hope Seminary, in the Choctaw Nation, be received and accepted on the part of the National Council, as true and correct.

SEC. 2. Be it further resolved, etc., That this resolution take effect and be in force from and after its passage.

D. B. ROBUCK,

Recording Secretary.

Approved Oct. 26th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 17.**

AN ACT Removing and Establishing an Election Precinct in Towson County, in the Choctaw Nation.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the election precinct heretofore established at Double Springs, in Towson county, of the Choctaw Nation, be and the same is hereby removed, and established at Lexington, in said county, to be known as the Lexington Precinct.

SEC. 2. Be it further enacted, etc., That this act take effect and be in force from and after its passage; and that all acts or parts of acts, heretofore passed, coming in conflict with this act, be and they are hereby repealed.

D. B. ROBUCK,

Recording Secretary.

Approved Oct. 26th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

## BILL NO. 19.

AN ACT entitled "An Act granting to Henry P. Ward the Privilege to Erect a Bridge across North Boggy River, and Establish a Toll Gate thereon.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the privileges hereby granted to Henry P. Ward, to erect a bridge across North Boggy River, on or near the crossing of said stream, by the main traveled road from Stringtown to Atoka, the said bridge to be located on unoccupied land, north of the railroad bridges on said stream, upon the following condition and terms: That if the said Henry P. Ward shall well and truly erect, or cause to be erected, a bridge across North Boggy River, he shall be entitled to demand and receive therefor from all persons passing over the same, except from the citizens of this Nation, the rates of toll, to wit: For each wagon or vehicle drawn by four or more animals, with the driver, the sum of fifty cents; for each wagon or vehicle drawn by one, two or three animals, with the driver, the sum of twenty-five cents; for each man and horse, ten cents; for each led horse, five cents; for each person on foot, five cents; for each animal in every drove of cattle, horses, mules, hogs and sheep, one cent.

SEC. 2. Be it further enacted, That if any person or persons, not citizens of this Nation, refuse to pay the toll aforesaid, upon application, with proper proof, being made to the United States Indian Agent, he shall take such steps as may be necessary to secure and collect the same.

SEC. 3. Be it further enacted, That the privilege to receive toll herein given, shall take effect and be in force whenever Henry P. Ward aforesaid shall well and truly have erected a good and substantial bridge, and so long as he shall keep the same in good order and repair, and responsible for all damages to any person or persons crossing the same with their property; provided, that the privilege herein granted shall not continue for a longer time than ten years.

SEC. 4. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by Benjamin Wesley. *dead*

Approved Oct. 26th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

## BILL NO. 20.

AN ACT entitled An Act Authorizing the Superintendent of Public Schools to Transfer Fort Coffee to New Hope Seminary.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That it shall be the duty of the Superintendent of Public Schools, of this Nation, to proceed in person to Fort Coffee, in Skullyville county, in this Nation, and make a verbal or written demand for the place and improvements of George T. Lincoln, or the persons acting in lieu of him, or his agent; and in the event of Lincoln's refusal or failure to deliver the said place and improvements to the charge of the said Superintendent in a reasonable time, then the said Superintendent shall make application to the county judge of Skullyville county, either in vacation or term time for a writ of ejection, to be placed in the hands of the sheriff, to be by the said sheriff served upon the said Lincoln, notifying the said Lincoln to vacate the premises within twenty days from the date of the service of the writ.

SEC. 2. Be it further enacted, That in the event of the said George T. Lincoln refusing to accede to the notice of the sheriff, the sheriff shall proceed to take forcible possession of Fort Coffee, and turn the same over to the Superintendent of Public Schools, giving the Superintendent of New Hope Seminary written instructions to take charge of Fort Coffee, and to hereafter deem the same as a part of New Hope Seminary.

SEC. 3. Be it further enacted, That it shall be the duty of the National Secretary to furnish one copy of this act to the Superintendent of Public Schools, with which to arm himself before proceeding to make the demand as mentioned in the first section of this act.

SEC. 4. Be it further enacted, That all acts or parts of acts, heretofore passed, coming in conflict with this act, be and the same are hereby repealed; and that this act take effect from and after its passage.

Proposed by J. F. McCurtain.

Passed the Senate October 27th, 1876.

Passed the House October 28th, 1876.

D. B. ROBCK,

Recording Secretary.

Approved October 28th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

## BILL NO. 21.

WHEREAS, We have received with profound sorrow the afflicting intelligence of the death of Rev. Sylvester Durant, a member of the present General Council, which took place on the night of the 22d day of this month;

And whereas, It is due and proper that we should pay a tribute of respect to the memory of one who was a faithful and zealous friend of the best interests of his people, and an earnest and faithful minister of the gospel; now, therefore,

Be it resolved by the General Council of the Choctaw Nation assembled, That we bow to the mysterious dispensations of Providence, without murmuring, in the death of Rev. Sylvester Durant, and as a token of respect to his memory, that this General Council do now adjourn until next Monday morning, and that we wear the usual badge of mourning for thirty days.

Be it further resolved, That we tender our warmest sympathy to the family of the deceased, in their bereavement.

Be it further resolved, That the National Secretary is hereby directed to forward a copy of these resolutions to the family of the deceased.

Proposed by J. P. Folsom. *Dead*

Passed the House October 28th, 1876.

GREEN McCURTAIN, Speaker.

Passed the Senate October 28th, 1876.

J. B. MOORE, President.

## BILL NO. 28.

To the Honorable Senate and House of Representatives of the General Council, Choctaw Nation:

Your committee on schools find, after an examination of all the reports presented to us, that there is now in the National Treasury \$1,522.50 school funds unappropriated, and your committee having received an offer from the directors of Roanoke College, Salem, Virginia, to educate a certain number of Choctaw boys free of tuition and room rent, and at cost of only \$5.00 per month for board for each boy; therefore your committee would recommend the passage of the following bill:

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That there be and is hereby appropriated

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out of the school funds in the National Treasury, arising from royalty on coal, timber, stone, etc., shipped out of this Nation, the sum of \$1,522.50, for the purpose of defraying all the expenses of nine boys, at Roanoke College, Salem, Virginia, for the period of one year from the date hereof.

SEC. 2. Be it further enacted, etc., That it shall be the duty of the district trustees of this Nation to each select three well advanced boys out of their respective districts, and give them a certificate according to the provisions of this act; and the superintendent of Public Schools shall accompany them to the College. At the end of each session he shall make a report of the efforts and progress of each boy at his school, and report the same to each board of district trustees; and if it appears that any boy is not improving as he should, then the trustees shall cancel his certificate, and he shall be brought back to the Nation.

SEC. 3. Be it further enacted, etc., That this appropriation shall be continued from year to year, and that the National Auditor be authorized to issue his warrant on the National Treasury for the amount.

SEC. 4. Be it further enacted, etc., That this act take effect and be in force from and after its passage.

JACOB B. JACKSON,

Secretary.

HARRIS DANA,

Chairman Committee on Schools.

Approved October 30th, 1876.

COLEMAN COLE,

Principal Chief, Choctaw Nation.

## BILL NO. 25.

AN ACT entitled An Act Regulating the Granting of Permits to Trade, Expose Goods, Wares, Merchandise or Drugs for Sale within the Choctaw Nation, and to Reside within the Same, and for other Purposes.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That before any person or persons, non-citizens of the Choctaw or Chickasaw Nations, shall be permitted to expose any goods, wares, merchandise or drugs for sale within the limits of the Choctaw Nation, he, she or they shall be required to obtain a permit from the Principal Chief of the Choctaw Nation; which permit shall be granted by the Principal Chief on the following terms and conditions only:

First.—Person or persons wishing to obtain such permit, shall make application in writing to the Principal Chief, setting forth the county and the place therein in which they desire to carry on their business, and the probable amount of capital to be employed therein; such application shall be signed by five citizens of the county in which the person or persons applying propose to do business, and thereupon the Principal Chief shall issue to such applicant or applicants, under his hand and the seal of the Nation, a permit authorizing such person or persons to carry on their business at the place mentioned in the application, and for the period of one year from the date of such permit; provided, however, that the Principal Chief may renew such permit from year to year, by endorsement thereon under his hand; and such renewal shall have the same force and effect as the original permit.

SEC. 2. Be it further enacted, That any person or persons obtaining such permit, and who shall expose any goods, wares, merchandise or drugs for sale in the Choctaw Nation, shall, on or before the first Monday in July of each year, pay to the sheriff of the county in which the business is located, an annual compensation for the privileges granted in the permit, of one and one-half per centum on the original cost and value of all such goods introduced for sale, for and during the twelve months next preceding the first Monday in June of said year, which inventory of the actual amount of goods introduced, and the accuracy and correctness thereof, shall be verified by the affidavit of the party in whose favor the permit was issued, before any judge of a court of record of this Nation; and such inventory shall form the basis by which the sheriff shall be governed in collecting the compensation above mentioned; and the said sheriff shall file with the National Auditor a duly certified copy of the same, and the Auditor shall then charge him with half the amount to be collected thereon; and the said sheriff shall also file in the county clerk's office of the county of which he is sheriff, a certified copy of the inventory; and it shall be the duty of the county judge, at the next regular term of the county court, to examine such inventory, filed by the said sheriff, and have the clerk to charge the sheriff with one-half of the amount of such assessment, and the amount to be collected thereon; and the said judge shall be entitled to receive the sum of (\$2.50) two dollars and fifty cents, to be paid out of the county treasury, for examining each and every such report of the said sheriff.

SEC. 3. Be it further enacted, That the sheriff, in collecting the compensation mentioned in the second section of this act, from

any merchant, trader or druggist, shall receive, if tendered to him, National warrants (scrip) for one-half of the amount for which the said merchant, trader or druggist may be assessed, and county scrip for the other half of the amount; and the half of the amount that is paid in National (scrip) warrants, or its equivalent, shall be turned over to the National Treasurer for National purposes, and the other half that is paid in county scrip, or its equivalent, shall be turned over to the county treasurer for county purposes.

SEC. 4. Be it further enacted, That before any carpenter, wagon-maker, blacksmith, millwright, wheelwright, tailor, shoemaker, miller, machinist, sawyer, tanner, clerk, renter, lawyer, doctor, editor, or any other or such like mechanic, artisan or professional character, except school teachers, shall carry on his trade or avocation, or exercise any of the functions thereof, within the limits of the Choctaw Nation, he, she or they shall first, obtain a permit, which permit shall be obtained in the following manner, viz: The person or persons desiring such permit shall make application, in writing, to the county clerk, or the judge, in vacation time, of the county in which he, she or they may wish to reside and engage in their business or profession, which application must be signed by at least three citizens of such county; and if the county judge approve of the same, he shall order the clerk to issue a permit to such person or persons, under his hand and the seal of the county clerk, authorizing such person or persons to remain and engage in his, her or their business or profession in such county, for the period of one year from the date thereof; provided, however, that the county judge may renew such permit from year to year, by endorsement thereon under his hand, and such renewal shall have the same force and effect as the original permit; provided, the seal of the county clerk shall be affixed to such renewal, and further, that the county judge shall be entitled to receive, for examining each application, or for each renewal, to be paid by the applicant, (50 cents) fifty cents, and the county clerk shall be entitled to receive from such applicant (50 cents) fifty cents for each permit issued, or the affixing of the county seal to each renewal.

SEC. 5. Be it further enacted, That the county clerk shall deliver such permits to the sheriff of the county, and shall charge the amount thereon against the said sheriff, and it shall be the duty of the sheriff to deliver such permits to the person or persons in whose favor the permits were issued; provided, he, she or they shall first pay to the sheriff the sum of (\$15) fifteen dollars as a compensation for the said permit, and also pay to the sheriff the sum of one dollar

as his fee for the delivery of such permit; and provided further, that for every renewal of such permit the person or persons shall pay the like compensation and fee to the sheriff as for the original permits, and the county judge shall not renew any permit, unless the person desiring such renewal shall present a receipt from the sheriff, showing that such person has complied with the law; and the sheriff shall be charged with the same by the county clerk; and the sheriff, in collecting the compensation mentioned in this section, shall receive, if tendered to him, county scrip, or its equivalent, for the whole amount, which shall be turned over to the county treasurer for county purposes.

SEC. 6. Be it further enacted, That any person or persons, citizens of the Choctaw or Chickasaw Nation, or persons who may be residing in this Nation by permission of this act, desiring to employ and retain in this Nation any non-citizen of this Nation to work for them as laborers, teamsters or servants, or in any other such like capacity, shall report to the county clerk in which he, she or they may reside, the name and age of such person or persons so hired or employed by them, and shall pay the clerk (10 cents) ten cents for each name so reported, and it shall be the duty of the clerk to register such names in a book kept for that purpose; and the clerk shall furnish the sheriff of the county with a list of such names, and charge the same against him; and it shall be the duty of the sheriff to collect of every citizen or person who may be residing in this Nation by permission of the law, (\$5) five dollars for each and every laborer, teamster or servant, he, she or they may have in their employ; provided, the compensation mentioned in this section may be paid in county scrip, or its equivalent, and the said sheriff shall turn over all such collections to the county treasurer for county purposes.

SEC. 7. Be it further enacted, That the sheriff shall be entitled to and receive 10 per cent. of all moneys that may come into his hands by virtue of this act.

SEC. 8. Be it further enacted, That all acts or parts of acts heretofore passed, especially "An act entitled an act regulating the granting of permits to trade, expose goods, wares or merchandise for sale within the same, and for other purposes," approved November the 11th, 1875, and an act approved November 20th, 1867, entitled "An act regulating the granting of permits," etc., be and they are hereby repealed; and that this act take effect and be in force from and after its passage.

Proposed by B. J. Pickens.

Passed and vetoed, and reconsidered, and re-passed both houses by a two-thirds majority.

G. W. McCURTAIN,  
Speaker of the House.  
N. B. AINSWORTH,  
Recording Secretary.

J. B. MOORE,  
President of the Senate.  
D. B. ROBUCK,  
Recording Secretary.

BILL NO. 27.

To the Honorable Senate and House of Representatives of the Choctaw Nation:

We, your committee on finance, to whom was referred the report of the National Treasurer of the Choctaw Nation, after carefully examining the said report, find that William P. Lyon & Son have been paid the sum of (\$1,193.15) one thousand one hundred and ninety-three dollars and fifteen cents, out of the Choctaw funds, under the last appropriation to the Choctaw Nation, which, according to the information of your committee, is the second time which the said William P. Lyon & Son have drawn this amount from the Choctaw funds, making a sum total of (\$2,386.30) two thousand three hundred and eighty-six dollars and thirty cents, which is, by your committee, deemed very wrong, unfair and unjust.

Therefore, your committee ask leave to present the following bill for your consideration, and would ask its adoption, and would ask to be relieved from further duty in this particular.

B. J. PICKENS,  
Chairman Committee.

G. W. WALKER,  
Secretary.

Chahta Tamaha, Oct. 25, 1876.

AN ACT entitled An Act to Protect the Choctaw Funds.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the Secretary of the Interior Department at the city of Washington, in the United States, be and he is hereby notified and required to stop any further payments of any moneys appropriated for the benefit of the Choctaw Nation of people, to Messrs. William P. Lyon & Son, from the very fact that the Choctaw people deem that they are no longer under any obligation to pay them any more moneys.

SEC. 2. Be it further enacted, That it is hereby made the duty of the Principal Chief to forward a copy of this act to the Secretary of the Interior Department at as early a day as practicable.

SEC. 3. Be it further enacted, That this act take effect and be in force from and after its passage.

Passed the House October 30th, 1876.

GREEN W. McCURTAIN, Speaker.

J. B. MOORE, President Senate.

Approved October 30, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 26.**

AN ACT entitled An Act making Appropriations for the Fiscal Year commencing August 1, 1876, and ending July 31, 1877.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the following sums of money be and the same are hereby appropriated, out of any money in the National Treasury not otherwise appropriated, to defray the current and contingent expenses of the Choctaw government:

- 1st. To pay salary of Principal Chief, one thousand dollars.
- 2d. To pay salary of National Secretary, six hundred dollars.
- 3d. To pay salary of National Auditor, six hundred dollars.
- 4th. To pay salary of National Treasurer, six hundred dollars.
- 5th. To pay salary of National Attorney, four hundred dollars.
- 6th. To pay salaries of Supreme Judges, twelve hundred dollars.
- 7th. To pay salaries of Circuit Judges, twelve hundred and fifty dollars.
- 8th. To pay salaries of District Chiefs, seven hundred and fifty dollars.
- 9th. To pay salaries of District Attorneys, five hundred and fifty dollars.
- 10th. To pay salaries of County Judges, sixteen hundred dollars.
- 11th. To pay salaries of County Clerks, eight hundred dollars.
- 12th. To pay salaries of Sheriffs, twelve hundred dollars.
- 13th. To pay salaries of county Light-horsemen, two thousand four hundred dollars.
- 14th. To pay salaries of National Light-horsemen, nine hundred and fifty dollars.
- 15th. To pay salaries of Circuit Clerks, twelve hundred dollars.
- 16th. To pay salaries of Superintendent and District Trustees of Public Schools, eight hundred dollars.

2200  
2200  
2400  
5800  
3600  
10400  
950  
11350  
2040  
13390  
475  
13825  
2972

- 17th. To pay election judges, two hundred and fifty dollars.
- 18th. To pay clerks of election, one hundred and seventy-five dollars.
- 19th. To pay sheriffs and deputies for attending circuit courts, two thousand five hundred and ninety-two dollars.
- 20th. To pay salary of Clerk of Supreme Court, one hundred dollars.
- 21st. To pay grand jurors, thirteen hundred dollars.
- 22d. To pay Sheriff for attending Supreme Court, sixty dollars.
- 23d. For contingent fund, subject to the order of Principal Chief, four hundred dollars.
- 24th. Contingent fund for Auditor's office, two hundred dollars.
- 25th. To defray the expenses of the several schools, twenty-seven thousand five hundred and ninety-four dollars and ninety-four cents.
- 26th. To pay per diem and mileage of members of the General Council, and per diem of its officers, eight thousand eight hundred and twenty dollars; which amount, if not exhausted, shall be applied to any other appropriation.

SEC. 2. Be it further enacted, etc., That this act take effect from and after its passage.

Proposed by the Chairman Committee on Finance.

B. J. PICKENS.

Passed the House October 30, 1876.

GREEN W. McCURTAIN, Speaker.

Passed by the Senate,  
N. B. AINSWORTH,

J. B. MOORE, President Senate.

Recording Secretary.

Approved October 30th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 23.**

To the Honorable the Senate and House of Representatives of the Choctaw Nation:

We, your committee on finance, to whom was referred the report of the National Treasurer of the Choctaw Nation, after having carefully examined, considered and investigated the said report, would beg leave to make the following report in regard to the mat-

ter of investigation: Your committee find, upon examination, that the Treasurer received \$43,986.68 from the Treasury Department of the United States, and that this sum, in conjunction with amounts previously received by the Treasurer, makes a sum total of \$103,300.62, and that the Treasurer has disbursed, as appears from the abstract before your committee, the sum of \$63,798.40 in the payment of warrants which were due. We also find that after the amount of moneys due the Choctaws appropriated, that it seems the firm of William P. Lyon & Son, of New York City, drew from this fund the sum of \$11,502, which it appears is the second time this amount has been drawn from Choctaw moneys by the above firm, which is, in the minds of your committee, very unjust. And your committee find, after deducting the amount of disbursements and necessary expenses from the amount of receipts, that there is a balance in the hands of the Treasurer of \$39,115.30, which is to be used in the payment of back warrants, and not the new issues. Therefore your committee find the said Treasurer's report to be correct and true, and would ask the adoption of the following bill, and that your committee be relieved from further duty in this behalf.

G. W. WALKER,

Secretary.

Chahta Tamaha, October 26, 1876.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the report of James Thompson, National Treasurer of the Choctaw Nation, be received by this Council as true and correct.

SEC. 2. Be it further enacted, That this act take effect and be in force from and after its passage.

D. B. ROBUCK,

Recording Secretary.

Approved Oct. 30th, 1876.

B. J. PICKENS,

Chairman Committee.

#### BILL NO. 24.

The committee on finance, after having examined the report of Mr. Albert Carney, beg leave to submit the following, and also beg to be relieved from further duty in this particular.

G. W. WALKER,

Secretary.

B. J. PICKENS,

Chairman.

THAT WHEREAS, The contract with the said Albert Carney and the Choctaw Nation having expired by its own limitation, therefore,

Be it enacted by the General Council of the Choctaw Nation, assembled, That the report of the said Albert Carney is hereby submitted again to the General Council, for that body to take such action as may seem right and proper.

D. B. ROBUCK, Recording Secretary.

Approved Oct. 30th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

#### BILL NO. 30.

To the Honorable Senate and House of Representatives of the General Council of the Choctaw Nation:

Your committee on finance having carefully examined the Auditor's report, for the fiscal year commencing on the first day of August, 1875, and ending on the 31st day of July, 1876, find that statement for August, 1876—

|                                       |             |
|---------------------------------------|-------------|
| On account National certificate ..... | \$37,814 44 |
| On account Court of Claims.....       | 19,077 33   |
| On account Public Schools.....        | 27,534 95   |

Total..... \$84,426 72

—is all true and correct. And your committee further find, upon comparison of said report with the Treasurer's report, that the amount of issues exceeds the redemptions for the fiscal year above stated, \$20,628.32. In view of these facts, your committee would beg leave to report the following resolution, and ask to be discharged from further duty on this subject.

G. W. WALKER,

Secretary.

Chahta Tamaha, October 20, 1876.

BENJAMIN J. PICKENS,  
Chairman Committee.

Be it resolved by the General Council of the Choctaw Nation assembled, That the Auditor's report for the fiscal year ending July 31st, 1876, be adopted.

Passed the House October 30th, 1876.

GREEN W. McCURTAIN, Speaker.

Passed the Senate October 30th, 1876.

J. B. MOORE, President Senate.

Approved October 30th, 1876.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.



## REGULAR SESSION, 1877.

## BILL NO. 1.

To the Honorable Senate and House of Representatives of the General Council, etc.:

Your committee on schools, after a careful examination, would recommend the passage of the following bill:

SECTION 1. Be it enacted by the General Council assembled, That there be and is hereby appropriated out of the school funds in the National Treasury, arising from royalty on coal, stone, timber, etc., shipped out of the Choctaw Nation, the sum of twenty-seven hundred dollars (\$2,700) for the purpose of defraying the expenses of twelve boys, at Roanoke College, Salem, Virginia, for the period of one year from the date hereof.

SEC. 2. Be it further enacted, etc., That there being now only nine boys at Roanoke College, the Superintendent of Public Schools be and is hereby authorized to select three additional boys, one from each district, and accompany them, and place them in charge of the president of the college.

SEC. 3. Be it further enacted, etc., That this appropriation shall continue from year to year, and that the National Auditor be authorized to issue his warrant on the Treasury for the amount.

SEC. 4. Be it further enacted, etc., That all acts or parts of acts heretofore passed, coming in conflict with the provisions of this act, be and the same are hereby repealed; and that this act take effect and be in force from and after its passage.

PETER PITCHLYNN, JR.,

Chairman Committee on Schools.

Approved Oct. 9, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

## BILL NO. 2.

WHEREAS, It appears on the records of both Houses of the General Council, that an act was passed at the regular October session, 1876, providing for an increase of pay, per diem, of two dollars

to the members and attaches of the General Council, to take effect at the regular session in 1877;

And whereas, It appears further that said act was not returned by the Principal Chief to said Houses of the General Council within the time prescribed by law; therefore,

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the provisions of said act have become the law of the land.

SEC. 2. Be it further enacted, That the officials who make the certificates of pay for the beneficiaries of said act to the Auditor, shall include the increase of pay provided in said act, in making their certificates for the present session of the General Council; that the National Auditor shall issue his warrants for the same upon the National Treasury, and the National Treasurer is hereby required to pay the same.

SEC. 3. Be it further enacted, That the provisions of said act, and of this act, shall continue and be in force from and after their passage.

Proposed by Joel Hudson.

Re-passed the House by two-thirds vote, Oct. 11th, A. D. 1877.

GEORGE DURANT, Speaker.

E. J. PITCHLYNN, Clerk of the House.

Re-passed the Senate by two-thirds vote, Oct. 11th, A. D. 1877.

J. B. MOORE, President Senate.

SAMPSON COLE, Recording Secretary of the Senate.

## BILL NO. 3.

AN ACT providing for the Examination of Students at the Public Schools, and for other Purposes.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That a thorough examination be made of all of the students attending the New Hope and Spencer Academies, Public Schools of the Choctaw Nation, by some competent physician, to be selected by the superintendents of said schools.

SEC. 2. Be it further enacted, That after a careful examination by said physician of said students, and his certificate of the same being furnished, that any student at the said schools who is suffering from the effect of any chronic diseases of the lungs, or otherwise, which disease in his judgment was incurable, then the superintendent of said school or schools shall notify the district

school trustee, whose duty it shall be to remove said student so diseased, and fill the vacancy so occasioned by the appointment of a healthy student from the same district from which the former student was a resident.

SEC. 3. Be it further enacted, That there be an additional number of three students, girls, one from each district, to be selected by the district trustee, and placed at the New Hope school.

SEC. 4. Be it further enacted, That the sum of three hundred dollars (\$300.00), the amount of rent arising from the Fort Coffee place, be and the same is hereby appropriated to defray the expenses of said additional number of three girls at said New Hope school.

SEC. 5. Be it further enacted, That this act take effect and be in force from and after its passage.

PETER PITCHLYNN,  
Chairman Committee on Schools.  
Approved Oct. 11th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

#### BILL NO. 4.

To the General Council of the Choctaw Nation :

Your committee on finance, before entering upon an investigation of the National Agent's report, would beg leave to report the following resolution :

Be it resolved by the General Council of the Choctaw Nation assembled, That D. F. Harkins, National Agent, Choctaw Nation, be and he is hereby required and directed to produce and turn over to the committee on finance, at the present session, all original records, books, papers and receipts for moneys, or statements of any kind, belonging to or appertaining to his office, in regard to royalty on timber, stone, stone coal, ties and timber shipped out of said Nation, or sold to any railway company within the limits of said Nation ; said papers, etc., to embrace his whole term of office up to July 1st, 1877.

Be it further resolved, That the said National Agent be furnished a copy of this resolution, and that he comply with its terms without unnecessary delay ; and that this resolution take effect and be in force from and after its passage.

Re-passed the House by two-thirds vote, Oct. 10, 1877.

GEORGE DURANT, Speaker.

E. J. PITCHLYNN, Clerk of the House.

Re-passed the Senate by two-thirds vote, Oct. 9, 1877.

CHARLES WINSTON, President Senate *pro tem.*

SAMPSON COLE, Recording Secretary.

#### BILL NO. 5.

AN ACT entitled An Act to Remove the Election Precinct in Jack's Fork County from Yotubbee to Sardis Church.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the election precinct established at Yotubbee, in Jack's Fork county, October 29th, 1861, is hereby removed to and established at Sardis Church, about two miles northeast from Yotubbee, and shall be known as, and called, Sardis Precinct.

SEC. 2. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by Alfred Wright, Senator from Blue county.

Approved Oct. 16th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

#### BILL NO. 6.

AN ACT entitled An Act Establishing an Additional Election Precinct in Jack's Fork County.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That from and after the passage of this act, that in the county of Jack's Fork, in addition to the present election precincts, there shall be one established at or near Samenter's place, on Chickasaw Creek, in said county.

SEC. 2. Be it further enacted, etc., That this act shall take effect and be in force from and after its passage.

Bill proposed by William Frazier, of Jack's Fork county.

Approved Oct. 16, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 7.**

AN ACT entitled An Act locating Election Precincts in Scullyville County, Choctaw Nation.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That there shall be, and is hereby established four election precincts in Scullyville county, to wit: One Scullyville Town, to be called Scullyville Precinct; one at Green Hill Church, to be called Green Hill Precinct; one at double Spring, to be called Double Spring Precinct; and one at Greenwood McCurtain's place, to be called Greenwood Precinct; and the voters of said county may vote at either precinct.

SEC. 2. Be it further enacted, That the National Secretary is hereby required to furnish a correct and certified copy of this act to the county judge of Scullyville county as soon as practicable.

SEC. 3. Be it further enacted, That all acts or parts of acts, heretofore passed, coming in any manner in conflict with the provisions of this act, are hereby repealed; and this act shall take effect and be in force from and after its passage.

Proposed by Thomas D. Ainsworth, of Scullyville county, Choctaw Nation.

Approved October 17th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 8.**

AN ACT entitled An Act granting to Mrs. M. E. Rogers the Privilege to build a Bridge over McGee Creek, on the Fort Smith and Boggy Depot Road, and Establish a Toll Gate thereon.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the privilege is hereby granted to Mrs. M. E. Rogers to build a bridge over McGee Creek, on the Fort Smith and Boggy Depot road, at or near the line of Atoka and Jack's Fork counties, and about twelve miles northeast of Stringtown, and establish a toll gate thereon, upon the following conditions: That if the said Mrs. M. E. Rogers shall erect, or cause to be erected, a good and substantial bridge over McGee Creek, at the above mentioned place, and shall keep said road in good order and condition for four hundred and forty yards on either side of said bridge, she shall be entitled to demand and receive therefor from all persons passing over the said bridge, except from citizens of this

Nation, the following rates of toll, to wit: For each four-wheeled wagon or other vehicle drawn by four or more horses, mules or oxen, with driver, the sum of fifty cents; for each four-wheeled wagon or other vehicle, drawn by one or two horses, mules or oxen, with driver, the sum of twenty-five cents; for each man and horse, ten cents; for each person on foot, five cents; for each animal in every drove of cattle, horses, hogs and sheep or other animals, one cent.

SEC. 2. Be it further enacted, That the privilege to collect toll herein granted, shall take effect and be in force whenever the said Mrs. M. E. Rogers shall well and truly erect said bridge, and continue so long as she shall keep the said bridge and road in good order; and the privilege herein granted shall not continue for a longer time than ten years.

SEC. 3. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by W. B. Pitchlynn.

Approved October 17th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 9.**

AN ACT entitled An Act granting to William Pusley the Privilege to Turnpike the Rock Creek Mountain and Establish a Toll Gate thereon.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the privilege is hereby granted to William Pusley to establish a toll gate at a place on the public road in Tobucksy county, in this Nation, leading from Fort Gibson to Boggy Depot, Choctaw Nation, upon the following terms and conditions: That if said William Pusley turnpikes, by grading the earth and leveling with stones, said place called the Rock Creek Mountain, of said county, within four hundred and forty yards each way where the road crosses said mountain, he shall be entitled to demand and receive therefor from all persons passing over the same, except from citizens of this Nation, the rates of toll, to wit: For each four-wheeled wagon or other vehicle drawn by four or more horses, mules or oxen, with driver, the sum of fifty cents; for each four-wheeled wagon or other vehicle drawn by one or two horses, mules or oxen, with driver, the sum of twenty-five cents; for a man and horse, twelve and a half cents; for each person on

foot, the sum of five cents; for each animal in every drove of cattle, horses, hogs and sheep, the sum of one cent.

SEC. 2. Be it further enacted, That the privilege herein granted to receive toll shall not take effect until said turnpike is completed, and shall continue in full force for the period of ten years; provided, said turnpike continue to be kept in good order, and not otherwise.

SEC. 3. Be it further enacted, That if any person or persons, not citizens of this Nation, refuse to pay the toll aforesaid, upon application, with proper proof, being made to the United States Indian Agent for the Choctaws, Chickasaws, Cherokees, Creeks and Seminoles, he shall take such steps as may be necessary to secure and collect the same.

SEC. 4. Be it further enacted, etc., That this act take effect and be in force from and after its passage.

Proposed by John Misheinahtubbee.

Approved Oct. 17th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 10.**

AN ACT entitled An Act Appropriating a certain sum of Money to Albert Pike.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the sum of two hundred and twenty-five dollars and seventy-five cents, with interest on the same for two years, at eight per cent., making two hundred and sixty-one dollars and seventy-five cents in all, be and the same is hereby appropriated out of any moneys not otherwise appropriated, to pay Albert Pike, of Washington City, for services rendered in having a transcript roll made from the Land and Indian Office at Washington, in the year 1875, for the benefit of the court of claims.

SEC. 2. Be it further enacted, That the Auditor be required to issue his warrant on the National Treasurer for the same.

SEC. 3. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by McKee King.

Approved October 18th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 11.**

AN ACT entitled An Act Establishing an Election Precinct at Caddo, Blue County, Choctaw Nation.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That there be and is hereby established one election precinct at Caddo, Blue county, Choctaw Nation, and that it be known as the Caddo Precinct.

SEC. 2. Be it further enacted, That the National Secretary be and is hereby required to furnish the county judge of Blue county with a certified copy of this act as soon as practicable.

SEC. 3. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by C. E. Harkins, Representative of Blue county, Choctaw Nation, October 16th, 1877.

Approved Oct. 18th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 12.**

To the Senate and House of Representatives:

Your joint committee on finance, to whom was referred the reports of Basil S. Leflore, National Auditor, and James Thompson National Treasurer, for the fiscal year of 1876 and 1877, beg leave to report that they have carefully examined the same, and find them correct, and would recommend the passage of the following act:

AN ACT entitled An Act receiving the Reports of the National Auditor and National Treasurer, for the Fiscal Year 1876 and 1877.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the reports of Basil S. Leflore, National Auditor, and James Thompson, National Treasurer, for the fiscal year of 1876 and 1877, be accepted as true and correct, and that the bonds executed by said officers be and are hereby declared null and void.

SEC. 2. Be it further enacted, That this act take effect and be in force from and after its passage.

CHARLES WINSTON,  
Chairman Committee on Finance.

Approved October 19th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 13.**

AN ACT entitled An Act to Remove the Election Precinct in Kiamitia County from Big Spring to Clear Spring Circuit Court Ground of said County.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the election precinct heretofore established at Big Spring, in Kiamitia county, is hereby removed to and established at Clear Spring, present circuit court ground of said county, and shall be known and called, Clear Spring Precinct.

SEC. 2. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by Cornelius Homah.

Approved October 19th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 14.**

AN ACT entitled An Act locating an additional Election Precinct in Wade County.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That there be and is hereby established an additional election precinct at Okachokma, in Wade county, Choctaw Nation, to be known and called Okachokma Precinct; and the voters of said county may vote at either precinct.

SEC. 2. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by Gilbert W. Dukes.

Approved Oct. 19th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 15.**

AN ACT entitled An Act Establishing the Right of Mrs. Selina Dunn and Mrs. Belinda Toole, and others, to Citizenship in the Choctaw Nation.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the right of the following named persons to citizenship in the Choctaw Nation is hereby admitted and established, viz: Mrs. Selina Dunn and her husband, William M. Dunn, and their children, Alfred A. Dunn, William M. Dunn, Lillie

B. Dunn, Rosa Lee Dunn, Salina May Dunn, and their married daughter, Mrs. Emma Littlepage, and her husband, P. H. Littlepage; also Mrs. Belinda Toole, and her husband, Alfred Toole, and their children, John O. Toole, Viola W. Toole, Joseph Yates Toole, Orilla J. Toole, Inez Toole and a married daughter, Mrs. Mary Smith, with her husband, G. W. Smith, and two children, Louanna and Olive Belinda, and another married daughter, Mrs. Octavia Bolling, with her husband, G. F. Bolling, and two children, John F. and Walter.

SEC. 2. Be it further enacted, That the above named persons are commended to the Choctaw people as fully possessing all the rights and privileges of citizenship in the Choctaw Nation.

SEC. 3. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by Moses Fletcher, Chairman Committee on Petitions.

Approved Oct. 20th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 16.**

APPROPRIATION for Josiah Bryant *et al.*

WHEREAS, Josiah Bryant, regularly commissioned sheriff of Blue county, Choctaw Nation, while in the legal discharge of his official duties, did summon to his aid Ahotublee, Joseph McClure, Levi Garland and Norman Kapin, in guarding and safely keeping Benjamin Stidham and Harvey Stidham, citizens and residents of the said county and Nation aforesaid, and held as prisoners under an indictment found against them by the grand jury of the circuit court of Blue county, Choctaw Nation, at the September term thereof A. D. 1877, for the murder of one Ephraim Willis, a Choctaw citizen, of the same county, and Nation aforesaid;

*And whereas,* On the 16th day of September, A. D. 1877, the said prisoners, Benjamin Stidham and Harvey Stidham made an attempt to escape, in which attempt the said prisoners were killed;

*And whereas,* Proceedings are about to be commenced against them in the United States Court for the Western District of Arkansas, for the killing of the said Benjamin Stidham and Harvey Stidham, aforesaid;

*And whereas,* It is the duty of the Choctaw Nation to protect and aid her officers in the discharge of their legal duties; therefore,

Be it enacted by the General Council of the Choctaw Nation assembled, That the sum of five hundred dollars (\$500) be and is hereby appropriated out of any money in the National Treasury not otherwise appropriated, to enable the said Josiah Bryant, *et al.*, to employ counsel for their defense.

Be it further enacted, That the National Auditor be and he is hereby instructed to issue his warrant on the National Treasurer for the above sum, in favor of Josiah Bryant *et al.*

Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by B. J. Pickens and C. E. Harkins, representatives of Blue county.

Approved Oct. 20th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

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**BILL NO. 17.**

A RESOLUTION authorizing the Principal Chief to Attend to the Permit Business.

Be it resolved by the General Council of the Choctaw Nation assembled, That the Principal Chief is hereby authorized to correspond with the President of the United States, and the Department at Washington, and try and get a late decision of the Secretary of the Interior in regard to permits set aside.

Resolved further, That this resolution take effect and be in force from and after its passage.

Proposed by McKee King, Chairman Committee on Chief's Message.

Approved October 23d, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

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**BILL NO. 18.**

AN ACT entitled An Act granting to L. W. Cobb the Privilege to Turnpike the Dividing Ridge between Jack's Fork and Gaines Counties, and Establish a Toll Gate thereon.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the privilege is hereby granted to L. W. Cobb to establish a toll gate on the road leading from the mouth of Boggy to Black Burn's Station, upon the following terms

and conditions, to wit: That if the said L. W. Cobb shall turnpike the said road from one base of said dividing ridge to the other base, a distance in all of seven miles, and shall keep the same in good order, he shall be entitled to demand and receive therefor from all persons passing over the same, except from citizens of this Nation, the following rates of toll, to wit: For each four-wheeled wagon or other vehicle drawn by four or more horses, mules or oxen, with driver, the sum of fifty cents; for each four-wheeled wagon or other vehicle drawn by one or two horses, mules or oxen, with driver, the sum of twenty-five cents; for each man and horse, ten cents; for each person on foot, five cents; for each animal in every drove of cattle, horses, hogs and sheep, one cent.

SEC. 2. Be it further enacted that the privilege to receive toll herein granted, shall take effect and be in force whenever the said L. W. Cobb shall well and truly make said turnpike road, and continue so long as he shall keep the same in good order, but the privilege herein granted shall not continue for a longer time than ten years.

SEC. 3. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by William Frazier.

Approved October 23d, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

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**BILL NO. 19.**

RESOLUTIONS of Respect to the Memory of Rev. Moses Perry, Representative of Atoka County, Choctaw Nation.

Be it resolved by the General Council of the Choctaw Nation assembled, That while we bow in humble submission to the dispensation of an All-wise Providence in removing from our midst the Rev. Moses Perry, Representative of Atoka county in the General Council, we recognized in him a faithful minister of the Gospel of Jesus Christ, the most honorable position a man can occupy on earth, a zealous and upright member of the Methodist Church, a good citizen, a man true to the interests of the Choctaw people, and who filled the office of Representative with credit alike to himself and his constituency.

Be it further resolved, That a committee of one from each house of the General Council be appointed to make all the necessary arrangements to do the last honors of earth to our worthy brother.

Be it further resolved, That the sympathy and condolence of the Choctaw Nation are hereby tendered to the bereaved family of our honored fellow citizen, and the Principal Chief is hereby requested to have a copy of these resolutions sent to them.

Be it further resolved, That a copy of these resolutions be incorporated into the minutes of the House.

Be it further resolved, That these resolutions take effect and be in force from and after their passage.

Proposed by

JOEL HUDSON,  
T. D. AINSWORTH, } Special Committee from the House.  
B. F. SMALLWOOD, }

Approved Oct. 25th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

#### BILL NO. 20.

A RESOLUTION authorizing the Selection of a more suitable Site for Spencer Academy.

Be it resolved by the General Council of the Choctaw Nation assembled, That the school board of trustees are hereby empowered to select a suitable location to which to transfer Spencer Academy, and ascertain the cost of building, and report to the next session of the General Council.

PETER PITCHLYNN, Chairman Committee on Schools.

Approved October 25th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

#### BILL NO. 21.

To the General Council:

Your committee on finance, to whom was referred the claim of Benjamin Wesley, for services rendered while he was sheriff of Atoka county, beg leave to report, that they have carefully examined the same, and in consequence submit the following resolution, with the request to be discharged from further duty on this particular case:

Be it resolved by the General Council of the Choctaw Nation assembled, That the National Auditor is hereby authorized and requested to issue his warrant in favor of Benjamin Wesley for the

sum of \$22.43, for services rendered while he was sheriff of Atoka county, and the National Treasurer is hereby required to pay the same out of any funds in the treasury not otherwise appropriated.

Be it further resolved, That this resolution take effect and be in force from and after its passage.

CHARLES WINSTON, Chairman Committee on Finance.

Approved October 26th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

#### BILL NO. 22.

A RESOLUTION for the Relief of Light-horsemen.

Be it resolved by the General Council of the Choctaw Nation assembled, That the sum of one dollar and fifty cents (\$1.50) per day is hereby allowed the Light-horsemen who have been in attendance at the present session of the General Council; provided however, it shall only be allowed for the number of days of actual attendance of each one, and the Principal Chief is hereby authorized to make their certificates for the same accordingly.

Be it further resolved, That the National Auditor is hereby required to issue his warrants accordingly, and the National Treasurer is hereby directed to pay the same out of the funds appropriated to pay the expenses of the General Council.

Be it further resolved, That this resolution take effect and be in force from and after its passage.

Proposed by Sampson Holson.

Approved October 26th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

#### BILL NO. 23.

AN ACT entitled An Act renewing An Act granting to Colonel J. F. McCurtain the Privilege of Turnpiking the Big Narrows, on the Road leading from Fort Smith, Arkansas, to Boggy Depot, Choctaw Nation, approved November 2d, 1867.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the privileges granted to J. F. McCurtain in "An Act entitled an Act granting to Jack McCurtain the privilege to turnpike the Narrows, and establish a toll gate thereon," approved November 2d, 1867, are hereby renewed and extended for

the period of ten years, upon the same conditions embraced in said act.

SEC. 2. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by T. D. Ainsworth.

Approved October 26th, 1877.

COLEMAN COLE.

Principal Chief, Choctaw Nation.

**BILL NO. 24.**

WHEREAS, The treaties with the United States guaranteed to the Choctaws and Chickasaws the unrestricted right of self government, and full jurisdiction over person and property within their limits, declaring that every white person married to a Choctaw or Chickasaw, and living among them, shall be subject to their laws;

*And whereas*, The sheriff of Blue county, Josiah Bryant, a Choctaw, did, in the regular discharge of his duty as such sheriff, assisted by his four duly appointed and sworn deputies, arrest two white men married to Choctaw wives, and citizens of the Choctaw Nation, namely: B. F. Stidham and Harvey Stidham, who were accused of committing murder, and who, while attempting to escape from custody, were killed by said sheriff and his deputies;

*And whereas*, The said sheriff and his deputies have been arrested by the officers of the United States Court, at Fort Smith, on a charge of murder, for killing said B. F. Stidham and Harvey Stidham;

*And whereas*, Any attempt on the part of said United States Court to inquire into the official acts of said sheriff and his deputies, in the regular discharge of their duties, is an interference with the exclusive jurisdiction guaranteed to the Choctaws by their Treaties;

*And whereas*, The authorized officers of the Creek Nation have in like manner been arrested, and are now held for trial at Fort Smith for similar acts in the regular discharge of their duty in executing laws; therefore,

Resolved by the Choctaw General Council assembled, That the President of the United States be and he is hereby requested to interpose his authority in behalf of the five nations in the Indian Territory, by giving orders for the discharge of all citizens of said nations who may be held for trial at Fort Smith, in violation of treaty stipulations with any one of said five nations; and that a certified

copy of this resolution be forwarded to the President, by the National Secretary, immediately after the passage thereof.

Proposed by William B. Pitchlynn.

JOHN DAWSON, Chairman Committee on Judiciary.

Approved October 26th, 1877.

COLEMAN COLE,

Principal Chief, Choctaw Nation.

**BILL NO. 25.**

A RESOLUTION of Adjournment.

Be it resolved by the General Council of the Choctaw Nation assembled, That the present session of the General Council adjourn on October 31st, 1877, at 9 o'clock, A. M.

Proposed by McKee King.

Approved October 27th, 1877.

COLEMAN COLE,

Principal Chief, Choctaw Nation.

**BILL NO. 26.**

AN ACT to Prevent Negroes from Selling Timber.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That under Article 3, Treaty of 1866, negroes have no right in the public domain and its natural appurtenances of the Choctaw and Chickasaw Nations, except to as much land as they may cultivate for the support of themselves and families; and it shall not be lawful for negroes to sell or otherwise dispose of any timber for any purpose.

SEC. 2. Be it further enacted, That the sheriffs of the Choctaw Nation are hereby specially charged with the supervision of this matter, and shall promptly report every violation to the Principal Chief, who shall in turn report such to the United States Indian Agent, who is hereby requested to take such action as will prevent any violation of this act, or said treaty.

SEC. 3. Be it further enacted, That the National Secretary is hereby directed to furnish the United States Indian Agent with a certified copy of this act, and the United States Indian Agent is further requested to remove all negroes having no rights under said treaty, who violate this act, as intruders.



SEC. 4. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by McKee King, Senator.

Approved October 27th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 27.**

A RESOLUTION to Sell the Old Capitol Bell.

Be it resolved by the General Council of the Choctaw Nation assembled, That the Principal Chief is hereby authorized to have the old Capitol bell, with fixtures, sold to the highest bidder for cash, at 12 o'clock M., October 30, 1877, and the proceeds turned over to the Treasurer.

Be it further resolved, That this resolution take effect and be in force from and after its passage.

Proposed by Alfred Wright, Senator from Blue county.

Approved October 27th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 28.**

AN ACT Authorizing the National Secretary to Dispose of Surplus Volumes of the Choctaw Code.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the National Secretary is hereby authorized to set apart two hundred volumes of the Choctaw code now in his office, for distribution to officers of the Nation who are entitled to them by law, and the remaining volumes he is authorized to sell at \$5 each to whoever wants to buy, and turn the proceeds over to the Treasurer, and report the same at each succeeding session of the General Council.

SEC. 2. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by Alfred Wright, Senator from Blue county.

Approved October 27th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 29.**

AN ACT Removing Watkins Precinct, in Atoka County, to the Town of Atoka.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That Watkins Precinct, in Atoka county, is hereby removed to the town of Atoka, and shall be called Atoka Precinct.

SEC. 2. Be it further enacted, That all acts or parts of acts, heretofore passed, coming in conflict with the provisions of this act, are hereby repealed; and this act shall take effect and be in force from and after its passage.

Proposed by Benjamin Wesley, Senator from Atoka county.

Approved October 27th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

**BILL NO. 30.**

AN ACT entitled An Act making Appropriations for the Current and Contingent Expenses of the Choctaw Government, for the Fiscal Year commencing August 1st, 1877, and ending July 31st, 1878.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the following sums of money be and are hereby appropriated out of any money in the National Treasury not otherwise appropriated, to pay the expenses of the Choctaw Nation for the present fiscal year, to wit:

1st. To pay salary of Principal Chief, one thousand dollars (\$1,000).

2d. To pay salaries of National Secretary, National Auditor and National Treasurer, six hundred dollars each, eighteen hundred dollars (\$1,800).

3d. To pay salaries of National Attorney and Judges of Supreme Court, four hundred dollars each, sixteen hundred dollars (\$1,600).

4th. To pay salaries of Circuit Judges, twelve hundred and fifty dollars (\$1,250).

5th. To pay salaries of District Chiefs, seven hundred and fifty dollars (\$750).

6th. To pay salaries of District Attorneys, five hundred and fifty dollars (\$550).

7th. Contingent fund, subject to order of Principal Chief, four hundred dollars (\$400).

8th. Contingent fund for Auditor's office, two hundred dollars (\$200).

- 9th To pay salaries of county judges, sixteen hundred dollars (\$1,600)
- 10th. To pay salaries of county clerks, eight hundred dollars (\$800).
- 11th. So pay salaries of sheriffs, twelve hundred dollars (\$1,200).
- 12th. To pay salaries of circuit clerks, twelve hundred dollars (\$1,200).
- 13th. To pay salaries of Light-horse, twenty-four hundred dollars (\$2,400).
- 14th. To pay salaries of National Light-horse, nine hundred and fifty dollars (\$950).
- 15th. To pay judges of election, three hundred dollars (\$300).
- 16th. To pay clerks of election, two hundred dollars (\$200).
- 17th. To pay salaries of clerks of Supreme Court, one hundred dollars (\$100).
- 18th. To pay salaries of Superintendent and District Trustee, eight hundred dollars (\$800).
- 19th. To pay grand and petit jurors, thirty-six hundred dollars (\$3,600).
- 20th. To pay sheriffs for attending Supreme Court, fifty dollars (\$50).
- 21st. To pay sheriffs and deputies for attending circuit courts, two thousand five hundred and ninety-two dollars (\$2,592).
- 22d. For school purposes (\$27,534.95) twenty-seven thousand five hundred and thirty-four dollars and ninety-five cents.
- 23d. For school purposes, seven thousand dollars (royalty), to be expended under direction of Board of Trustees.
- 25th. For the relief of Josiah Bryant, five hundred dollars (\$500).
- 26th. For the relief of Albert Pike, two hundred and sixty-one dollars and seventy-five cents (\$261.75).
- 27th. For the relief of Benjamin Wesley, twenty-two dollars and forty-three cents (\$22.43).
- 28th. To pay mileage and per diem of members of the General Council, per diem of its officers, and relief of Light-horse, seven thousand dollars (\$7,000).

SEC. 2. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by Thomas D. Ainsworth.

Approved, October 29th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

### BILL NO. 31.

AN ACT entitled An Act providing Pay for Petit Jurors.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That all regular petit jurors summoned to attend any term of the circuit court shall be entitled to the sum of one dollar per day each, for each and every day they may attend said court, and the sum of five cents per mile going to and returning from said court; and all special jurors in criminal cases, the sum of one dollar per day each; both to be paid out of the National Treasury; and upon the certificate of the circuit clerk the National Auditor shall issue his warrant for the same.

SEC. 2. Be it further enacted, That all acts or parts of acts, heretofore passed, coming in conflict with the provisions of this act, are hereby repealed; and this act take effect and be in force from and after its passage.

Proposed by C. E. Harkins.

Approved October 30th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

### BILL NO. 32.

AN ACT to Sell Improvements Made by Non-Citizens.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That all non-citizens, not in the employ of citizens, who have made improvements in said Nation, are hereby notified that they are allowed until the last day of January, 1878, to sell their improvements to citizens, and if such non-citizens fail to comply with the provisions of this act, then it shall be the duty of sheriffs to advertise such improvements for sale in thirty days, and sell the same at the appointed time, on the premises, to the highest Choctaw bidder for cash, one-half to be turned into the county treasury and the other half into the National Treasury; provided, however, that if such non-citizens fail and refuse to deliver up the occupancy of said improvements, then such non-citizen shall be reported by the sheriffs to the Principal Chief, and by him to the United States Indian Agent, for his removal and action against them under section 2118 United States Revised Statutes.

SEC. 2. Be it further enacted, That all subsequent violations of this act shall be treated in the same way as provided above; and the

Principal Chief is hereby required to send an authenticated copy of this act to the United States Agent, with the request that he secure the approval of such a representative of the United States Government hereupon as will ensure its enforcement at as early a day as practicable.

SECTION 3. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by John Dawson, Chairman Committee on Judiciary.

Approved October 30th, 1877. COLEMAN COLE.

Principal Chief, Choctaw Nation.

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**BILL NO. 33.**

AN ACT to Prevent Leasing of Lands to Non-Citizens.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the leasing of lands by citizens to non-citizens is hereby expressly prohibited; and the circuit courts are hereby charged with the enforcement of this act, with the pains and penalties hereinafter provided.

SEC. 2. Be it further enacted, That that all offenders against this act shall be fined in any sum not exceeding one thousand dollars, nor less than two hundred and fifty dollars for each offense, according to the discretion of the court; and all costs to be collected by the sheriffs, and one half to go to the county treasury, and the other half to the National Treasury.

SEC. 3. Be it further enacted, That this act take effect and be in force from and after its passage.

Proposed by John Dawson, Chairman Committee on Judiciary.

Approved October 30th, 1877. COLEMAN COLE,

Principal Chief, Choctaw Nation.

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**BILL NO. 34.**

AN ACT to Increase the Pay of Sheriffs.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the salaries of the Sheriffs in said Nation are hereby raised from seventy-five dollars to one hundred and fifty dollars, to be paid quarter-annually.

SEC. 2. Be it further enacted, That the Auditor is hereby directed to issue his warrants in accordance herewith, and upon the certificates of the circuit clerks as before, and the Treasurer shall pay the same out of the funds for common expenses.

SEC. 3. Be it further enacted, That all act or parts of acts, heretofore passed, coming in conflict with the provisions of this act, are hereby repealed; and this act shall take effect and be in force from and after its passage.

Proposed by Joel Hudson.

Approved October 30th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation

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**BILL NO. 35.**

AN ACT to Increase the Pay of County Judges.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the salaries of County Judges are hereby raised from one hundred dollars to one hundred and fifty dollars, payable quarter-annually, and in the same manner as under the old law of October 23, 1860; provided, however, that County Judges shall not be allowed any perquisites of office, except for performing marriage ceremonies.

SEC. 2. Be it further enacted, That the Auditor is hereby required to issue his warrants in accordance herewith, and the Treasurer shall pay the same out of the funds for common expenses.

SEC. 3. Be it further enacted, That all acts or parts of acts, heretofore passed, coming in conflict with the provisions of this act, are hereby repealed; and this act shall take effect and be in force from and after its passage.

Proposed by Joel Hudson.

Approved October 30th, 1877.

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

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**BILL NO. 36.**

AN ACT Authorizing Publishing of the Laws Passed October 1876 and 1877.

SECTION 1. Be it enacted by the General Council assembled, That the National Secretary and the National Auditor are hereby directed to let the contract for publishing the Choctaw laws of 1876

and 1877, to W. J. Hamby, who is the lower bidder; said contract not to cost more than five hundred dollars, to be paid out of the National Treasury, after the work of printing in pamphlet form shall have been completed and delivered to the National Secretary.

SEC. 2. Be it further enacted, That two hundred and fifty copies of the laws of 1876 and 1877 shall be printed in English, and two hundred and fifty copies in the Choctaw language; and the National Secretary shall furnish said printer with certified copies of all embraced in this act, in both English and Choctaw.

SEC. 3. Be it further enacted, That after the printing shall have been completed, the National Secretary shall forward one copy of each language to each and every officer of the Choctaw government, for their guidance, except Light-horsemen; and that this act take effect and be in force from and after its passage.

Proposed by T. D. Ainsworth.

Approved October 31st, 1877.

COLEMAN COLE,

Principal Chief, Choctaw Nation.

#### BILL NO. 37.

A RESOLUTION Providing *pro rata* Payment of Outstanding Court of Claims Warrant.

Be it resolved by the General Council of the Choctaw Nation assembled, That \$3,500 of royalty revenue first coming into the Treasury shall be disbursed by the National Treasurer in payment *pro rata* of outstanding court of claims warrants; provided, however, that the National Treasurer shall give public notice, in such way as he may deem best, throughout the Nation, to parties holding such outstanding warrants, to present them by the first day of June, 1878, when the Treasurer shall proceed to pay the same as hereinbefore provided, and endorse the amount paid on the back of each warrant.

Be it further resolved, That this resolution take effect and be in force from and after its passage.

Proposed by T. D. Ainsworth.

Approved October 31st, 1877.

COLEMAN COLE,

Principal Chief, Choctaw Nation.

#### [BILL NO. 38.]

AN ACT Establishing the Pay of Officers and Members of the General Council.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the President of the Senate and Speaker of the House of Representatives shall each be entitled to six dollars per day; and the members of both Houses, and the sergeant-at-arms, draughtsman and translator, shall each be entitled to five dollars per day; and the door-keepers of both Houses shall each be entitled to four dollars per day; that the President or acting President of the Senate and the Speaker or acting Speaker of the House of Representatives are hereby empowered to make out certificates of pay to the immediate officers and members of their respective Houses, and the President of the Senate is further empowered to make out certificates of pay to the sergeant-at-arms, draughtsman and translator; and the Auditor is hereby required to issue his warrants upon the certificates, as hereinbefore provided for, and the Treasurer shall pay the same out of the funds appropriated annually to defray the expenses of the General Council; provided, however, that the President or acting President of the Senate and the Speaker or acting Speaker of the House of Representatives shall include the same mileage as elsewhere provided by law in their certificates to themselves and the members of their respective Houses.

SEC. 2. Be it further enacted, That all acts done, or supposed to be done, or supposed to have been done by persons or officers giving certificates, or by the Auditor and Treasurer, in pursuance of the acts respectively of October 30, 1876, and October 11, 1867, are hereby legalized, and said persons or officers, and Auditor and Treasurer, are hereby relieved from censure and responsibility.

SEC. 3. Be it further enacted, That all acts or parts of acts, heretofore passed, coming in conflict with the provisions of this act, are hereby repealed; and this act shall take effect and be in force from and after its passage.

Proposed by Thomas D. Ainsworth.

Approved October 31st, 1877.

COLEMAN COLE,

Principal Chief, Choctaw Nation.

#### BILL NO. 39.

AN ACT entitled An Act to Confer Citizenship upon Mary M. Spain and others.

Be it enacted by the General Council of the Choctaw Nation as-

sembled, That Mary M. Spain being a regular lineal descendant of a Choctaw family, she and her husband, Thomas D. Spain, and their children W. H. H. Spain and his wife, H. L. Spain, and Phidolia (Spain) Hibdon, and her husband H. C. Hibdon, and J. B. Spain, Thomas U. Spain, David McNight Spain and S. B. Spain are all entitled to all the rights, privileges, immunities and franchises of Choctaw citizenship.

Be it further enacted, That the citizenship in the Choctaw Nation, of the aforesaid parties, is hereby fully established and conferred, and publicly declared to the Choctaw people; and that this act take effect and be in force from and after its passage.

Proposed by Thomas Loud, Chairman Committee on Petitions.  
Passed the House November 12th, 1875.

J. WHITE, Speaker.

Passed the Senate October 30th, 1877.

CHARLES WINSTON, President Senate, *pro tem.*

It becomes a law by its own limitation, this October 31st, 1877.

**BILL NO. 40.**

EXECUTIVE DEPARTMENT, CHOCTAW NATION, }  
CHAHTA TAMAHA, October 8th, 1877. }

To the Honorable Senators and Representatives of the General Council,  
Choctaw Nation:

GENTLEMEN: In compliance with the law approved October 16, 1860, I herewith submit for your information and consideration an itemized account of my expenditures from the contingent fund of my office. Hoping it will be satisfactory,

I am very respectfully, your obedient servant,

COLEMAN COLE,  
Principal Chief, Choctaw Nation.

*Coleman Cole, Principal Chief, Choctaw Nation, in account with Contingent Fund.*

|         |                                                           |          |
|---------|-----------------------------------------------------------|----------|
| 1876.   | By balance on hand from last report..                     | \$139 72 |
|         | By amount received from Treasurer..                       | 200 00   |
| Nov. 1— | To amount handed A. R. Durant,<br>National Secretary..... | \$10 00  |
| Nov. 1— | To amount paid National Light-<br>house, at Council.....  | 122 75   |
| Nov. 1— | To messengers.....                                        | 16 00    |
| Nov. 1— | To copying record, court of claims,                       | 50 00    |

CHOCTAW NATION.

|       |                                                                    |          |          |
|-------|--------------------------------------------------------------------|----------|----------|
|       | Nov. 19—To legal cap paper.....                                    | \$1 00   |          |
|       | Nov. 19—To stamps \$1, envelopes \$1.....                          | 2 00     |          |
|       | Dec. 4—To writing paper \$9, ink 10 cents,<br>pencil 10 cents..... | 9 20     |          |
|       | Dec. 14—To three books.....                                        | 3 50     |          |
| 1877. | Jan. 4—To stamps 15 cents, envelopes \$1...                        | 1 15     |          |
|       | Jan. 8—To large bottle of ink.....                                 | 1 00     |          |
|       | Apr. 20—To writing paper.....                                      | 25       |          |
|       | May 9—To stamps.....                                               | 1 00     |          |
|       | May 11—To pen-holder.....                                          | 10       |          |
|       | June 16—To paper.....                                              | 40       |          |
|       | Aug. 14—To ink, pens.....                                          | 70       |          |
|       | Sept. 1—To pen-holder and pencil.....                              | 50       |          |
|       | Sept. 8—To writing paper.....                                      | 50       |          |
|       |                                                                    | <hr/>    |          |
|       | Balance on hand.....                                               | \$220 05 | \$339 72 |
|       |                                                                    | \$119 67 |          |
|       |                                                                    | <hr/>    |          |
|       |                                                                    | \$339 72 | \$339 72 |

Passed the Senate October 31st, 1877.

CHARLES WINSTON, President Senate *pro tem.*

Passed the House October 31st, 1877.

GEORGE DURANT, Speaker.

It becomes a law by its own limitation, October 31st, 1877.

them, and had a  
successful trip to Washington.  
Well - now, in reply to your  
request, regarding  
Mr. Anderson, I will say,  
I have not lost a night's  
sleep in thinking about  
how I'd like to be called  
[Mrs. Anderson]. I am sure  
he is a good man, but  
I have no desire to be-  
come his "honey". Yet, I  
wish him much success.  
I guess my "charming prince"  
will be a failure, but, Ah!  
that is with me and  
no one else.

With regards to the  
family,

I am your cousin,  
Susie Corser.