

An Act entitled, an Act to adopt  
The freedom of the Choctaw Nation.

Whereas by the third, and fourth articles of  
the Treaty between the United States, and the  
Choctaw and Chickasaw Nations concluded  
April 28<sup>th</sup> 1866. provision was made for  
the adoption of laws, rules, and regulations  
necessary to give all persons of African  
descent resident in said Nations at the date  
of the Treaty of Fort Smith Sept 13<sup>th</sup> 1866.  
and their descendants formerly held in  
slavery among said Nations all the rights  
privileges, and immunities, including  
the right of suffrage of citizens of said  
Nations; except in the annuities moneys,  
and public domain claimed by or  
belonging to said Nations respectively;  
and, also to give to such persons who  
were residents as aforesaid, and their  
descendants forty acres each of the lands  
of said Nations on the same terms as  
Choctaws, and Chickasaws to be selected  
on the survey of said lands; until which  
said freedom shall be entitled to as  
much land as they may cultivate for the  
support of themselves, and families.

And, whereas the Choctaw Nation adopted legislation in the form of a Memorial to the United States Government in regard to adopting freedom to be citizens of the Choctaw Nation, which was approved by the Principal Chief November 2<sup>nd</sup> 1880, setting forth the status of said freedom, and, the inability of the Choctaw Nation to prevail upon the Chickasaws to adopt any joint plan for adopting said freedom, and notifying the United States Government of their willingness to accept said freedom as citizens of the Choctaw Nation in accordance with the 3<sup>rd</sup> and fourth, articles of the treaty of 1866 as a basis;

And, whereas a resolution was passed, and approved November the 3<sup>rd</sup> 1880, authorizing the Principal Chief to submit the aforesaid proposition of the Choctaw Nation to adopt their freedom to the United States Government;

And, whereas, a resolution was passed, and approved November 6<sup>th</sup> 1880, to provide for the registration of freedom in the Choctaw Nation authorizing the Principal Chief to appoint three competent persons in each district citizens of the Nation whose duty it shall be to register all freedmen referred to in said third article of the treaty of 1866 who desire to become

Citizens of the Nation in accordance with said treaty. And, upon proper notification that the Government of the United States had acted favorably upon the proposition to adopt the freedmen as citizens; to issue his proclamation notifying all such freedmen as desire to become citizens of the Choctaw Nation to appear before said Commission for identification, and registration.

And, whereas in the Indian appropriation act of Congress May 17<sup>th</sup> 1882 it is provided that either of said tribes may adopt, and, provide for the freedmen in said tribe in accordance with said third article, "Now therefore

Dec 1<sup>st</sup>

Be it enacted by the General Council of the Choctaw Nation assembled. That all persons of African descent resident in the Choctaw Nation at the date of the Treaty of Fort Smith, Sept 13<sup>th</sup> 1865, and their descendants formerly held in slavery by the Choctaws or Chickasaws, are hereby declared to be entitled to and invested with all the rights, privileges, and immunities, including the right of suffrage of citizens of the Choctaw Nation, except in the ammissive manner, and the public

domain of the Nation,

Sec 2- Be it further enacted. That all said persons of African descent as aforesaid, and their descendants shall be allowed the same rights of process civil, and Criminal, in the several Courts of this Nation as are allowed to Choctaws, and full protection of person, and property is hereby granted to all such persons -

Sec 3- Be it further enacted. That all said persons are hereby declared to be entitled to forty acres each of the lands of the Nation, to be selected, and held by them under the same title, and upon the same terms as the Choctaws -

Sec 4- Be it further enacted. ; That all said persons aforesaid, are hereby declared to be entitled to equal educational privileges, and facilities with the Choctaws so far as neighborhood schools are concerned,

Sec 5- Be it further enacted. That all said persons as shall elect to remove, and do actually, and permanently remove from the Nation are hereby declared to be entitled to one hundred dollars per Capita as provided in said 3<sup>rd</sup> article of the treaty of 1866.

Sec 6- Be it further enacted. That all said persons who shall decline to become citizens of the Choctaw Nation, and who do not elect to remove permanently from the Nation are hereby declared to be intruders, and on the same footing as other citizens of the United States resident herein, and subject to removal for similar causes.

Sec 7- Be it further enacted. That intermarriages with such freedmen of African descent who were formerly held as slaves of the Choctaws, and have become citizens shall not confer any rights of citizenship in this Nation. And all freedmen who have married or who may hereafter marry freedwomen who have become citizens of the Choctaw Nation, <sup>are</sup> subject to the prohibitive laws, and allowed to remain during good behavior only.

Sec 8- Be it further enacted. That all such persons of African descent who have become citizens of the Choctaw Nation shall be entitled to hold any office of trust or profit in this Nation except the office of Principal Chief, and district Chiefs.

~~Sec 9 - Be it further enacted. That this act be  
in force from and after its passage.~~

Sec 9

Be it further enacted  
that the National Secretary,  
shall furnish a certified  
copy of this to the Secretary  
of the Interior; And this  
act shall take effect and  
be in force from and after  
its passage

Approved May 21<sup>st</sup> 1883.

J. H. McCurtain,  
Principal Chief,  
Choctaw Nation.

No. 1. X  
Copied

An Act entitled  
an act to adopt  
the funds of the  
Cherokee Nation

Passed the Senate  
May 27th, 1883.  
James Thompson  
President, Sen.

Passed the House  
May 21st 1883  
J. W. Coville  
Speaker  
of the House

To the General Council

We your Committee  
to whom was referred the Chief's  
Message beg to report the within  
bill and recommend its passage

Chas Winston

Chairman Committee

on Chief's Message