

National Secretary
S. J. HOMER, Caddo
National Treasurer
Geo. W. SCOTT, SansBois, I. T.
National Auditor
P. J. HUDSON, Tushkahoma, I. T.
National Attorney
JAS. CULBERSON, Before, I. T.

EXECUTIVE DEPARTMENT, CHOCTAW NATION.

G. W. DUKES, PRINCIPAL CHIEF

TO THE MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVE OF THE CHOCTAW NATION IN GENERAL COUNCIL, ASSEMBLED:

GENTLEMEN:

I return herewith An Act of the General Council refusing to accept the Annual report of S. H. Woods, National Auditor of the Choctaw Nation, with my veto.

I note that it was not accepted because a warrant was issued to Mr. Harrison as follows:

No. 8-I, for \$500.00, dated October 12, 1900, and payable to Wm. H. Harrison, on account of "Act of Council approved October 12, 1900"

This Act was never returned by the President, and therefore, became a law by limitation. It is provided that the President shall approve or dis-approve of the Acts of the General Council within thirty days. This was neither dis-approved or approved within that time and I hold that the law, therefore, under which this warrant was issued is of full force and effect and the warrant is, therefore, legal.

It is, also, claimed in the preamble of this Act that the National Auditor issued his warrants to Mansfield, McMurray and Cornish *Mulvane* to the amount of \$10,513.06; that these warrants were issued under an Act of the General Council passed and approved at the regular session of October, 1900, entitled;

"AN ACT for the payment of certain contingent expenses necessary to protect the interests of the Nation, and increasing the contingent fund of the Principal Chief therefor."

illegally; because the law was dis-approved by the President and was therefore of no force or effect.

I held that the above law, carrying with it an appropriation, was necessary for the operation of the Choctaw government and that it

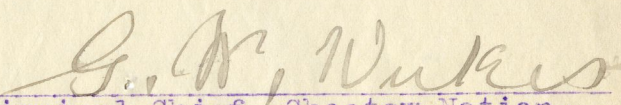
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should have not been forwarded for Executive approval. We are allowed to appropriate for the necessary expenses of the operation of our government and it does not have to be forwarded for Executive approval to become operative. I hold that the law is operative, in that it was for the necessary expenses of the Government. Therefore, the warrants issued by the National Auditor, issued under this act, are just and legal for the reason that said law is in full force and effect and are operative

Respectfully submitted,


Principal Chief, Choctaw Nation.

Your committee, to whom was referred the annual report of S.H. Woods, National Auditor, for the fiscal year ended September 30, 1901, have carefully examined the report, and would respectfully report as follows:

(1.) Mr. Woods has issued warrants, without authority of law, on the certificates of district clerks, to the amount of \$102.20.

(2.) At the regular session of October, 1900, the General Council passed an act appropriating \$500.00 for the relief of William H. Harrison. Immediately after the approval of the act by the Principal Chief, the National Auditor issued a warrant to Mr. Harrison as follows:

No. 8-1, for \$500.00, dated October 12, 1900, and payable to Wm H. Harrison, on account of "Act of Council approved October 12, 1900."

Our investigation shows that the act, under which this warrant was issued, has not been approved by the President of the United States. Mr. Woods should have waited until the act had been approved by the President of the United States before issuing a warrant thereunder. Your committee concludes that the above warrant was issued without authority of law and is, therefore, illegal. The National Treasurer has refused to accept the warrant but we understand that the same has been cashed for Mr. Harrison by one of the District Collectors. Inasmuch as the warrant is illegal, and is yet outstanding, and inasmuch as Mr. Woods is liable to the Choctaw Nation for the amount of said warrant, we believe that Mr. Harrison should be required to reimburse the amount of the warrant to Mr. Woods.

(3.) There was passed by the General Council at the regular session of October, 1900, an act entitled "An Act for the payment of certain contingent expenses necessary to protect the interests of the Nation, and increasing the contingent fund of the Principal Chief therefor." Under this act, the National Auditor issued

warrants to the amount of \$10,513.06, as follows:

Mansfield, McMurray & Cornish, Salary Account.

No.	Date	To Whom	Time of Service	Amount
54-1	Feby 13,1901	Mansfield, McMurray & Cornish	From April 1,1900 to Jan'y 31,1901...\$	520.83
55-1	Feby 13,1901	"	From April 1,1900 to Jan'y 31,1901...	520.83
56-1	Feby 13,1901	"	From April 1,1900 to Jan'y 31,1901...	520.83
57-1	Feby 13,1901	"	From April 1,1900 to Jan'y 31,1901...	520.83
77-1	Apr 19,1901	"	From Feby 1,1901 to Mar 31,1901....	104.17
78-1	Apr 19,1901	"	From Feby 1,1901 to Mar 31,1901....	104.17
79-1	Apr 19,1901	"	From Feby 1,1901 to Mar 31,1901	104.17
80-1	Apr 19,1901	"	From Feby 1,1901 to Mar 31,1901....	104.17
102-1	Aug. 24,1901	"	From Mar 31,1901 to July 31,1901...	200.00
103-1	Aug. 24,1901	"	From Mar 31,1901 to July 31,1901...	200.00
104-1	Aug. 24,1901	"	From Mar 31,1901 to July 31,1901....	200.00
105-1	Aug. 24,1901	"	From Mar 31,1901 to July 31,1901....	233.30
Total of Salary Account,.....				\$3,333.30

Mansfield, McMurray & Cornish, Expense Account.

No.	Date	To Whom	Time of Sservice	Amount
58-1	Feby 13,1901	Mansfield, McMurray & Cornish	From April 1,1900 to Oct.29,1900....\$	1,547.95
81-1	Apr 19,1901	"	From Nov.1,1900 to Jan'y 31,1901....	952.05
106-1	Aug. 24,1901	"	From Feby 1,1901 to July 31,1901...	1,513.10
107-1	Aug. 24,1901	"	From Feby 1,1901 to July 31,1901...	250.00
Total of Expense Account,..?				\$4,263.10

warrants to the amount of \$10,513.06, as follows:

Mansfield, McMurray & Cornish, Salary Account.

No.	Date	To Whom	Time of Service	Amount
54-1	Feby 13, 1901	Mansfield, McMurray & Cornish	From April 1, 1900 to Jan'y 31, 1901...\$	520.83
55-1	Feby 13, 1901	"	From April 1, 1900 to Jan'y 31, 1901...	520.83
56-1	Feby 13, 1901	"	From April 1, 1900 to Jan'y 31, 1901...	520.83
57-1	Feby 13, 1901	"	From April 1, 1900 to Jan'y 31, 1901...	520.83
77-1	Apr 19, 1901	"	From Feby 1, 1901 to Mar 31, 1901....	104.17
78-1	Apr 19, 1901	"	From Feby 1, 1901 to Mar 31, 1901....	104.17
79-1	Apr 19, 1901	"	From Feby 1, 1901 to Mar 31, 1901	104.17
80-1	Apr 19, 1901	"	From Feby 1, 1901 to Mar 31, 1901....	104.17
102-1	Aug. 24, 1901	"	From Mar 31, 1901 to July 31, 1901...	200.00
103-1	Aug. 24, 1901	"	From Mar 31, 1901 to July 31, 1901...	200.00
104-1	Aug. 24, 1901	"	From Mar 31, 1901 to July 31, 1901....	200.00
105-1	Aug. 24, 1901	"	From Mar 31, 1901 to July 31, 1901....	233.30
Total of Salary Account,				\$3,333.30

Mansfield, McMurray & Cornish, Expense Account.

No.	Date	To Whom	Time of Sservice	Amount
58-1	Feby 13, 1901	Mansfield, McMurray & Cornish	From April 1, 1900 to Oct. 29, 1900....\$	1,547.95
81-1	Apr 19, 1901	"	From Nov. 1, 1900 to Jan'y 31, 1901....	952.05
106-1	Aug. 24, 1901	"	From Feby 1, 1901 to July 31, 1901...	1,513.10
107-1	Aug. 24, 1901	"	From Feby 1, 1901 to July 31, 1901...	250.00
Total of Expense Account, ..?				\$4,263.10

D.W.Mulvane, Expense Account.

No.	Date	To Whom Issued	Quarter Ended	Amount
95-1	July 1, 1901	D.W.Mulvane	March 31, 1901	\$ 416.66
96-1	July 1, 1901	"	June 30, 1901	1,250.00
120-1	Oct. 1, 1901	"	Sept 30, 1901	1,250.00
Total.....				.\$2,916.66 .

Inasmuch as the act, under which the foregoing warrants were issued to Mansfield, McMurray & Cornish and to D.W.Mulvane, was disapproved by the President of the United States, all warrants issued thereunder were issued without authority of law and are, therefore, illegal.

(4.) Soon after the Supplementary Treaty had been signed on February 7, 1901, the Principal Chief, G.W.Dukes, went to Washington with a view of securing speedy action by Congress on the treaty. For the expenses of that trip, he directed the National Auditor to issue two warrants of \$1,000.00 each in favor of the Principal Chief, which \$2,000.00 were deducted from the amount appropriated at the regular session of October, 1900, for the expenses of the Citizenship Commission. Said two warrants are as follows:

No.	Date	To Whom Issued	Amount
59-1	Feb 15, 1901	G.W.Dukes	\$1,000.00
59-1	Feb 15, 1901	"	1,000.00
Total,.....			.\$2,000.00

Your committee believes that it was improper to charge the expenses of this trip to the Citizenship Commission, and that the above two warrants were issued without authority of law, and are, therefore, illegal.

(5.) In an act, approved by the President of the United States February 3, 1901, entitled "An Act providing for a commission to treat with the United States Commission to the Five Civilized Tribes relative to closing the citizenship rolls" the amount of \$200.00 was appropriated to meet all the expenses of the commission

#4.

The National Auditor has issued warrants under this act to the amount of \$238.00, thus exceeding the appropriation by \$38.00.

Your committee has already recommended to the present General Council that the Principal Chief be directed to require Mansfield, McMurray & Cornish and D.W.Mulvane to submit to the next general council itemized accounts of their services and expenses. When the next general council has that information, it may then consider the advisability of appropriating money to take up the warrants issued to the said Mansfield, McMurray and Cornish and D.W.Mulvane under the act entitled "An Act for the payment of certain contingent expenses necessary to protect the interests of the Nation, and increasing the contingent fund of the Principal therefor", referred to more particularly in paragraph 3, of this report; but, inasmuch as all of the foregoing warrants were issued without authority of law ~~xxxxxx~~ and are, therefore, illegal, your committee believes that S.H.Woods, National Auditor, should be required to reimburse the National Treasury the following amounts:

Warrants illegally issued on certificates of district clerks,.....	\$ 102.20
Warrant illegally issued to Wm H.Harrison,.....	500.00
Warrants illegally issued under the act entitled "AN Act for the payment of certain contingent expenses necessary to protect the interests of the Nation, and increasing the contingent fund of the Principal Chief therefor,.....	\$10,513.06
Warrants illegally issued to G.W.Dukes, Principal Chief,.....	\$ 2,000.00
Warrants issued in excess of amount appropriated to defray expenses of commission created under act approved February 3, 1901.....	\$ 38.00
Grand Total,.....	<u>\$13,153.26</u>

#5.

Your committee would, therefore, recommend the adoption of the following resolution:

Be it Enacted by the General Council of the Choctaw Nation Assembled,--

Section 1. That the annual report of S.H.Woods, National Auditor, for the fiscal year ended September 30, 1901, be, and the same is hereby, not accepted.

Section 2. That the National Treasurer is hereby authorized and directed to make demand on the said S.H.Woods, National Auditor, for the amount of \$13,153.26, and to make report of his actions under this resolution to the next general council.

Section 3. That this resolution shall take effect and be in force from and after its passage and approval.

FINANCE COMMITTEE,

Green M. Curtis Chairman

James Horkins

Harston Nelson Members

Jackson James of
Com

Loren Vaughn mittee

M. E. Jefferson

~~Veto~~ Veto, Read &
Interpreted
Resolution passed
by House
referred to National Secretary
This 6th day of
November 1901
Wm. H. Harrison
Speaker of the
House

49

Read and interpreted
passed the Senate and
referred to the House.
Nov-5-1901.

Green M. Custard
President Senate

~~49~~

Read interpreted
passed the House
and referred to the
Principal Chief this
Nov. 5th 1901

Wm H. Harrison
Speaker

~~49~~
Ch. the veto read and
Interpreted and resolution
repassed the Senate by
unanimous votes.
Nov 6-1901

Green M. Custard
Pres - Senate