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Paul B. Smith, Editor

LETTER OF J. G. RALLS TO EDITOR, INDIAN CITIZEN

Atoks, Oct. 29.

Editor Indian Citizen:

It is with considerable amusement that we read the Democratic papers' account of the political complexion of the Choctaw council and of the great messages delivered by Green McCurtain who these press agents say is Principal Chief of the Choctaw Nation. The matter has gone to such an extent that we thought it might be well to remind the people of the Choctaw Nation that Green McCurtain is not Principal Chief of the Choctaw Nation, neither is there such a thing as a Choctaw Council.

This is not our word but the Constitution of the Choctaw Nation. Before citing the constitutional provisions we call your attention to the fact that Green McCurtain has served two terms in succession as Principal Chief of the Choctaw Nation and that on the first Wednesday in August of this year, which was the day general election of principal chief, representatives, etc., McCurtain failed and refused to call such an election.

No election was held in the Choctaw Nation, consequently no Principal Chief was elected, neither were representatives nor senators elected. McCurtain having served two terms in succession as Principal Chief was not eligible to the third term and there is no provision for a Principal Chief to hold over until his successor is elected and qualified. If there were he could not hold over after having served two terms because of the prohibition found in Section 1, Article 5, of the Constitution of the Choctaw Nation which reads as follows:

"Section 1: The Supreme Executive Power of the Choctaw Nation shall be vested in one Principal Chief, assisted by three subordinate chiefs who shall hold their respective offices for a term of two years from the time of their installation, but they shall not be eligible for the same for more than two terms in succession."

Section 2 of the same article of the Constitution, among other things provides as follows:

"The Principal Chief of the Choctaw Nation shall be elected by the qualified electors of the Choctaw Nation \* \* \* the 1st Wednesday in August, 1866, and every two years thereafter."

Now we go to Article 3 of the Constitution under the head of the legislative department and we find as follows:

"Section 2: The Senate of the Choctaw Nation shall be composed of four senators from each district chosen by the qualified electors thereof for a term of two years."

Section 4 provides: "The House of Representatives shall be composed of members chosen every year by the qualified electors in the several counties of each district at the ratio of one representative to every 1,000 citizens."

Section 15 provides: "The first election for senators and representatives shall be general throughout the Nation, and shall be held on the first Wednesday in August, 1866, and thereafter there shall be biennial elections for senators."

Now, Mr. Editor, you understand, of course, that the Choctaw Council has no authority to amend the Constitution or pass any laws enlarging or abridging the same, and these provisions of the Constitution stand without any qualification, and there is no provision in the Constitution that any persons elected for office shall hold his office until his successor is elected and qualified.

Now, why is it that the money of the Choctaw Nation that should be divided among the members of the Nation is being used to assemble a large crowd of Democrats at Tuskahoma for political purposes instead of being used in behalf of the Choctaw people? Does McCurtain not know that he is no longer Principal Chief, or is he ignorant of the Constitution of his own nation? It is quite likely that the general government will look into the affair and the would-be officers will find to their sorrow that they have been fooling with a very danger-

ous proposition.

There is not a person in the Choctaw Nation but what knows that each annual Council has been composed of at least some new representatives and that the old representatives never attempted to hold longer than one year. Heretofore when special sessions of the Council have been convened after the general election in August the newly elected members have always composed the Council. Then why should the Constitution be violated and the customs ignored, unless there was something political behind the whole scheme? Why was it an election was not called?

It is the duty of the County Judge to appoint election judges as provided in Section 1 under the head of elections, page 191 of Durant's Code of the Choctaw Laws, and Section 2, on the same page, provides as follows:

"It shall be the duty of the several sheriffs of the counties of this Nation, at least one month before each election, to make public proclamation throughout their respective counties of the time and places of holding the election, and the officers to be elected at that time; and post up notices of the same at each precinct or at two or more public places in their respective counties."

Now, Mr. Editor, why was it that the County Judges who are holding office by the grace of Mr. McCurtain, failed

to appoint the election judges, and why was it the sheriffs, permitted to hold office by McCurtain, failed to call an election? Are the circumstances not conclusive that there was an understanding among these officials that no election would be held and that an effort would be made to hold over and usurp these places and deprive the citizens of the Choctaw Nation of the constitutional right to select their officers? This, if successful, was indeed a shrewd move. It would rob the people of their rights guaranteed to them by the Constitution; but such schemes, we take it for granted, are not favored by the Choctaw people; and we further suppose that the white law-abiding people are not in favor of such trickery. But, as a matter of fact, the scheme must fail because of the failure of the constitutional laws to provide for holding over until the successors are elected and qualified.

When it is announced that the present Choctaw Council is Democratic, we submit it to the Choctaw voters whether or not the present Council is one of their selection, and remind them of the fact that they have been defrauded of the right to make their selection by ballot as provided by their own Constitution. Their constitutional rights have been wrung from them by this same crowd who are posing on the front seats of the Democratic ranks.

J.G. RALLS