

An act entitled an act prescribing the manner of
organizing the General Council of the Choctaw Nation ^{and}
establishing the pay of its members and officers.

Section 1. Be it enacted by the General Council of the
Choctaw Nation That at the beginning of each and every
regular ^{biennial} session of the General Council hereafter convening
on a quorum of the senate appearing in the Senate
Chamber, they shall call some Senator to the chair,
from among those of the class holding over, which
Senator shall administer the oath prescribed in the
^{constitution of this nation} to the newly elected ~~elected~~ Senators, when
they shall ~~shall~~ proceed to elect a President of that body,
in such manner as they may by rule determine, who
shall be sworn as such, in the form provided in the
constitution. The Senate shall then elect, also in the
manner they may by rule determine, a Secretary and
Door Keeper, to whom the President shall administer
the oath of office and also to other senators who may
hereafter appear and all other officers of the Senate.

Section 2. Be it further enacted. That at the beginning
of each and every regular biennial session of the General
Council hereafter convening, on a quorum of the members
of the House of Representatives appearing in the representa-
tive chamber, they shall call some member to the
chair, which member shall have power to administer
the oath required by the constitution of this nation, to
the members present, after which any member shall
have power to administer the oath to the chairman.

The House of Representatives shall then proceed to
elect a Speaker, in such manner as they may by rule
determine, who shall be sworn as the constitution
requires, by any member present. They shall then elect
from man and woman ^{and men or women} by rule determined,

a clerk and a door-keeper, and the speaker shall have power to administer the oath of office to the Clerk, the door-keeper and other members, who may thereafter appear.

Section: 3. Be it further enacted That hereafter there shall be elected by both Houses of the General Council of this nation, in joint session, during the first week of each and every regular biennial session thereof, in such manner as they may determine at the time, a Sergeant-at-arms, who shall be the peace officer of the General Council and perform such other duties they may prescribe; and to whom the President of the Senate, while in session, shall administer the oath prescribed by the Constitution, in presence of that body.

Section: 4. Be it further enacted. That the President of the Senate and the Speaker of the House of Representatives, shall each be entitled to receive ⁴ five dollars per day, and each other member of the Senate and of the House of Representatives, ³ three dollars, for each and every day's attendance at the General Council; and shall, moreover, be allowed at the commencement and end of every session ~~travel and a quarter for the distance travelled~~, at the rate of three dollars, for every thirty miles of the estimated distance, by the most direct land route, ² travel, in coming to, and returning from, the place where the General Council shall sit: and if any member of either house, the President of the Senate or the Speaker of the House, shall be detained by sickness, in coming to, or returning home from, any session of the General Council, or be unable to attend the house to which he belongs, he shall be entitled to the same daily allowance.

Section: 5. Be it further enacted. That the Secretary of the Senate and Clerk of the House of Representatives,

shall each be allowed four dollars per day. And the Secretary of the Senate, with the approbation of the President of the Senate, and the Clerk of the House of Representatives, with the approbation of the Speaker of the House of Representatives, shall each appoint so many clerks as may, from time to time, be necessary to the despatch of business in their respective houses, who, when employed, shall be allowed two dollars per day. But the door-keeper of each house shall be entitled to two dollars per day; and the Sergeant-at-arms, shall be entitled to three dollars per day.

Section 6. Be it further enacted that the compensation which shall be due to the members and officers of the General Council, shall be certified by the President and Speaker, respectively, to the National Auditor, who shall give his warrant on the National treasurer, which shall be paid out of any money in the treasury not otherwise appropriated.

Section 7. Be it further enacted that all witnesses who may be legally summoned on behalf of this nation, to attend any future session of the General Council, in either branch thereof, for the purpose of giving testimony in cases of impeachment or other matter of investigation, when such testimony may be lawfully required, shall be allowed the sum of two dollars, for each and every day, he, she or they, may be so in attendance: and also the further sum of ~~one~~ ^{five} cents a mile for each and every mile he, she or they, may travel, in going to, and returning from, the place where such testimony may be rendered.

Section 8. Be it further enacted. That the sum or sums due to such witness, shall be ascertained by the oath or affirmation of such witness, his Agent, or attorney; at

oath or affirmation, the Clerk of the House of Represen-
tatives, or Secretary of the Senate, as the case may be, is
hereby authorized to administer, and thereupon to issue
a certificate to such witness, for the full amount of
the sum so ascertained.

Section: 9. Be it further enacted. That the National
Auditor, on the production of such certificate, is hereby
authorized and required to give his warrant on the national
treasury for the payment thereof.

Section: 10. Be it further enacted. That it shall be the
duty of the Door-Keeper, when the two houses adjourn,
to collect all the remaining stationary and furniture,
purchased for the use of the General Council, and deliver
it to the National Secretary, and take his receipt for
the same.

Section: 11. Be it further enacted. That all acts or parts
of acts heretofore passed, in any wise coming in
conflict with the provisions of this act be and the
same are hereby repealed, and that this act take
~~from~~ ^{effect} ~~date~~ ^{date} ~~and~~ ^{after its passage}
effect and be in force ~~thirty~~ ^{forty} days after its passage;
~~But this act shall not be so construed as to effect the~~
~~present organization of either House of the General Council~~
~~which shall continue until the first meeting succeeding~~
~~the regular election of August 1857.~~

Thirty days after its passage;

This act shall not be so construed as to effect the
present organization of the either House of the General Council
which shall continue until the first meeting succeeding
the regular election of August 1857.

OCT 23 1857. Approve Alfred, Wade

An act entitled an act defining the duties of the national attorney and fixing his salary.

Section: 1. Be it enacted by the General Council of the Chakravarthy nation. There shall be elected, by the qualified electors of the nation, a national attorney for the nation, who shall continue in office during the term of four years, and who shall before he enters upon the duties of his office, take and subscribe the oath of office prescribed in the constitution which oath shall be administered by the Governor of the nation, any judge of the Supreme Court or probate court or Justice of the peace, and certified on his commission; and the national attorney, so elected, shall be of counsel for the nation in all cases whatever, triable and determinable either in the Supreme Court of the nation, and it shall be his duty to attend the Supreme Court, at such time thereof, and to appear and prosecute for the nation, in all criminal prosecutions, and in all civil cases in which the nation or any county thereof may be interested: Provided, That if the national attorney fail to attend at any term of the Supreme Court, the said Supreme Court, is hereby authorized to employ some attorney to act for the ~~nation~~ nation in the place of said national attorney; and the attorney so employed shall, for his services, be paid by the national attorney such sum as shall be allowed by the Supreme Court, not in any ^{one} case to exceed one-fourth part of the annual salary of said national attorney.

Section: 2. Be it further enacted. All accounts of a public nature, properly coming before the Supreme Court for allowance, shall be presented to the national attorney, and his opinion thereon obtained in writing; and it shall also be his duty to give his opinion in writing in all cases touching the public interest, when thereunto

required by the governor of the nation, he shall, also, at the request of the national auditor and the national treasurer or either of them, give his opinion in writing upon all cases concerning the revenue or expenses of the nation.

Section: 3. Be it further enacted The national attorney shall keep his office at the seat of government, at or near which place he shall reside.

Section: 4. Be it further enacted If the national attorney, shall in any manner consult, counsel, advise, or defend a person, within this nation, charged with any crime, or misdemeanor, or breach of any penal statute, ^{the} national attorney, so offending, shall, on conviction thereof in any court of competent jurisdiction, be fined in a sum not exceeding two hundred dollars, and shall moreover be removed from office, and be rendered incapable thereafter of filling any office of profit or honor in this nation.

Section: 5. Be it further enacted It shall be the duty of the National Attorney, whenever he may be requested to give his opinion in writing to any District Attorney upon any case then pending, in which the ~~nation~~ may be interested, and which may be necessary for such district attorney to prosecute or defend.

Section: 6. Be it further enacted The National Attorney be entitled to receive as a compensation for his services the sum of four hundred dollars a year, payable quarterly, out of the national treasury, upon the issuance of the National Auditor's warrant in like manner with other office salaries.

Section: 7. Be it further enacted That all acts or parts of acts heretofore passed in any wise 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.

Approved, Alfred, Ward

This day Oct 23,

1857

An act, entitled an act to define certain duties of
the Governor of the Choctaw Nation, and to establish
his salary.

Sec: 1. Be it enacted by the General Council of the
Choctaw Nation. In addition to the power vested
in the Governor of this nation, by the new constitution,
he shall have power to remove from office, any national
or county officer, for the cause and under the restrictions
following, to wit: In case the securities, or either of them,
of any national or county officer, who may be required
to give bond and security for the performance of his duty
by any law of this nation, shall remove his or their
residence out of this nation permanently, or shall become
insolvent, or shall be convicted of a violation of any of
the provisions of an act entitled "an act to prevent the
use of intoxicating liquors in the Choctaw Nation," it shall
be the duty of the Governor, in case of a national
officer, or of the President of the Board of Police, in case
of any county officer, on satisfactory information of any
such removal or insolvency, to notify such officer to
appear before him, at a day and place therein named,
within twenty days thereafter, to give ~~and~~ a new bond with
other good and sufficient security, in a penalty equal to
that of the former bond, with the like condition; and
if such officer shall neglect or refuse so to do, ~~or if he be a national officer~~
~~or if he be a county officer~~ or if on satisfactory showing of
his conviction as aforesaid, if he be a national officer,
the Governor shall forthwith vacate his commission,
and the vacancy shall be supplied in such manner as
shall be prescribed by the laws of this nation for filling
vacancies of the kind.

Sec: 2. Be it further enacted, If the officer so refusing
or neglecting to be a county officer, the ~~vacant~~ office

President of the Board of Police shall, immediately after the expiration of the notice required to be given by the preceding section, or in case of the conviction of a county officer as therein specified, certify the fact to the Governor, who shall thereupon vacate the commission or appointment of such county officer, and the National Secretary shall certify the same back to the said President of the Board of County Police: and the vacancy occasioned thereby, shall be supplied in the manner that shall be prescribed by the laws, for filling the like vacancies.

Sec: 3. Be it further enacted, If any national or county officer shall be found by inquest, according to law, an idiot, lunatic or non compos mentis, during the time for which he is elected or appointed, or shall, during such time, be found by the verdict of a jury, guilty of any felony, infamous crime, corruption or peculation in office, gambling with public money in this nation, which may have come into his hands by virtue of his office, the commission of every such officer shall be deemed and held to be vacated, and such vacancy shall be supplied as in case of death, resignation, or removal from office.

Sec: 4. Be it further enacted, The Governor shall, at stated times, require information in writing, from all officers in the executive department, on any subject relating to their duties, and embody such parts of the same as are of public concern in his communication to the General Council, to be made from time to time. He shall procure at an early day at the cost of the nation, a great seal of the nation, with the words "The Great Seal of the Choctaw Nation" around the edge and a design of an ^{anthon} anchor with three arrows and a pipe.

~~hatchet~~ bladed together engraven in the center which shall
exert over be the proper seal of this nation until attested by
the General Council, with the concurrence of both houses
therof. Until said seal is procured all official acts of the
Governor & National Secretary shall be valid with the use of
their private scroll or seal with the words annexed "there being
no public seal". He shall have power to appoint, during
the sitting of the General Council, a private secretary, who
shall be paid out of the National Treasury when certified
by the Speaker of the House of Representatives, in the same
manner that the certificates of members of that house
are certified, the sum of two dollars per diem, for every day
he shall attend.

Sec: 5. Be it further enacted &c. The Governor shall have
the superintendence of the office of the National Treasurer
and National Auditor, during the recess of the General
Council, and he shall take care that they respectively
perform the duties required of them by law, without fraud,
partiality, or delay; and if it shall satisfactorily appear
to him, at any time, that the money or other property of
the nation in the treasury, has been misapplied, wasted,
or embezzled, he shall direct the National-Attorney or
District-Attorney, to proceed according to law against such
defaulter, on his or their bond.

Sec: 6. Be it further enacted &c. The Governor of this
nation shall have full power and authority, whenever
he may think the public interest requires it, to make
a personal inspection of all the books, vouchers, and other
official papers, in the office of the national auditor, and
national treasurer, and to count the moneys in the treasury.

Sec: 7. Be it further enacted &c. If the Governor of this
nation shall discover, or have cause to suspect, any

embezzlement, peculation, defalcation, or fraud, to have been committed or perpetrated in either of these departments of the government, he shall forthwith apply to some Judge or Justice of the Peace for a warrant to arrest the officer in whose office such embezzlement, peculation, defalcation, or fraud, shall have been committed, or suspected to have been committed; and it shall be the duty of such Judge, or Justice of the Peace, to grant the said warrant, or other process, and to have such officer arrested and brought before him for trial and examination; and if the said Judge or Justice of the Peace shall certify that, after a full and perfect examination of all the facts in the case, there is probable ground to believe that said officer has been guilty of some embezzlement, defalcation, peculation or fraud, then the Governor shall be authorized to suspend the said Auditor or Treasurer, as the case may be, from the further exercise of his official duties, and to make a provisional appointment to fill his place, until the courts of the country shall determine that said officer was improperly removed, or suspended, or that the same was done without a sufficient cause.

Sec. 8. Be it further enacted &c. It shall and may be lawful for the Governor, or the person exercising the office of Governor of this nation, for the time being, in all cases in which he is authorized by the constitution, to grant reprieves and pardons, remit fines, and in cases of forfeiture, to stay the collection of the same until the end of the next session of the ~~General~~ ^{General} Council, and to remit forfeitures, by and with the advice and consent of the Senate: Provided. That any of the powers exercised by him, shall not be incon-

sistent with the constitution and laws of this nation

Sec: 9. Be it further enacted &c. A sum not exceeding
four hundred dollars, shall be annually appropriated
for the use of the executive department of the government
for the contingent expenses thereof, to be accounted for
by the Governor to the General Council, at each session
thereof; and it shall be the duty of the National Auditor
from time to time, on the written order of the Governor stating
the uses of any sum of money for contingent purposes, to issue
his warrant on the treasury of the nation therefor.

Sec: 10. Be it further enacted &c. The Governor of this
nation shall be authorized to send copies of all laws,
reports or documents, printed by order of the General
Council of this nation, to the executive departments
of the States of the United States, and request in
return and receive such books and publications as
said states may transmit to this nation in exchange;
and all such books and publications sent to this
nation, under the provisions of this act or by donation,
shall be deposited in charge of the National ~~Secretary~~
to constitute a national library.

Sec: 11. Be it further enacted &c. That no officer of the
nation shall enter into contract of any kind on
behalf of the nation, without being specially authorized
thereto by law.

Sec: 12. Be it further enacted &c. That the Governor of this
nation shall have the power to appoint & have direction
and control of the light horsemen provided by law for
the service of this nation and to make one of them
the Captain thereof who shall be commissioned in like
manner with other officers.

Sec: 13. Be it further enacted &c. That the Governor of the

nation, shall receive as a compensation for his services
the sum of One thousand ^{five hundred} dollars a year, payable quarterly,
from the date of his installation, out of the Treasury
of the nation, upon his written order at such times, and the
national auditor shall issue his warrant therefor, and the
national treasurer shall pay the same.

Sec. 14. Be it enacted ^{further} &c. That this act shall take effect
and be in force from and after its passage.
Sept 16th 1857. In witness whereof,

Approved Alfred, Gladys
Oct 26, 1857