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Elizabeth Ross  
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## TAHLEQUAH INCORPORATED.

Tahlequah, the Cherokee capital, was incorporated by an act of the national council on the 30th day of October, 1852, when provision was made that the inhabitants of the town of Tahlequah, as well as those owning lots and transacting business, as those residing within the limits of the town as defined and laid off in conformity with the act of October 28th, 1843, entitled "An act to lay off Tahlequah council ground into town lots and dispose of same", be and they are hereby constituted a body politic and corporated, by the name of the Alderman and town council of the town of Tahlequah", by which name they and their successors may sue and be sued, defend and be defended, in all courts of law, in all matters and actions whatsoever, and may grant, purchase, receive, and hold property of any description within said town, and may lease, sell and dispose of the same for the benefit of the town, and may do all other acts the same as natural persons.

The corporated powers and duties of the town were invested in one alderman and five members of the

council, to be elected annually, on the first Monday in December of each year, and to continue in office until their successors were elected and qualified. The alderman and members of the town council were required to bind themselves by oath, before entering office, to support the constitution of the Cherokee Nation and to faithfully perform their duties.

No person was eligible as alderman or councilman who was not of lawful age, citizens of the Nation, and inhabitants or property holders in the town of Pallequal. Qualified voters who owned lots, resided in or transacted business within the limits of the town were entitled to vote at all elections held under the act of incorporation.

The alderman was required to preside at meetings of the town council, and was the executive power of the town of Pallequal, and conservator of the peace within the town. He could perform all duties lawfully done by a judge of the district court in criminal matters, assess fines, issue executions, and enforce all ordinances passed

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by the town council not contrary to the laws of the Cherokee Nation.

Any three members of the town council constituted a quorum. A less number could adjourn

from day to day and compel attendance of absent members. The members of the council were judges of the election, qualification and return of their own members, and determined rules for their proceedings, to be recorded by the clerk of the town council in a journal kept for the purpose.

In case of the absence of the alderman the town council designated one of their number who performed the duties of alderman until his return to business.

The town council had full power to pass by-laws and ordinances to prevent, define and remove nuisances; to restrain and prohibit disorderly houses and gambling; to establish and regulate a market; to cause streets and alleys to be opened; repaired, and paved by the inhabitants of the town; to provide for the pre-

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vention and extinguishment of fires; to dig wells and erect pumps for the convenience of the inhabitants; to restrain all disorderly conduct and obscenity within the limits of the town; and generally to pass such by-laws and ordinances for the regulation of the town as they might find necessary, not contrary to the national laws. The town council could not impose a fine exceeding fifty dollars, nor restrain a person of liberty more than three months.

The town council had authority to appoint a clerk for their body, an assessor and collector of taxes, a constable, and such other officers as might be necessary.

The collector of taxes was given authority to collect same, if necessary, by the public sale of the property of the person chargeable therewith, in such manner as might be prescribed by ordinance. No tax could be imposed by the council in any one year on property within the town at a higher rate than one-fourth of one per centum on the assessed value of the same.

ROSS, ELIZABETH.

TAHLEQUAH.

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The act of incorporation was approved and signed by Principal Chief John Ross, on October 30, 1852.

The information secured from S. W. Ross,  
Tahlequah, Oklahoma.