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# CONSTITUTION,

AND

# LAW



OF THE

# CHICKASAW NATION

TOGETHER WITH THE

# TREATIES

OF

1832, 1833, 1834, 1837, 1852, 1855 AND 1866.

Published by Authority of the Chickasaw Legislature

BY

DAVIS A. HOMER.

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CONSTITUTION  
OF THE  
CHICKASAW NATION.

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We, the people of the Chickasaw Nation, acknowledging with gratitude the grace and beneficence of God, in permitting us to make choice of our own form of government, do, in accordance with the first, second, fourth and seventh articles of the Treaty between the United States, the Choctaws and Chickasaws, made and concluded at Washington City, June 22, A. D. 1855, and the treaty of April 28, A. D. 1866, ordain and establish this Constitution for our government, within the following limits, to-wit :

Beginning on the north bank of Red river, at the mouth of Island bayou, where it empties into Red river, about twenty-six miles on a straight line below the mouth of False Washita ; thence running a northwesterly course along the main channel of said bayou to the junction of the three prongs of said bayou nearest the dividing ridge between Washita and Low Blue rivers, as laid down on Captain R. L. Hunter's map ; thence northerly along the eastern prong of said Island bayou to its source ; thence due north to the Canadian river ; thence west along the main Canadian to the ninety-eighth degree of west longitude ; thence south to Red river, and thence down Red river to the beginning :

Provided, however, if a line running due north from the eastern source of Island bayou to the main Canadian, shall not include Allen's or Wapanucka Academy within the Chickasaw District, then an off-set shall be made from said line, so as to leave said academy two miles within the Chickasaw District, north, west and south from the lines of boundary.

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## **Article I.**

### **Bill of Rights.**

That the general, great and essential principles of liberty and free government may be recognized, and established, we declare that :

SECTION 1. All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit ; and they have at all times the inalienable right to alter, reform or abolish their form of government in such manner as they may think expedient.

SEC. 2. All freemen, when they form a social compact have equal rights, and no man or set of men is entitled to exclusive, separate, public emoluments or privileges, but in consideration of public services.

SEC. 3. No religious test shall ever be required as a qualification to any office of public trust in this Nation.

SEC. 4. All men have a natural and indefeasible right to worship God according to the dictates of their own consciences. No man shall be compelled to attend, erect, or support any place of worship, or to maintain any ministry against his consent. No human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion, and no preference shall ever be given by law to any religious society, or mode of worship ; but it shall be the duty of the Legislature to pass such laws as shall be necessary to protect every religious denomination in the peaceable enjoyment of their own mode of worship.

SEC. 5. Every citizen shall be at liberty to speak, write or publish his opinions on any subject, being responsible for the abuse of that privilege, and no law shall ever be passed curtailing the liberty of speech, or of the press.

SEC. 6. The people shall be secure in their persons, houses, papers and possessions, from all unreasonable searches or seizures; and no warrant to search any place, or to seize anything, shall issue without describing them, as near as may be, nor without probable cause, supported by oath or affirmation; Provided, however, that searches for, and seizures of, intoxicating liquors, are not to be considered unreasonable searches or seizures.

SEC. 7. In all criminal prosecutions the accused shall have a speedy public trial by an impartial jury. He shall not be compelled to give evidence against himself. He shall have the right of being heard by himself or counsel, or both; shall be confronted with the witnesses against him, and shall have compulsory process for obtaining witnesses in his favor. And no person shall be held to answer for any criminal charge, but on indictment or information.

SEC. 8. All prisoners shall be bailable by sufficient sureties, except such as may, in the opinion of the Judge of the examining court, be guilty of willful murder.

SEC. 9. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted. All courts shall be open; and every person, for an injury done him in his lands, goods, person or reputation, shall have remedy by course of law.

SEC. 10. No person, for the same offense, shall be twice put in jeopardy of life or limb; nor shall a person be again put upon trial for the same offense, after a verdict of not guilty. And the right of trial by jury shall remain inviolate.

SEC. 11. The Legislature shall have the power, by law, to prescribe the mode and manner of persons bearing arms in defense of themselves or their country.

SEC. 12. No person shall ever be imprisoned for debt.

SEC. 13. The citizens shall have the right, in a peaceable manner to assemble together for their common good, and to apply to those invested with powers of government for redress of grievances, or other purposes, by address or remonstrance.

SEC. 14. The Legislature shall pass no retrospective law, or any law impairing the obligation of contracts.

SEC. 15. Neither polygamy nor concubinage shall be tolerated in this Nation, from and after the adoption of this Constitution.

SEC. 16. All bonds, fines and notes shall be collected by judicial process, from and after the adoption of this Constitution.

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## Article II.

### Rights of Suffrage.

SECTION 1. No idiot, or insane person, nor any persons convicted of any criminal violation of law against the Chickasaw Nation; or after the commission of such offense, by persistently eluding the vigilance of the officers and avoiding arrest, shall be entitled to the privileges of an elector.

SEC. 2. All elections by the people shall be by viva voce.

SEC. 3. All free male persons of the age of nineteen years and upwards, who are by birth or adoption members of the Chickasaw tribe of Indians, and not otherwise disqualified, and who shall have resided six months immediately preceding any election in the Chickasaw Nation, shall be deemed qualified electors, under the authority of this Constitution.

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## Article III.

### Division of the Powers of Government.

SECTION 1. The powers of the Government of the Chickasaw Nation shall be divided into three distinct departments, and each of them confided to a separate body of magistracy, to-wit: Those which

are Legislative to one ; those which are Executive to another, and those which are Judicial to another. And no person or collection of persons, being one of those departments, shall exercise any power properly attached to either of the others.

## Article IV.

### Legislative Department.

SECTION 1. The legislative powers of this Nation shall be vested in two distinct branches ; the one to be styled the Senate, and the others the House of Representatives, and both together, the Legislature of the Chickasaw Nation. The style of the laws shall be : "Be it enacted by the Legislature of the Chickasaw Nation."

SEC. 2. The members of the House of Representatives shall be chosen by the qualified electors, and their term of office shall be one year from the day of the general election. And the session of the Legislature shall be annual, at Tishomingo, commencing on the first Monday in September, in each and every year.

SEC. 3. No person shall be a Representative unless he be a Chickasaw by birth or adoption, and shall have been an inhabitant of the Chickasaw Nation one year next preceding his election, and the last six months thereof a citizen of the county for which he shall be chosen, and shall have attained to the age of twenty-one years at the time of his election.

SEC. 4. The Senators shall be chosen by the qualified electors for the term of two years, at the same time and place as Representatives. And no person shall be a Senator unless he be a Chickasaw by birth or adoption, and has been a citizen of the Chickasaw Nation one year next preceding his election, and the last six months a citizen of the Senatorial district for which he shall be chosen, and shall have attained to the age of thirty years at the time of his election.

SEC. 5. The number of Senators shall not be less than one-third nor more than two-thirds of the number of Representatives.

SEC. 6. The Legislature shall have power to prescribe the manner of enumerating and apportioning the number of inhabitants necessary for the election of Representatives to the Legislature. The counties of Pickens and Tishomingo, shall elect four \*Representatives each; and the counties of Panola and Pontotoc shall elect five Representatives each, until otherwise changed by the action of Legislature.

SEC. 7. The Legislature shall divide the Chickasaw Nation into four Senatorial districts; Provided, however, until said division, the counties of Panola, Pickens, Tishomingo and Pontotoc, shall each respectively constitute a Senatorial district. And each Senatorial district shall be entitled to elect three Senators.

SEC. 8. The House of Representatives when assembled, shall choose a Speaker and its other officers, and the Senate shall choose a President and its other officers. And each House shall judge of the qualifications and elections of its own members; but contested elections shall be determined in such manner as shall be directed by law. And a majority of each House shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as each House may provide.

SEC. 9. Each House may determine the rules of its own proceedings; punish members for disorderly conduct: and, with the consent of two-thirds, expel a member, but not a second time for the same offense.

SEC. 10. Each House shall keep a journal of its proceedings, and shall publish the same. And the yeas and nays of the members of either House, on any question, shall, at the desire of any three members present, be entered on the journal.

SEC. 11. When vacancies happen in either House, the Governor, or the person exercising the power of Governor, shall issue writs of election to fill such vacancy.

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\* "Four" was changed by act of Legislature to "five."

SEC. 12. Senators and Representatives shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest during the session of the Legislature, and in going to and returning from the same.

SEC. 13. The business of both Houses shall be transacted with open doors.

SEC. 14. Neither House shall, without the consent of the other, adjourn for more than three days.

SEC. 15. Bills may originate in either House, and [be] amended, altered, or rejected by the other; but no bill shall have the force of a law until it be read in each House two several days, and free discussion allowed thereon, unless two-thirds of the House in which the same shall be pending may deem it expedient to dispense with this rule. And every bill, having passed both Houses, shall be signed by the Speaker and President of their respective bodies.

SEC. 16. All bills for raising a revenue, and all appropriation bills for the support of the Government of the Chickasaw Nation, shall originate in the House of Representatives; but the Senate may amend or reject them as other bills.

SEC. 17. Each member of the Legislature shall receive from the public treasury a compensation for his services, which may be increased or diminished by law; but no increase of compensation shall take effect during the session at which such increase shall have been made.

SEC. 18. No Senator or Representative shall, during the term for which he shall have been elected, be appointed to any civil office of profit under this Nation, which shall have been created, or the emoluments of which shall have been increased during such term, except such offices as may be filled by election by the people.

SEC. 19. Any person who may hereafter become a collector or holder of public monies, and who, failing to account for the same, shall become a defaulter to the Government of the Chickasaw Nation, shall be ineligible to any office of trust or profit, until such monies are satisfactorily accounted for, and paid into the National Treasury.

SEC. 20. No money shall be drawn from the Treasury but in consequence of an appropriation made by law. An accurate statement of the receipts and expenditures of public monies shall be attached to, and published with the laws, at every regular session of the Legislature.

SEC. 21. The members of the Legislature shall receive, for their services, three dollars per day,\* until otherwise fixed by law; and be paid out of the Public Treasury.

SEC. 22. The House of Representatives shall have the sole power of impeachments; and all impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be upon oath, or affirmation: and no person shall be convicted without the concurrence of two thirds of the members present. Judgment in cases of impeachment shall not extend only to removal from office, and disqualification from holding any office of honor, trust, or profit, under this Nation: but the parties convicted, shall, nevertheless, be subject to indictment, trial, and punishment, according to law.

SEC. 23. All officers against whom articles of impeachment may be preferred, shall be suspended from the exercise of the duties of their office during the pendency of their impeachment. The appointing power shall make a provisional appointment to fill the vacancy occasioned by the suspension of an officer, until the decision on the impeachment.

SEC. 24. The Legislature shall provide for the trial, punishment and removal from office, of all other officers of this Nation, by indictment, or otherwise.

SEC. 25. In conformity with the "Treaty of April 28, 1866," the Legislature shall have the power to enact any and all laws necessary to carry into effect the requirements specified in the said Treaty.

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\*Three dollars per day, changed to four dollars per day, by law.

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## ARTICLE V.

### Executive Department.

SECTION 1. The Supreme Executive power of this Nation shall be vested in a Chief Magistrate, who shall be styled "The Governor of the Chickasaw Nation."

SEC. 2. The Governor shall be elected by the qualified electors of the Nation, at the time and place of elections for members of the Legislature, and shall hold his office two years from the time of installation, and until his successor shall be qualified; but shall not be eligible for more than four years in any term of six years.

SEC. 3. No person shall be eligible to the office of Governor unless he shall have attained the age of thirty years, and shall have been a resident of the Nation for one year next preceding his election. Neither shall any person, except a Chickasaw by birth, or and adopted member of the tribe, at the time of the adoption of this Constitution, be eligible to the office of Governor.

SEC. 4. The returns of every election for Governor shall be made out, sealed up and transmitted to the National Secretary, at the seat of government, who shall deliver it to the Speaker of the House of Representatives, during the first day of its organization, who shall proceed immediately to open and count the votes in the presence of both Houses of the Legislature. The person having a majority of the whole number of said votes shall be declared by the Speaker to be Governor. But if no person shall have a majority of said votes, or if two or more shall have an equal and the greatest number of said votes, then the said Legislature, on the second day of its organization, by joint vote of both Houses, shall proceed, without debate, to choose a Governor from the list of the names of the two persons having the greatest number of votes, or of the names of the persons having an equal and the highest number of votes so returned, as aforesaid.

SEC. 5. The Governor shall receive, for his services, a compensation to be fixed by law, which shall neither be increased nor diminished during his continuance in office.

SEC. 6. The Governor shall have power to enforce the laws, assisted by the militia, if necessary. He shall have power to compel all the officers of this Nation (excepting the members of the Legislature) to discharge the duties of their respective offices; and for any neglect of duty, or other misdemeanor in office, he shall suspend the officer so offending, until a judgment is given of acquittal or condemnation.

SEC. 7. He may, by proclamation, on extraordinary occasions, convene the Legislature; and shall state to both Houses, when assembled, the purpose for which they shall have been convened. He shall, from time to time, give to the Legislature information, in writing, of the state of the government; and recommend to their consideration such measures as he may deem expedient.

SEC. 8. In case of a disagreement between the two Houses with respect to the time of adjournment, the Governor shall have the power to adjourn the Legislature to such time as he may think proper: Provided, it be not beyond the time fixed for the meeting of the next Legislature.

SEC. 9. No person shall, while holding any office under this Nation, exercise the office of Governor.

SEC. 10. There shall be a seal of this Nation, which shall be kept by the Governor and used by him officially; and shall be called "The Great Seal of the Chickasaw Nation."

SEC. 11. All commissions shall be in the name and by the authority of the Chickasaw Nation, and be sealed with the Great Seal, signed by the Governor, and attested by the National Secretary.

SEC. 12. Every bill which shall have passed both Houses of the Legislature, shall be presented to the Governor; if he approve, he shall sign it; but if not, he shall return it to the House in which it shall have originated, who shall enter the objections at large upon the Journal, and proceed to reconsider it. If, after such reconsideration,

two-thirds of the members present shall agree to pass the bill, it shall be sent, with the objections to the other House, by which it shall likewise be reconsidered. If approved by two-thirds of the members present of that House, it shall become a law. But in each case the votes of both Houses shall be determined by yeas and nays. And the names of the members voting for and against the bill shall be entered on the Journals of each House respectively. If any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it. Every bill presented to the Governor one day previous to the adjournment of the Legislature, and not returned to the House in which it originated, before its adjournment, shall become a law, and have the same effect as if signed by the Governor.

SEC. 13. Every order, resolution, or vote to which the concurrence of both Houses of the Legislature may be necessary, except on questions of adjournment, shall be presented to the Governor, and before it shall take effect be approved by him; or being disapproved, shall be re-passed by both Houses, according to the rules and limitations prescribed in the case of a bill.

SEC. 14. Whenever the office of Governor shall become vacant by death, resignation, removal from office or otherwise, the President of the Senate shall exercise the office of Governor until another Governor shall be duly qualified; and in case of the death, resignation, removal from office, or other disqualification of the President of the Senate, so exercising the office of Governor, the Speaker of the House of Representatives shall exercise the office until the President of the Senate shall have been chosen. And when the office of Governor, President of the Senate, and Speaker of the House, shall become vacant, in the recess of the Senate, the person acting as National Secretary for the time being shall, by proclamation, convene the Senate, that a President may be chosen to exercise the office of Governor. When either the President or the Speaker of the House of Representatives shall so exercise the duties of said office, he shall receive the compensation of Governor only; and his duties as President or Speaker shall be suspended; and the Senate or House of Representa-

tives, as the case may be, shall fill the vacancy until his duties as Governor shall cease.

SEC. 15. There shall be a National Secretary, who shall be appointed by the Governor, by and with the advice and consent of the Senate, and shall continue in office during the term of service of the Governor elect. He shall keep a fair register of all official acts and proceedings of the Governor, and shall, when required, lay the same, and all papers, minutes and vouchers relative thereto, before the Legislature, or either House thereof; and shall perform such other duties as may be required of him by law. And for neglect of duty, or other misdemeanor in office, shall be subject to removal from office by the Governor.

SEC. 16. A National Treasurer and Auditor of Public Accounts shall be appointed by the Governor, by and with the advice and consent of the Senate, for the term of two years. Their term of office to commence with the Governor elect. And in case of vacancy in either of the above offices, by death, resignation, or otherwise, the Governor shall have power to fill such vacancy by appointment, for the unexpired term of the former incumbent.

SEC. 17. When any office shall from any cause, become vacant, and no mode is provided by the Constitution and laws for filling such vacancy, by granting a commission, which shall expire at the end of the Legislature, or at the next election by the people.

SEC. 18. The offices of Governor, National Secretary, Treasurer, Auditor of Public Accounts, and Attorney-General, shall be kept at the seat of government; and the Governor, National Secretary, Treasurer, Auditor of Public Accounts, and Attorney-General, shall attend at the seat of government, quarterly, and during each session of the Legislature, to attend to the duties of their respective offices

## Article VI.

### Judicial Department.

SECTION 1. The Judicial powers of this Nation shall be vested in one Supreme Court. in District Courts, and in such County Courts as the Legislature, may, from time to time, ordain and establish, and as may be deemed necessary and be directed by law.

SEC. 2. The Supreme Court shall consist of a Chief Justice and two Associates, any two of whom shall form a quorum.

SEC. 3. The Supreme Court shall have appellate jurisdiction only, which shall be co-extensive with the limits of the Nation under such restrictions and regulations, not repugnant to this Constitution, as may, from time to time, be prescribed by law; Provided, nothing in this article shall be so construed as to prevent the Legislature from giving the Supreme Court original jurisdiction in capital cases, when the Judge of the District Court may be interested or prejudiced.

SEC. 4. The Supreme Court shall have power to issue such writs as shall be necessary to enforce its own jurisdiction; and also compel a judge of the District Court to proceed to trial and judgment in a cause; and shall hold its session twice in each and every year at the seat of government, commencing on the first Mondays of the month of April and October.

SEC. 5. The Supreme Court shall appoint its own clerk, who shall hold his office for four years, and be subject to removal by the said Court for neglect of duty, misdemeanor in office, and such other causes as may be prescribed by law.

SEC. 6. The Legislature shall, by joint vote of both Houses, elect the Judges of the Supreme and Circuit Courts, a majority of the whole number in joint vote being necessary to a choice. The Judges of the Supreme and Circuit Courts shall be at least 30 years of age. They shall hold their office during the term of four years from the date of their commission.

SEC. 7. The Circuit Court shall have original jurisdiction over all criminal cases which shall not be otherwise provided for by law, and exclusive original jurisdiction of all crimes amounting to felony,

and original jurisdiction of all civil cases which shall not be cognizable before County Judges, until otherwise directed by the Legislature; an original jurisdiction in all matters of controversy where the sum or amount in dispute is over one hundred dollars. It shall hold its term in such place in each county as may be by law directed.

SEC. 8. Each county of this Nation shall constitute one Judicial District, until otherwise provided for by law.

SEC. 9. The Circuit Courts shall have power to issue all writs necessary to enforce their own jurisdiction, and have a superintending control and jurisdiction over County Courts, and of all cases of divorce, and of all suits, complaints and pleas whatever, without regard to any distinction between law and equity.

SEC. 10. There shall be a Clerk of the District Court for each county, who shall have their appointment from the District Judge, and shall hold his office for two years.

SEC. 11. The Judges of the Supreme Court and District Courts shall receive such compensation for their services as may be provided for by law; and such salaries shall not be increased or diminished during their continuance in office.

SEC. 12. There shall be established in each county in this Nation, a Court, to be called the County Court, which shall have jurisdiction in all matters in controversy in any sum not exceeding the value of one hundred dollars.

SEC. 13. There shall be elected, by the qualified electors of the respective counties, a Judge of the County Court, to be commissioned by the Governor, and hold his office for the term of two years, and until his successor is elected and qualified. He shall, in addition to the duties that may be required of him by law, as a presiding Judge of the County Court, be a Judge of Probate Court, and have such jurisdiction in matters relative to the estate of deceased persons; to appoint guardians, granting letters testamentary and of administration; to settle the accounts of executors and administrators and guardians; and the District Court shall have original and appellate jurisdiction, and general control over the said County Court, under such regulations as may be prescribed by law.

SEC. 14. In the trial of all causes in equity in the District Court, the plaintiff or defendant shall, upon application made in open Court, have the right of trial by jury, to be governed by the rules and regulations prescribed in trials at law.

SEC. 15. No Judge shall sit in any case wherein he may be interested, or where either of the parties may be connected with him by affinity or consanguinity within such degrees as may be prescribed by law, or where he shall have been of counsel in the cause. When the Supreme Court, or any two of its members, shall be thus disqualified to hear and determine any cause or causes in said Court, by reason of the equal division of opinion of said Judges, the same shall be certified to the Governor of the Nation, who shall immediately commission the requisite number of persons for the trial and determination of said case or cases. When the Judges of the District Court are thus disqualified, the parties in controversy may, by consent, appoint a proper person to try the case, but in case of disagreement to appoint a proper person by the parties, the same shall be certified to the Governor, to be proceeded with as in the case of Supreme Judges. The disqualification of Judges of County Courts shall be remedied as may hereafter be by law prescribed.

SEC. 16. There shall be one District Attorney elected, by the qualified electors of this Nation, who shall hold his office for two years, and his duties, salary and perquisites shall be prescribed by law. He shall also act as Attorney-General for the Nation.

SEC. 17. There shall be elected, by the qualified electors of each county, one Sheriff and a sufficient number of Constables, who shall hold their office for two years; and the duties and perquisites shall be prescribed by law. The Sheriff shall not be eligible more than four years in every six.

SEC. 18. All Judges of the several courts of this Nation shall, by virtue of their offices, be conservators of the peace throughout the Nation. The style of all writs and process, shall be "The Chickasaw Nation." All prosecutions shall be carried on "In the name, and by the authority of the Chickasaw Nation," and conclude "Against the peace and dignity of the Nation."

## GENERAL PROVISIONS.

SECTION 1. Members of the Legislature, and all officers, shall take the following oath or affirmation, before they enter upon the duties of their office: "I (A. B.), do solemnly swear (or affirm) that I will faithfully and impartially discharge and perform all the duties incumbent upon me, as—, according to the best of my skill and ability, agreeably to the Constitution and laws of the Chickasaw Nation, so help me God."

SEC. 2. Treason against this Nation shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. And no person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or his own confession in open court. And any person guilty of treason shall suffer death.

SEC. 3. All property, both real and personal, of the wife owned and claimed by her before marriage, and that acquired afterwards by gift, devise or descent, shall be her separate property. And laws shall be passed more clearly defining the rights of the wife, in relation, as well as to her separate property as that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property.

SEC. 4. Divorces from the bonds of matrimony shall not be granted, but in cases provided for by law, by suit in the District Court of this Nation.

SEC. 5. The Legislature shall determine the number of Annuity Captains, as well as to prescribe the mode and manner they shall be chosen, to superintend the payments of Chickasaw annuities.

SEC. 6. Every person shall be disqualified from holding any office or place of honor or profit, under the authority of this Nation, who shall be convicted of having given or offered any bribe to procure his election or appointment. Laws shall be made to exclude from

office and from suffrage, and provide for the mode and manner of punishing those who may hereafter be convicted of bribery, perjury, or other high crimes and misdemeanors.

SEC. 7. That every white person, who having married a Chickasaw Indian, or who has been adopted by the Legislative authorities of said Nation shall be entitled to all the rights, privileges and immunities guaranteed to them only by the thirty-eighth Article of the Treaty of 1866, with the Choctaw and Chickasaw Indians.

SEC. 8. No person, but a citizen, shall hold any office of profit created, or which may hereafter be created, under this Constitution; and no citizen shall fill more than one office at the same time.

SEC. 9. No retrospective payments shall be made out of the Chickasaw monies, to any person herein adopted, or which may hereafter be adopted under this Constitution.

SEC. 10. The Legislature shall have power, by law, to admit or adopt, as citizens of this Nation, such persons as may be acceptable to the people at large.

SEC. 11. Whenever two-thirds of both branches of the Legislature deem it necessary, they may propose amendments to this Constitution; and if two-thirds of both branches of the succeeding Legislature approve such amendments, they shall be engrafted to, and form a part of this Constitution.

SEC. 12. The Legislature shall provide for the election of all officers necessary to carry into effect the general and specific powers of the several courts of this Nation, not otherwise provided for in this Constitution.

SEC. 13. The Legislature shall prescribe the manner of making marriage lawful.

SEC. 14. The Legislature shall limit the annual rate of interest on written obligations for the payment of money.

SEC. 15. All general elections by the people for officers under this Constitution shall be held on the second Wednesday in August, in each year. The Legislature shall prescribe the manner of conducting said elections.

SEC. 16. That no inconvenience may arise from the political separation between the Choctaws and Chickasaws, it is hereby declared, that all rights, privileges, and immunities of citizens secured under the "5th Article of the Treaty of June 22, 1855," to all Choctaws who are now, or may hereafter become residents within the limits of the Chickasaw Nation, are fully recognized and protected. And all the rights of property acquired by virtue of the Constitution and laws of the Choctaw Nation, shall remain precisely in the same situation they were before the adoption of this Constitution.

SEC. 17. The Legislature shall provide for the confinement of convicts, or persons accused of crime, previous to trial. Also the manner of punishment for all crimes and misdemeanors committed against the laws of this Nation.

SEC. 18. The oath of office may be administered by any Judge of this Nation.

SEC. 19. All rights and powers not herein granted or expressed, are reserved unto the people; and any law that may be passed contrary to the provisions of this Constitution shall be null and void.

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## PUBLIC EDUCATION.

SECTION 1. A general diffusion of knowledge being essential to the preservation of the rights and liberties of the people, it shall be the duty of the Legislature of this Nation to make suitable provisions for the support and maintenance of Public Schools.

SEC. 2. A Superintendent of Public Instruction shall be elected by joint vote of both Houses of the Legislature, who shall keep his office at the seat of government, and shall hold his office for the term of four years from the date of his election, whose duties shall be prescribed by law, and shall receive such compensation as the Legislature may direct.

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SEC. 3. The Legislature shall encourage, by all suitable means, the promotion of intellectual, scientific, moral and agricultural improvement, and such other means as shall be inviolably appropriated to the support of general education throughout this Nation.

SEC. 4. All contracts which may be made and entered into between the Board of Trustees of Public Schools, and that of the Teachers shall be binding; subject, however, to the approval or disapproval of the Legislature.

Done in Convention at Camp Harris, this sixteenth day of August, 1867.

CHAS. P. H. PERCY. President.

THOMAS DREUNEN, }  
EDMUND PERRY, } Secretaries.



# LAWS.

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## **An Act Defining the Duties of National Secretary.**

**SECTION 1.** Be it enacted by the Legislature of the Chickasaw Nation, That a National Secretary shall be appointed by the Governor, by and with the advice and consent of the Senate, and shall continue in office during the term of service of the Governor-elect.

**SEC. 2.** Be it further enacted, That he shall keep a fair register of all the official acts of the Governor, and, when required, shall lay the same, and all minutes and other papers in relation thereto, before the Legislature, or either branch thereof.

**SEC. 3.** Be it further enacted, That he shall keep his office at the seat of government, or other places where the session of the Legislature may be held. He shall, in a separate book, suitable for the purpose, keep a complete register of all the officers appointed and elected in the Nation.

**SEC. 4.** Be it further enacted, That he shall be at every session of the Legislature, for the purpose of receiving bills which have become a law, and immediately after the close thereof, shall cause all such bills and all joint resolutions of the Legislature to be bound in a volume, to be kept in the office, and the date of the session to be written or stamped thereon.

**SEC. 5.** Be it further enacted, That he shall copy all laws passed at each session of the Legislature, and send to each clerk of the District Courts established in each county of this Nation, a copy thereof. with

instructions to safely keep the same for the use of the county ; also, furnish a copy of all the laws to the Clerk of the Supreme Court, and one to the District Attorney.

SEC. 6. Be it further enacted, That it shall be the duty of the National Secretary to furnish any person who may apply for the same, with a copy of any paper, document, or record in his office ; and also to give certificates, duly authenticated, certifying to any facts contained in the papers, documents or records of his office ; Provided, the person so applying shall pay a fee of ten cents for every hundred words ; and such fees so paid shall be retained by the National Secretary as compensation for such service. But in no case shall the Secretary claim or charge his fee when the Nation is interested, or demands an official copy of all the papers or records in his office.

SEC. 7. Be it further enacted, That when the National Secretary be duly appointed, he shall, within twenty days after receiving notice of his appointment, and before entering upon the duties of his office, give a bond payable to the Governor of the Chickasaw Nation, or his successor in office, with at least two good and sufficient securities, to be approved by the Governor in the sum of one thousand dollars, conditioned for the faithful performance of the duties of his office, and shall take and subscribe the oath prescribed in the Constitution, which, together with the bond, shall be deposited in the office of the Attorney-General.

SEC. 8. Be it further enacted, That it shall be the duty of the National Secretary to take a list of all the Capitol furniture, and to turn it over to the jailer, taking his receipt therefor.

SEC. 9. Be it further enacted, That the National Secretary procure a seal for his office, and one seal for each county of this Nation, for the purpose of duly authenticating all copies of any papers documents or records in his office, and the National Secretary shall present the amount and cost of such seals at the next regular session of the Legislature for payment.

SEC. 10. Be it further enacted, That after the Secretary shall have procured the above seals, he shall hold the same until the enactment of a law by the Legislature defining the use of said seals.

SEC. 11. Be it further enacted, That it shall be the duty of the National Secretary to allow any citizen of this Nation to have any book from the National Library he may desire, charging him full value for the same, the value to be assessed by the National Secretary when the book is given out, and if the book is returned within or at the end of twelve months, receipting the citizen for the same; Provided, however, the citizen be responsible for abuse of the book, and if he fail to return it as above specified, he shall be fined by the County Judge of Tishomingo County not less than double the assessed value of the book so retained, and the Judge shall order the Sheriff or Constable to seize said book and return it to the office of National Secretary.

SEC. 12. Be it further enacted, That this act take effect and be in force from and after its passage, and all laws or parts of laws conflicting with this act are hereby repealed.

APPROVED, October 2, 1876.

B. F. OVERTON,  
Governor.

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### **An Act Defining the Duties of District Attorney.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the District Attorney, before entering upon the duties of his office, shall give a bond, payable to the Governor and his successor in office, for the use of the Nation, in the sum of one thousand dollars, with not less than two securities, to be approved by the Governor, conditioned that he will faithfully pay over, in the manner prescribed in this act, all money which he may collect for the

use of the Nation; and shall take and subscribe the oath prescribed in the Constitution, which, together with the bond, shall be deposited in the office of the National Secretary.

SEC. 2. Be it further enacted, That it shall be the duty of the District Attorney to attend all terms of the District Court, and conduct all prosecutions for crimes and offenses cognizable in such Courts; to prosecute and defend all other actions in which the Nation may be interested, and to perform such other duties as may be prescribed by the Constitution and Laws of the Nation.

SEC. 3. Be it further enacted, That the District Attorney shall report to the National Secretary, quarterly, at the close of the Courts of the District, in such form as he may prescribe, the number of indictments which have been found by the Grand Juries in the district for the preceding quarter, specifying the offenses charged therein, the number of arraignments, convictions and acquittals for each offense, the number of indictments which have been disposed of without the intervention of a Petit Jury, with cause and manner of such disposition, and also a summary of the judgments rendered on such convictions, specifying the offenses, the nature and amount of the penalty imposed, and the amount of fines and penalties collected.

SEC. 4. Be it further enacted, That the District Attorney shall give such directions to the Circuit Clerks and Sheriffs in the several counties, as he may deem necessary to insure the collection of all money for which judgment may have been rendered in favor of the Nation.

SEC. 5. Be it further enacted, That it shall be the duty of the District Attorney, whenever he collects any money for the use of the Nation, to deliver to the officer or person paying the same duplicate receipts therefor.

SEC. 6. Be it further enacted, That the District Attorney shall, on or before the first day of September, and on or before the first day of March, in each and every year, file in the office of the Auditor of Public Accounts an account in writing, verified by his affidavit, of all monies received by him, by virtue of his office, during the preceding six months, and payable by law into the National Treasury.

SEC. 7. Be it further enacted, That the District Attorney shall file a like account, verified in like manner, in the office of the Treasurer of the Nation, of all monies received by him, by virtue of his office, during the preceding six months, and payable by law into the Treasury of the Nation, and shall at the same time pay such monies into the Treasury of the Nation.

SEC. 8. Be it further enacted, That the District Attorney shall not act as attorney or counsel for any party in an action wherein such party is charged with a crime, misdemeanor, or breach of the penal statute, nor where the interest of such party is adverse to that of the Nation.

SEC. 9. Be it further enacted, That no admission made by the District Attorney, in any suit in which the Nation is a party, shall operate to prejudice the interest of the Nation.

SEC. 10. Be it further enacted, That the District Attorney shall keep, in proper books to be procured for that purpose at the expense of the Nation, a register of all his official acts and reports, and of all actions and demands presented or defended by him, of all proceedings had in relation thereto, and shall deliver the same over to his successor in office.

SEC. 11. Be it further enacted, That it shall be the duty of the District Attorney to give to the foreman of the Grand-Jury any advice or assistance he may require in his duties.

SEC. 12. Be it further enacted, That if the District Attorney fails to attend any of the terms of the courts, the Judge may appoint a licensed lawyer, for the time being, who shall act as District Attorney for that term, and for such services he shall receive twenty-five dollars, to be paid out of the National Treasury.

SEC. 13. Be it further enacted, That if the District Attorney fails to attend any of the terms of the courts, he shall forfeit twenty-five dollars (\$25) of his annual salary to the Nation; but if he can show a good and lawful excuse, to the satisfaction of the Judge, for not attending, he shall not forfeit any of his salary.

SEC. 14. Be it further enacted, That the District Attorney shall receive ten dollars (\$10) for all murder, felony and larceny cases

and one-half of all fines imposed in cases of concubinage or adultery, that he may prosecute to conviction, and have him or them dealt with as the law directs in all such cases.

SEC. 15. Be it further enacted. That the District Attorney shall be required to procure the certificate of the presiding Judge or Judges, attested by the Clerk of the Court, before he can get his pay, and upon presentation of said certificate to the Legislature, it shall make necessary appropriations for the payment of the same.

SEC. 16. Be it further enacted, That all parts of laws in conflict with this act be and the same are hereby repealed, and that this act take effect from and after its passage.

APPROVED, October 2, 1876.

B. F. OVERTON,  
Governor.

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### **An Act Defining the Duties of Treasurer.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, that the first, and every subsequent Treasurer of the Chickasaw Nation, shall within twenty days after he shall have received notice of his appointment or election, and before he enters upon the duties of his office, give a bond, payable to the Governor of the Chickasaw Nation, and his successor in office for the use of the Nation, in the sum of twenty-five thousand dollars (\$25,000) with good and sufficient security, of not less than ten persons, whose aggregate property shall be equal to the amount, free of all encumbrances, certified by the Circuit Judge, and approved by the Governor of the Chickasaw Nation, conditioned that he will faithfully execute the duties of his office, and shall take and subscribe the oath prescribed in the Constitution, which together with the bond, shall be deposited in the office of National Secretary, which bond shall be deemed to extend to the faithful performance of the duties of his trust, and until his successor shall be duly qualified, and shall have entered upon the duties of his office.

SEC. 2. Be it further enacted, That the Treasurer shall receive all monies which shall from time to time be paid into the Treasury of the Nation, receipting for the same upon triplicate receipts, one of which shall be given to the Auditor, one to the person depositing the money, and the other retained.

SEC. 3. Be it further enacted, That the Treasurer shall countersign and pay all warrants drawn by the Auditor of Public Accounts on the Treasury which are authorized by law; and no money shall be paid out of the National Treasury except on the warrant of the Auditor.

SEC. 4. Be it further enacted, [That] he shall keep a true account of the receipts and expenditures of the public monies of the Treasury, and close his accounts on the thirty-first day of August with proper and legal vouchers for the same.

SEC. 5. Be it further enacted, [That] he shall provide, at the expense of the Nation, all necessary books for the purpose of keeping the accounts of the Treasury; and he shall open therein an account in the name of the Chickasaw Nation, in which he shall enter the accounts of all monies, securities and other property in the Treasury, and which may at any time be received by him; and shall state distinctly the several sources from which the revenue is derived, and the amount received from each.

SEC. 6. Be it further enacted, [That] he shall also open an account in the Treasury for all appropriations made by law, so that the appropriations, and applications in pursuance thereof, may distinctly appear.

SEC. 7. Be it further enacted, That the Treasurer shall exhibit to the Governor, on the first Monday in September in each year, an exact statement of the condition and situation of the Treasury, and of the balance remaining therein, to the credit of the Nation, with the summary of the receipts, and the payments of the Treasury during the preceding year, and shall exhibit all books, papers and vouchers, and all other matters pertaining to his office, for the examination of the Legislature, or either branch thereof, or any committee which may be by them appointed, whenever required by them so to do.

SEC. 8. Be it further enacted, [That] the Treasurer shall, at the close of his term of office, deliver into the possession of his

successor the money, securities and all other property of the Nation, together with the books, vouchers, papers, and evidences of property in his possession, and all matters and things which pertain to the office of National Treasurer.

SEC. 9. Be it further enacted, That the National Treasurer be allowed a sufficient guard to safely transport all money he may have to bring into the Nation. The guard's pay to be three dollars' per day each while in actual service.

(Amendment of September 24, 1880.)

SEC. 10. Be it further enacted, That for the better protection and security of the National funds, the Treasurer of this Nation shall be required, hereafter, to let all monies deposited in the Sub-Treasury at St. Louis to the credit of the Chickasaw Nation, remain there, and give his drafts on the same whenever warrants are presented to him for payment, until all of said monies shall be drawn out of the Sub-Treasury.

SEC. 11. Be it further enacted, That it shall not be lawful for the Treasurer to receive orders on officers' salaries, school certificates, or any other evidences of national indebtedness, into the Treasury as revenue, except jury and witness fees.

SEC. 12. Be it further enacted, That whenever the Treasurer shall violate the provisions of this act, he shall be deemed guilty of a misdemeanor in office, and shall be suspended from the duties of the same, until he can be tried by the court having jurisdiction in such cases, and shall forfeit all pay during the time he was suspended.

SEC. 13. Be it further enacted, That all parts of laws in conflict with this act, be and are hereby repealed and this act take effect from and after its passage.

APPROVED, October 2, 1876.

B. F. OVERTON,  
Governor.

**An Act Defining the Duties of Auditor of Public Accounts.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the first Auditor of the Chickasaw Nation, and every subsequent Auditor, shall, within twenty days after he shall have received his appointment or election, and before he enters upon the duty of his office, give a bond, payable to the Governor of the Chickasaw Nation, and his successor in office for the use of the Nation, in the sum of fifteen thousand dollars, with not less than five good securities, to be approved by the Governor of the Chickasaw Nation, conditioned that he will faithfully execute the duties of his office; and shall take and subscribe the oath prescribed in the Constitution, which, together with the bond, shall be deposited in the office of the National Secretary, which bond shall be deemed to extend to the faithful performance of the duties of his trust, and until his successor shall be duly qualified and shall have entered upon the duties of his office.

SEC. 2. Be it further enacted, [That] he shall exhibit to the Governor, on the first Monday in September of each year, an exact and complete statement of the funds of the Nation, of its revenues and of its public expenditures during the preceding year, with an estimate of the expenditures to be defrayed from the Treasury for the ensuing year, specifying therein each object of expenditures, and distinguishing between such as are provided for by special or general appropriation and such as are to be provided for by law, and showing the means from which such expenditures are to be defrayed.

SEC. 3. Be it further enacted, [That] he shall keep all accounts in which the Nation is interested, and suggest plans for the improvement and management of the public revenues.

SEC. 4. Be it further enacted, [That] he shall draw warrants on the treasury for the payment of all monies directed by law to be paid out of the Treasury, and no warrant shall be drawn unless authorized by law; and every warrant shall refer to the law under which it is

drawn; and no warrant shall be issued in favor of any person, or agent, or assignee of any person indebted to the Nation, unless such debt be paid.

SEC. 5. Be it further enacted, [That] he shall preserve the books, records, papers and other things belonging to his office, and deliver the same without injury or damage to his successor.

SEC. 6. Be it further enacted, [That] he shall number each and every warrant he may draw upon the Treasury of the Nation; the number shall begin with one, at the commencement of each fiscal year, and proceed progressing to the end thereof; they shall specify on what particular account they are drawn.

SEC. 7. Be it further enacted, [That] he shall furnish the Treasurer of the Nation, at the end of every quarter, with a report specifying the warrants that have been drawn during each quarter, their number, their several amounts, and the name of the person to whom payable.

SEC. 8. Be it further enacted, That the Auditor shall examine the disbursements of the Treasurer at the end of each quarter, and shall, together with the Treasurer, cancel the warrants which have been paid, in such manner as to prevent their future circulation, and shall examine if the receipts acknowledged by the Treasurer during the quarter correspond with the deposits, and if the balance of the money reported to be in his possession is actually in his hands.

SEC. 9. Be it further enacted, [That] the accounts of the Auditor shall be annually closed on the last day of August, and he shall exhibit all books, papers, vouchers and all other matters pertaining to his office, for the examination of either branch of the Legislature, or any committee which may be by them appointed, whenever required by them so to do.

SEC. 10. Be it further enacted, That the Auditor shall provide, at the expense of the Nation, all necessary books for proper keeping of the accounts pertaining to his office.

SEC. 11. Be it further enacted, That the Auditor shall divide the warrants issued on the Treasurer into three divisions, as follows: First, for National officers; second, for members of the Legislature, and for incidental expenses; third, for jury and witness fees. Each

division shall be kept in separate books, commencing at No. 1 of each division, and continuing to the end.

SEC. 12. Be it further enacted, That where several certificates are held by any one person, the Auditor may consolidate them and issue a warrant for the whole: but in such cases the Auditor shall continue numbering on his list as above specified, from one to the end.

APPROVED, October 2, 1876.

B. F. OVERTON,  
Governor.

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**An Act Defining the Duties of Sheriffs.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, [That] there shall be elected by the qualified electors in each county in this Nation, one Sheriff, who shall hold his office for two years, and until his successor shall be elected and qualified.

SEC. 2. Be it further enacted, That every person who may be elected to the office of Sheriff, shall, before entering upon the duties of his office, give bond, with two or more good and sufficient securities, to be approved by the County Judge of his county, in a sum not less than five hundred dollars, nor more than one thousand dollars, payable to the Governor and his successor in office, conditioned that he will account for and pay over to the persons authorized to receive the same, all fines, forfeitures and penalties that he may collect for the use of the Nation; and that he will well and truly execute and make due returns of all processes to him lawfully directed, and deliver over all sums of monies or property collected by him, by virtue of such process, to the persons entitled to the same, or their lawful attorney: and that he will faithfully perform all such duties as may be required of him by law, and shall take and subscribe the oath of office prescribed in the Constitution, which shall be endorsed on his bond, together with the certificate of the officer administering the same; which bond

and oath shall be recorded in the office of the Clerk of the County Court and then be deposited in the office of the National Secretary.

**SEC. 3.** Be it further enacted, That whenever any person elected Sheriff shall neglect or refuse to give bond and take the oath of office, as required by this act, within twenty days after notice of his election, the office shall be deemed vacant, and the County Judge shall certify the fact to the Governor, who shall make an appointment to fill such vacancy, and after he shall qualify, as directed in this act, he shall discharge the duties of Sheriff for the unexpired term of his predecessor.

**SEC. 4.** Be it further enacted, That each Sheriff shall execute all writs and processes directed to him by legal authorities, and make return thereof to the proper court, on or before the day to which the same is returnable; and any Sheriff who shall fail so to do, or who shall make a false return on any writs or process, shall, for every such offense, be fined in any sum not exceeding fifty dollars, at the discretion of the court having jurisdiction; which fine shall go the National Treasury, and such Sheriff shall also be liable to the party injured for damages he may have sustained.

**SEC. 5.** Be it further enacted, That when a Sheriff shall meet with resistance in the execution of any legal process, he shall call to his aid the power of the county; and any person who shall neglect or refuse to aid and assist any Sheriff in the execution of any legal process, when summoned so to do, shall be fined in a sum not exceeding ten dollars, to be recovered by proof of such neglect or refusal, before the court from which such process issued; and the fine so collected shall go into the County Treasury for county purposes.

**SEC. 6.** Be it further enacted, That each Sheriff shall attend upon all the District and Probate Courts of his county; and in the county where the Supreme Court shall hold its session, the Sheriff of such county shall attend upon the Supreme Court.

**SEC. 7.** Be it further enacted, That every Sheriff who shall be guilty of any willfull neglect of duty, corruption or partiality, or other

misdemeanor in office, shall be dealt with as the law directs in such cases, and on conviction shall be removed from office

SEC. 8. Be it further enacted, That each sheriff shall be a conservator of the peace in his county, and shall arrest all offenders against the laws of the Nation, in his view or hearing, and take them before the proper court for examination or trial; he shall quell all assaults and batteries, affrays and unlawful assemblies; he shall apprehend and commit to jail all felons and other offenders until an examination or trial can be had.

SEC. 9. Be it further enacted, That the Sheriff of Tishomingo County shall attend at each session of the Legislature, from the commencement to the end, and shall receive fifty cents for every full bottle of spirituous liquor or intoxicating drink he may spoil; a dollar for every jug or keg, or fifty cents for every gallon in quantity; he shall bring to the Capitol all intoxicating liquor he may find during the sitting of the Legislature, and spill the same in the presence of witnesses.

SEC. 10. Be it further enacted, That every Sheriff shall be entitled (after conviction) to one-half of the fine imposed by the court for all spirituous liquors he may destroy in the discharge of his duties, and which he shall have reported to the court having jurisdiction.

SEC. 11. Be it further enacted, That when a Sheriff reports any person or persons to the court for violating the act prohibiting persons from carrying arms in public places, the Sheriff so reporting shall be entitled to one-half of the fine imposed by the court.

SEC. 12. Be it further enacted, That Section 10 of this Act shall not be construed to interfere with Section 9 of this Act, allowing the Sheriff of Tishomingo County fines for destroying spirituous liquors during the Legislature.

SEC. 13. Be it further enacted, That whenever any Sheriff of the Chickasaw Nation shall need assistance in the discharge of his duties, while in attendance in any District or County Court thereof, he shall apply to the presiding Judge of such court for such assistance as he may need in the discharge of his duties.

SEC. 14. Be it further enacted, That at all times the Sheriff of a county in which an institution of education may be located, shall carry into effect the orders of the Superintendent of Public Instruction for the Chickasaw Nation: Provided: said order shall be for the good and benefit of education in the Nation.

SEC. 15. Be it further enacted, That any Sheriff or Constable may serve any process, writ, attachment emanating from his county on the person of any one in another county of this Nation: and the person that may be so attached can be carried to the county where his presence is required, by the Sheriff or Constable serving such attachment, writ or process.

APPROVED, October 2, 1876.

B. F. OVERTON,  
Governor.

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### **An Act Defining the Duties of School Superintendent.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there shall be elected by the Legislature a Superintendent of Public Instruction, who shall hold his office for the term of four years from the date of his election, or until his successor is duly qualified, unless sooner removed for misdemeanor in office.

SEC. 2. Be it further enacted, That the Superintendent of Public Instruction shall have the management and general control of all the schools and school buildings in the Chickasaw Nation; examine as to the qualifications and moral character of teachers; hear and determine complaints against teachers, or any other person or persons connected with or having control of any of the schools of the Nation.

• SEC. 3. Be it further enacted, That it shall be the duty of the Superintendent of Public Instruction to report to the Governor of the Chickasaw Nation, quarterly, the condition of the different schools, and the number of scholars in actual attendance in each school; he

shall attend the examination of all the schools in the Nation, and shall note the progress and course of study of each class in the schools.

SEC. 4. Be it further enacted, That the Superintendent of Public Instruction shall keep his office at the seat of government, and shall procure, at the expense of the Nation, all necessary books and papers for the use of his office; and in case of disturbances, or of scholars leaving school without permission, the Superintendent is hereby empowered to call upon any Sheriff or Constable of this Nation, he may deem necessary, for such assistance as may be needed.

SEC. 5. Be it further enacted, That the Superintendent of Public Instruction shall appoint one trustee for each school in this Nation.

SEC. 6. Be it further enacted, That it shall be the duty of the Superintendent of Public Instruction to suggest to the Governor, and through him to the Legislature, such plans for improvements and repairs as he may deem necessary for the better management and progress of Public Education in this Nation.

SEC. 7. Be it further enacted, That it shall be the duty of the Superintendent of Public Instruction to remove any of the trustees of the schools, when complaint against any of them is deemed by him sufficient, and shall appoint others in their place.

SEC. 8. Be it further enacted, That it shall be the duty of the Superintendent of Public Instruction to select the best qualified persons possible to teach the schools in this Nation.

APPROVED October 2, 1876.

B. F. OVERTON,  
Governor.

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**An Act Defining the Duties of the Clerk of the Supreme Court.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there shall be appointed for the Supreme Court of this Nation, one Clerk, and the appointment shall be made by the Supreme

Judges, and shall be entered on record in the proceedings of the Court; and the person so appointed shall, before he enters upon the duties of his office, take and subscribe the oath prescribed by the Constitution, in open court, and shall enter into bond, with two good securities, to be approved of by the Court, payable to the Governor of this Nation and his successor in office, in the penal sum of one thousand dollars, conditioned for the faithful performance of the duties of his office, and correctly recording the judgments, decrees, decisions and orders of said Court, and deliver over to his successor in office all records, books and papers, and whatever belonging to his said office of Clerk; which bond and oath shall immediately thereafter be deposited in the office of the National Secretary.

SEC. 2. Be it further enacted, That the Clerk of the Supreme Court shall hold his office for the term of four years from his appointment, but may be removed therefrom for neglect of duty or misdemeanor in office, by the Supreme Court, on motion of which, the Clerk against whom the complaint is made shall have ten days' notice specifying the particular charges of negligence or misdemeanor in office preferred; and in every such case the Court shall determine both the law and the facts; and whenever the necessity occurs, the Supreme Court may appoint a Clerk pro tem.

SEC. 3. Be it further enacted, That if any Clerk of the Supreme Court shall knowingly make a false entry, or change any record in his keeping, belonging to his office, every such Clerk so offending shall be liable to prosecution in the Circuit Court, and shall, on conviction thereof, be fined in any sum not exceeding one thousand dollars, at the discretion of the Court.

SEC. 4. Be it further enacted, That the Clerk of the Supreme Court shall file and carefully preserve the transcripts of all records certified to said Court, and all papers relating thereto, and shall docket all cases brought to the Court, putting those from each county together upon the docket, in the order in which he shall receive them.

SEC. 5. Be it further enacted, That the said Clerk shall faithfully record the proceedings and decisions of said Court, and certify their judgments to the Court from which the causes were brought.

APPROVED, October 2. 1876.

B. F. OVERTON,  
Governor.

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**An Act Defining the Duties of District Judge.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there shall be elected, by the joint vote of both Houses of the Legislature, one Judge, to be called the District Judge, whose jurisdiction shall be co-extensive with the Chickasaw Nation, and shall hold court in each county of the Nation at the court ground, or such other place as may be designated by law, at such times and in such manner as may be prescribed.

SEC. 2. Be it further enacted, That the District Court shall be held twice in each county in each year, commencing in the County of Panola on the first Monday in June and November, 1887, and hold two weeks if business require it, and no longer; in the County of Pickens on the third Monday in June and November and hold two weeks if business require it, and no longer; in the County of Tishomingo the first Monday in July and December and hold two weeks if business require it, and no longer; in the County of Pontotoc the third Monday in July and December and hold two weeks if business require it, and no longer.

SEC. 3. Be it further enacted, That the District Judge shall hold his office for the term of four years from the date of his commission, unless sooner removed from office for misdemeanor or other high crime.

SEC. 4. Be it further enacted, That the Judge of the District Court shall, by virtue of his office, be a conservator of the peace throughout the Nation; and the District Court shall have original jurisdiction of all criminal cases, of all suits in behalf of the Nation to recover penalties and forfeitures, and of all suits against the Nation,

which are or may be allowed by law; and shall have power to hear and determine all prosecution in the name of the Nation, by indictment, information or presentment, for murder, treason or other felonious crimes and misdemeanors committed within its respective jurisdiction, except such as may be exclusively cognizable before County Judges or other courts of this Nation: and in all criminal cases have and exercise all the powers incident, and belonging to courts of general jurisdiction; and of all cases of divorce, and of all suits, complaints and pleas whatever, without regard to any distinction whatever between law and equity, when the matter in controversy shall be valued at more than one hundred dollars; and generally to do and perform all other acts pertaining to courts of general jurisdiction.

SEC. 5. Be it further enacted, That when the Judge of the District Court becomes disqualified from sitting upon and determining any case or cases wherein he may be interested, or where either of the parties may be connected with him by affinity or consanguinity, within the third degree, or when he shall have been of counsel in the cause, the parties in controversy, by common consent, appoint a proper person to try the case or cases; but in case of disagreement to appoint a proper person by the parties, the same shall be certified to the Governor, by the Clerk of the District Court (of the county where said case is pending); then the Governor shall appoint a proper person to try the aforesaid case or cases; and the Judge pro tempore so appointed shall receive four dollars per day for his services, to be paid out of the National Treasury.

SEC. 6. Be it further enacted, That the District Court shall have and exercise appellate jurisdiction, and general control over such inferior tribunals as may have been or may be established in each county; and also for appointing guardians, granting letters testamentary and of administration, for settling the accounts of executors, administrators and guardians, and for the transaction of business appertaining to estates, and original jurisdiction in probate matters, only in cases where the Judge of the Probate is interested.

SEC. 7. Be it further enacted, That the Judge of the District Court shall have authority, either in vacation or term time, to grant, on petition therefor, writs of injunction, sequestration, error, and all other remedial writs known to the law, returnable according to law: Provided, that no writ shall be granted without good cause shown.

SEC. 8. Be it further enacted, That the said Court shall have power to hear and determine all motions, three days' notice being given to the adverse party, against a Sheriff, Constable, or other officer, for money received under execution or other process or order of Court, which shall not have been paid to the party entitled to the same, on demand, or for other defalcations of duty; and give judgment and order executions according to the law in such cases made and provided for.

SEC. 9. Be it further enacted, That the District Court shall have power to impose a fine not less than five nor exceeding fifty dollars, and may, in its discretion, imprison any person for contempt of court, not less than one nor exceeding ten days.

SEC. 10. Be it further enacted, That the District Judge, when appropriate relief is prayed for, may grant all such orders and writs of process necessary to obtain such relief; and may also frame the judgment of the court so as to afford all the relief which may be required by the nature of the case, and which is granted by courts of law and equity.

SEC. 11. Be it further enacted, That the Judge shall set apart a particular day, not earlier than the second day of each term, for the trial of criminal cases.

SEC. 12. Be it further enacted, That in all criminal cases amounting to murder, felony and larceny, the District Judge shall give the prisoner or person accused at least two days' notice of his trial, and he shall not be allowed to appoint attorneys for any criminal except in cases of murder, and not then, unless the criminal verifies by a certificate that he or she is not able to employ counsel, then the presiding Judge shall appoint the person counsel at least two days before his trial, and the counsel so appointed shall defend the case through all the courts of this Nation, and receive for his services the sum of twenty-five dollars, to be paid out of the National Treasury.

SEC. 13. Be it further enacted, That the District Judge may order a change of venue for the trial of any suit, civil or criminal, under the rules and regulations prescribed by law.

SEC. 14. Be it further enacted, That the Judge of the District Court shall cause the judgments, sentences and decrees of the Court to be carried into execution, agreeable to law.

SEC. 15. Be it further enacted, [That] when any mistake may occur in the record of any Judge, the said Judge may, in open court, amend such judgment or decree, according to the truth and justice of the case, but, in all cases, the opposite party shall have notice of the application for such amendment.

APPROVED, October 2, 1876.

B. F. OVERTON,  
Governor.

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### **An Act Defining the Duties of District, County and Probate Clerks.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the District Judge shall appoint a Clerk for each county, who shall act as Clerk of the District Court and Clerk of the County and Probate Court, in their respective counties, who shall hold their offices for the term of two years, and shall be subject to removal for any disqualification, or any misdemeanor in office, by the District Judge.

SEC. 2. Be it further enacted, That the Clerks so appointed shall give bond, with security, in the penal sum of one thousand dollars, to be approved of by the County Court, payable to the Governor of the Chickasaw Nation, and his successor in office, for the faithful discharge of the duties of their offices, and for the safe keeping of all books, papers and records belonging to or appertaining to their respective offices; and shall take and subscribe the oath of office required by the Constitution, which shall be endorsed on their bond, and the bond and affidavit so taken and approved shall be filed in the office

of the Clerk of the Supreme Court, a certified copy of which bond may be put in suit, in the name of the Governor, for the use of the party or parties injured.

SEC. 3. Be it further enacted, That the Clerk shall have the custody of all minutes, papers and records, that may be deposited, or may hereafter be deposited, in their respective offices, and it shall be their duty to carefully attend the arrangement and preservation of the same.

SEC. 4 Be it further enacted, That it shall be the duty of the Clerk of each county to keep a fair and correct record of all the acts done and proceedings had in the District Court of their respective counties; to enter all judgments of the court under the direction of the Judge, and also of executions issued and returned thereon, made in the book of record furnished for that purpose.

SEC. 5. Be it further enacted, That the Clerk of each county shall keep a set of books for the record of all business relating to or appertaining to the County Court, and shall keep books for the record of all wills, deeds, deeds of gift, bills of sale and contracts, and for the record of all important papers pertaining to probate matters, and shall have custody of all minutes, books, records and papers belonging to or appertaining to the County and Probate Court, that have heretofore or may hereafter exist in their respective counties, and shall carefully attend the arrangement and preservation of the same.

SEC. 6. Be it further enacted, That the Clerk of each county shall record all administrators', executors' and guardians' bonds, and all their respective reports, and shall have his book and papers relative to probate matters ready for the inspection of the County Judge whenever called upon so to do.

SEC. 7. Be it further enacted, That it shall be the duty of the Clerk of each county to attend upon the District and County Judges on the day of their regular courts, and to keep a record of all the proceedings of their respective courts; and shall keep their record books open for the inspection of any person who may wish to see them during office hours.

SEC. 8. Be it further enacted, That the Clerk of each county, at the expiration of each term of the District Court of their respective county, shall make out a list of all fines imposed, penalties and forfeitures incurred, and judgments rendered at such term of court, in behalf of the Nation, and report the same to the District Judge and District Attorney.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act In Regard to Burglary.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That every person who shall, in night or day, break open and enter a dwelling house, or any building attached thereto, or any shop, store, mill house, or any place of deposit, and shall steal, take away therefrom, or injure anything of value therein, or use the same without the consent of the owner, or unknown to the owner, shall, upon proof shown to the court having jurisdiction of the same, be compelled to return the same, or pay to the owner or injured person double the value thereof, in money or property, and shall receive thirty-nine lashes on the bare back, at the discretion of the court; Provided, however, that this act shall not be so construed as to prohibit officers from the exercise and performance of their duties.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Perjury.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That every person who shall, on oath or affirmation, before any judicial or other officer authorized by law to administer an oath,

willfully and maliciously swear falsely, shall be guilty of perjury, and on conviction thereof, shall be fined in a sum not exceeding five hundred, nor less than ten dollars, at the discretion of the court. and shall receive one hundred lashes on the bare back, well laid on by the Sheriff or Constable, and also be confined one year in the National Jail.

SEC. 2. Be it further enacted, That every person who shall unlawfully and corruptly cause or procure any person to commit perjury, shall be guilty of subornation of perjury, and, on conviction thereof, shall be punished in the same manner as prescribed in the preceding section for perjury.

SEC. 3. Be it further enacted, That every person who shall bear false witness, willfully and of purpose to take away any person's life, and the life of any person be taken away in consequence of such false witness, he shall, on conviction as aforesaid, be punished as is prescribed for the punishment of perjury in section first of this Act.

SEC. 4. Be it further enacted, That any person committing the crime of perjury, or subornation of perjury, may be prosecuted at any time within two years after the commission of said offense, by indictment before the Circuit Court of the county in which the said offense should have been committed.

SEC. 5. Be it further enacted, That this Act take effect from and after its passage.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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### **An Act in Relation to Estrays.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, all strays running with the property of any citizen of this Nation, the owner of which is not known, shall be taken up, and a description of said stock, in writing, posted at the court ground of each county for three months; after which time, if no owner appears, then the taker up of such stray

or strays shall be required to take said stock before the County Judge of the county in which he may live; then it shall be the duty of the Judge to authorize two or more persons to appraise the same, and the description and value taken down in writing by the appraisers, which description and value shall be furnished the County Clerk. Then it shall be the duty of the County Clerk to advertise the same in three or more public places in his county, and if the owner does not appear within twelve months, the property shall be sold to the highest bidder, by the Sheriff or Constable of the county, by the Clerk first giving fifteen days' notice of the time and place the sale is to take place; and one-half the proceeds of said sale or sales shall go to the taker up, upon his paying the County Clerk one dollar and fifty cents, and the other half shall go into the County Treasury for county purposes.

SEC. 2. Be it further enacted, That all stray cattle, horses, mules, jacks or jennets, taken up by any person, shall be posted and sold, and the proceeds divided as defined in section first of this Act, but should the owner appear before the expiration of the twelve months, and prove his or her property, before any Judge, he or she shall be entitled to the same, by paying one dollar and fifty cents per head each to the Clerk and taker up.

SEC. 3. Be it further enacted, That sheep, hogs and goats shall be dealt with in the same manner as other stray stock, with this exception: that if the owner should appear before any Judge and prove them before the expiration of the twelve months, he or she shall be entitled to the same, by paying fifty cents per head each to the Clerk and taker up.

SEC. 4. Be it further enacted, That when any person having strays running in his range, and fails to post them, the County Judge shall direct the Sheriff or Constable to take charge of such strays and cause them to be posted and put in possession of any other person within his county.

SEC. 5. Be it further enacted, That any person or persons having taken up any stray or strays, and shall abuse or disfigure them in any way, shall be subject to a fine of not less than five nor exceeding ten dollars, when convicted by the County Court that the offender

lives in. The County Judge shall cause said fine to be collected, and when collected shall go to the owner of said property so disfigured or abused. But should the owner or owners of said property be unknown, then the said fine shall be put into the County Treasury for county purposes, and the County Judge shall order any Sheriff or Constable to take any property that the said person or persons (so disfiguring or abusing strays) may have, and sell to the highest bidder, by first giving fifteen days' notice at one or more places in his county.

SEC. 6. Be it further enacted, That whenever any Sheriff or Constable sells any stray stock under the provisions of this Act, he shall give to the purchaser a bill of sale, in the name of the Chickasaw Nation, of such stock sold by him; said bill of sale to be recorded in the County Clerk's office, and the same shall be valid to all intents and purposes.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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### **An Act in Relation to Disputed Property.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, when disputes arise between citizens of this Nation, respecting the rights of property, and upon complaint being filed, in writing, before the Clerk of the court having jurisdiction of the same, the Clerk of the court having jurisdiction in the county in which such difficulty may exist, shall issue writs of attachments to the Sheriff or Constable to seize and to hold all such property in custody until the court can be held, and the rights of property tried; Provided, however, when the defendant or defendants can give a bond, with good and sufficient securities, in at least double the value of the property in dispute (in writing) for the forth-coming of such property in dispute at the ensuing court, in the presence of the Sheriff or Constable, and one other witness, he, she or they may be permitted to hold the property until the court shall

decide the case; and when such bond is forfeited by the defendant, he, she or they shall be compelled to pay the same.

SEC. 2. Be it further enacted, That the court having jurisdiction shall issue writs of attachments for any property he, she or they may have, or their securities may have, and such property so attached shall be sold to the highest bidder, to pay the amount the bond was given for ; Provided, however, after judgment on a bond is rendered, and an attachment is issued, the officer serving the attachment shall seize upon property belonging to principal and securities, sufficient in amount to satisfy said bond, and proceed to sell the property of the principal first, but in case of a deficiency, he shall then proceed to sell that of the securities until the bond is satisfied ; and in all cases where property is held in custody for trial, or attached and sold, the party losing the suit shall pay the cost, as may be determined by law.

SEC. 3. Be it further enacted, That the plaintiff, his or her agent or attorney, upon the issuing of an attachment, shall make affidavit that the defendant is unlawfully detaining his or her property, and he or she shall also swear that the attachment is not sued out for the purpose of injuring the defendant, and shall also, at the time of making such affidavit, give bond, with two or more good and sufficient securities, payable to the defendant, in at least double the amount of the value of the property sworn to be unlawfully detained, conditioned that the plaintiff will prosecute his suit to effect, and pay such damages as shall be adjudged against him for wrongfully suing out said attachment.

SEC. 4. Be it further enacted, That the bond aforesaid shall not be void for want of form, provided it contains all essential matters, and may be put in suit and made collectible in the court in which the case was tried.

SEC. 5. Be it further enacted, That every attachment, without affidavit and bond taken as aforesaid, shall be abated on notice of defendant.

SEC. 6. Be it further enacted, That no Judgment shall be rendered in suits by attachments, unless the citation or summons has

been served in the ordinary mode, unless it appears that the defendant is absent from the Nation, or purposely keeps out of the way of such summons.

SEC. 7. Be it further enacted, That there shall be exempt from bonds and other indebtedness, property to the amount of five hundred dollars, and the debtor shall have the privilege of selecting such property as he may desire to retain to that amount.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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**An Act Authorizing the Governor to Offer Reward for Murderers.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That if any person charged with or convicted for murder, or other capital crimes, shall break prison, escape or flee from justice, abscond or secrete himself, in such case it shall be lawful for the Governor, if he shall judge it necessary, to offer any reward, not exceeding five hundred dollars, for apprehending and delivering such person or persons into the custody of such Jailer as he may direct.

SEC. 2. Be it further enacted, That the person or persons so apprehending and delivering any such person as aforesaid, and produce the Jailer's receipt for the body of such person, duly authenticated before any Judge of this Nation, that such person or persons are entitled to the reward, and the Auditor shall issue his warrant on the Treasury of this Nation for the amount thereof.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

**An Act to Castrate Horses, Etc.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, if any stud horse, jack or jack mule is found with any person's horses, and the owner be known, he shall be notified and requested to take him away; and should he refuse or neglect to do so in due time, or in case the owner of such beast or beasts be unknown, he shall be taken to the nearest person who understands castrating, and have him altered; and should such horse, jack or jack mule recover, the owner shall pay to the taker up and the person who castrated him one dollar each.

SEC. 2. Be it further enacted, That should the owner refuse to pay such fine, the amount may be collected by the Sheriff or Constable, who shall have one additional dollar for his trouble; but should the horse, jack or jack mule die from castration, the owner will not be required to pay anything.

SEC. 3. Be it further enacted, That if any person should castrate an estrayed horse, jack or jack mule, the taker up of such estrays shall pay for the castration of the same, and receive his money back (out of the part that goes to the Treasury), when sold as prescribed by law.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Maiming, Wounding, Etc.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That every person who shall, willfully and maliciously, cut, maim or otherwise injure or disable the body of another, shall, upon conviction thereof, be fined in a sum not less than one hundred and fifty nor exceeding fifteen hundred dollars, and be imprisoned for a term not less than three months, nor exceeding two years, at the discretion of the court having jurisdiction of the same.

SEC. 2. Be it further enacted, That the fine, when collected, shall go to the person cut, maimed or disabled.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Ardent Spirits.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That all persons are hereby prohibited from introducing spirituous liquors or ardent spirits into this Nation, and any person or persons so offending shall suffer the following penalties, to-wit: Any person or persons for the introduction of any spirituous liquors, for the first offense shall be compelled to pay to the County Court having jurisdiction of the same, upon conviction, the sum of ten dollars; and for second offense he shall pay to the court having jurisdiction thereof, the sum of forty dollars, and for all succeeding offenses he, she or they shall pay the last named amount.

SEC. 2. Be it further enacted, That any person who shall sell or give any spirituous liquor, shall, upon conviction before the County Court having jurisdiction of the same, be compelled to pay a fine of twenty-five dollars for the first offense; and for the second offense shall be compelled to pay a fine of fifty dollars; and for every succeeding offense, the last named penalty shall be imposed.

SEC. 3. Be it further enacted, That the fines collected under the preceding sections shall be paid into the County Treasury for county purposes; but in case the offender refuse to pay the fine, any one of the Sheriffs or Constables shall, by order of the court, take such property as the offender may have, and sell it to the highest bidder for cash, by first giving fifteen days' notice, and pay said fines from the proceeds thereof, and, in case the offender be not able to pay the fine, then the said offender shall be liable to be imprisoned not less than ten nor exceeding thirty days, as the court may determine.

SEC. 4. Be it further enacted, That any person or persons, who may have or bring any whisky into this Nation, the Sheriff or Constable shall destroy said whisky or spirituous liquors, and all male citizens are hereby bound to assist in destroying any whisky or spirituous liquors in this Nation, when called upon by the Sheriff or Constables, and said citizens shall receive one dollar for every such service out of the fines collected; but should any citizen, when called upon, refuse to assist, without sufficient excuse, [he] shall pay a fine of five dollars.

SEC. 5. Be it further enacted, That should any person or persons refuse to have his or her whisky, or other spirituous liquors destroyed, by taking up arms, and any Sheriff, or Constable, or citizen, in self-defense, should kill or destroy the life of the person or persons having the whisky or other spirituous liquors, he shall be protected by the Laws of this Nation; but should any offender kill or destroy the life of any person or persons who are engaged in assisting to destroy the whisky or other spirituous liquors, such person shall suffer death by judgment of the court; but should the offender only destroy or injure the property or limbs of any Sheriff, Constable or Citizen, he, she or they shall be liable to a fine or punishment, according to the crime.

SEC. 6. Be it further enacted, That this Act take effect and be in force from and after its passage.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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### **An Act Relating to Elections.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the County Judge of each county of this Nation shall, on or before the election, select two assistant Judges and two Clerks, who, together with the County Judge, shall be managers of the election: and he shall administer to each of them an oath that they will well and truly conduct the election, without partiality or prejudice and agreeable to law, according to the best of their skill and

understanding, and for said services they shall each receive three dollars per day, to be paid out of the County Treasury upon the certificate of the County Judge.

SEC. 2. Be it further enacted, That in case the County Judge should fail to attend on the day of election, or refuse to act, it shall be lawful for the electors present at the precinct on that day, to appoint Judges and Clerks to act as managers of the election, and shall be allowed to administer the oath to each other; Provided, that in such cases the managers shall certify, in their returns, that the presiding officer failed to attend, or refused to act, and that the persons acting as managers were duly chosen by the electors present.

SEC. 3. Be it further enacted, That each of the Clerks shall write down the name of each voter, at the time of his voting, and mark under the proper column the candidate for whom he voted.

SEC. 4. Be it further enacted, That the polls for the general elections, by the people, shall be opened at 8 o'clock a. m.; or as soon thereafter as practicable, and be closed at 5 o'clock p. m.; and in case there is a tie between any two or more of the candidates, the polls shall be opened immediately, for the purpose of deciding which one of the tied candidates is elected, and the polls of the second election shall be closed at 12 o'clock p. m.

SEC. 5. Be it further enacted, That immediately after closing the polls, the managers of the election shall proceed to count the votes, and give certificates of election to the required number of persons having the highest number of votes for the offices to which they are elected; and shall certify one of the poll books and sign the same, and seal it up and transmit it to the National Secretary, to be by him deposited in the archives of the Nation.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Contested Elections.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, it shall be the duty of the County and Probate Clerks of the several counties of the Chickasaw Nation, to furnish the County Judges of their respective counties with a list of the names of all qualified voters of his county at least fifteen days before the day of the annual election, and if any person should become of age between the time of furnishing the list and the election day, the parties may satisfy the Judge by oath or otherwise that he is entitled to vote, then his name shall be placed on the list.

SEC. 2. Be it further enacted, That if any candidate for office should become dissatisfied with the result of the election and has sufficient cause to believe that fraud has been practiced, he shall at once lay his complaint before the County Judge, who shall set a time at least three days before the meeting of the Legislature at its annual term, to investigate the case or cases, as it may be, and the party or parties contesting the election shall appear before the County Judge on that day with witnesses to substantiate their claims without any cost to the Nation or county. After the County Judge has given the case or cases under his consideration a fair and impartial investigation he shall thereupon give to the party or parties a certificate of their election.

SEC. 3. Be it further enacted, That if after an election the Poll Books have not been signed, sealed and sent to the National Secretary as the law directs, or should in any way be changed, the candidates for Governor shall have the right by law to object to them being counted by the Legislature, by the candidate producing satisfactory proof that the said Poll Books had been tampered with, and the decision of the Legislature shall be final.

SEC. 4. Be it further enacted, That if any County Judge, Judges of an election, or Clerks of any election, or County Clerk, shall be found guilty of any neglect of duty or partiality, [he] shall on conviction before the District Court of the Chickasaw Nation pay a fine

of not less than twenty-five nor exceeding fifty dollars, said fine to be collected as other fines, and when collected shall be placed in the County Treasury for County purposes.

APPROVED, November 10, 1888.

WM. L. BYRD,  
Governor.

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### **An Act in Relation to Trespass.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, no person shall intrude on the premises of another nearer than four hundred and forty-four yards, in no way whatever, without mutual agreement between the parties; Provided, however, that this Act shall not interfere with former arrangements or agreements.

SEC. 2. Be it further enacted, That every person who shall willfully and maliciously violate the foregoing Act shall be deemed guilty of a misdemeanor, and upon application being made to the County Judge by the person intruded upon, he shall order the Sheriff or Constable to remove the offender forthwith, the intruder forfeiting all his labor and improvements, and upon conviction before the County Court in the county where the misdemeanor was committed, be fined in a sum not exceeding fifty dollars, at the discretion of the court, and the fine so collected shall be paid to the person intruded upon.

SEC. 3. Be it further enacted, That if any person shall be found guilty of cutting down trees within the limits of four hundred and forty-four yards of an actual settler, without permission granted from the settler, such person shall be considered offending the first section of this Act, and shall be dealt with accordingly; but in all such cases it shall be the duty of the court to appoint two responsible persons to assess the damage done, but such assessment shall not exceed fifty dollars.

SEC. 4. Be it further enacted, That this Act shall not interfere with any improvements or settlements that have been or may be made within the jurisdiction of any public place in this Nation.

(Amendment of December 17, 1886)

SEC. 5. Be it further enacted, That where any Depot or Station may be established or located in the limits of the Chickasaw Nation along the line of any Railroad within the limits of the improvement of any citizen or within four hundred and forty-four yards of the improvements of any citizen, the said Depots or Stations shall not be considered public places, and this Act take effect from and after its passage.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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### **An Act Making Bonds and Fines Collectible.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That all bonds given by the officers of this Nation for the faithful performance of the duties of their respective offices shall be made payable to the Governor and his successor in office, and when forfeited shall be put in suit by the District Attorney, in the name of the Governor, for the benefit of the Nation or party injured; and the District Judge shall issue a writ of citation for the principal and securities to appear at the seat of government at the succeeding term of the District Court, to show cause why final judgment should not be rendered against them for the amount of the aforesaid bond; and upon no cause being shown, the Judge shall order the Clerk to enter up final judgment against the principal and his securities for the amount of the aforesaid bond.

SEC. 2. Be it further enacted, That all bonds given by individuals for their appearance at the different courts of this Nation shall, when forfeited, be put in suit by the District Attorney in the name of the Judge having jurisdiction, and his successor in office, for the benefit

of the Nation or the party injured, and the Judge having jurisdiction shall issue a writ of citation for the principal and securities to appear at the court ground at the succeeding term of the court having jurisdiction, to show cause why final judgment should not be rendered against them for the amount of the aforesaid bond; and no cause being shown, the Judge shall order the Clerk to enter final judgment against the principal and his securities for the amount of the bond forfeited.

SEC. 3. Be it further enacted, That the Clerk of the Court shall issue a writ of execution against the delinquents in said cases, returnable in thirty days, renewable every thirty days, and the Sheriff or Constable receiving such execution shall immediately levy upon a sufficient amount of property to satisfy said execution; and upon giving fifteen days' notice in at least three public places within his county, shall proceed to offer said property for sale to the highest bidder, for cash, to satisfy the aforesaid execution.

SEC. 4. Be it further enacted, That if property sufficient can not be found within the limits of this Nation to satisfy a judgment within one year after said judgment has been rendered, the said judgment shall be returned to the court from whence it originated, and shall stand against the parties until the said judgment is satisfied in full.

SEC. 5. Be it further enacted, That all fines and penalties shall be collected in the same manner that is prescribed for the collection of bonds in the preceding section of this Act.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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### **An Act In Relation to Wills And Testaments.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, all wills, written or verbal, made by any person of this Nation, shall be valid to all intents and purposes; and furthermore, it shall be witnessed by two

unimpeachable, disinterested witnesses, over the age of sixteen years, and the said will shall be recorded within two months after the decease of the individual making the will, in the office of the County Clerk of the county in which the individual resided.

SEC. 2. Be it further enacted, That no will shall be void for want of form, nor no construction shall be placed on it contrary to the words expressed in the will; and furthermore, that the last will and testament shall revoke all former wills and testaments.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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**An Act to Organize the Supreme Court.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Supreme Court of the Nation shall consist of a Chief Justice, and two Associates, to be elected by joint vote of the Legislature, any two of whom shall form a quorum.

SEC. 2. Be it further enacted, That the Chickasaw Nation shall constitute one Supreme Court District only, and said Court shall be holden twice in each year, on the first Monday in April and the first Monday in October, and shall continue in session two weeks at each sitting; Provided, business should require so long a time. Said Court shall hold its session at Tishomingo City, in the County of Tishomingo, commencing on the first Monday in April, one thousand eight hundred and fifty-eight.

SEC. 3. Be it further enacted, That the Supreme Court shall have appellate jurisdiction over all manner of pleas, complaints, motions, causes and controversies, both civil and criminal, which may be laid before it from the Circuit Court of the Nation, and which shall be cognizable in the Supreme Court, according to the Constitution and Laws of the Nation; and when the judgment or decree of the Court below in civil cases shall be reversed, the Supreme Court shall proceed

to render such judgment or decree as the Court below should have rendered or pronounced ; except when it be necessary that some matter of fact be ascertained, or damages to be assessed, or the cause to be decreed is uncertain, in either of which cases, the cause or prosecution, as the case may be, should remand for a more definite decision.

SEC. 4. Be it further enacted, That all cases decided by the Supreme Court, the judgment or decree of the Court shall be in writing and pronounced in open court, with the reasons of the Court for the same, which shall be recorded by the Clerk of the Court in a book kept by him for that purpose.

SEC. 5. Be it further enacted, That all writs and processes issuing from the Supreme Court shall bear the test of the Chief Justice of said Court, and be signed by the Clerk thereof, and be directed to the Sheriff or other proper officer of any county in this Nation, and shall be by such officer, executed according to the commands thereof, and returned to the Court from which they emanated.

SEC. 6. Be it further enacted, That the Supreme Court shall have power to punish any person for contempt of said Court, according to the principles and usages of law in like cases, not to exceed one hundred dollars, or imprisonment not exceeding thirty days.

SEC. 7. Be it further enacted, That the Supreme Court shall have power, if necessary, to establish rules and regulations for the government of said Court; also, if necessary, for the Circuit Court, not inconsistent with the Constitution and Laws of this Nation.

SEC. 8. Be it further enacted, That there shall be no reversal on appeal; nor shall the same be dismissed for want of form; Provided, sufficient matter or substance be contained in the record to enable the Court to decide the case upon its merits. And when the Court shall be of the opinion that an appeal or writ of error has been taken for delay, and that there was no good, probable or sufficient cause for taking such appeal, then, and in that case, the appellant, if he be the defendant in the Court below, shall pay all necessary costs that may arise.

SEC. 9. Be it further enacted, That the cases on the docket of said Court may be tried by counties, or in such order as [to] the Judges of said Court may seem best calculated to promote the interest and conveniences of the parties or their attorneys; Provided, that all appeals in criminal cases shall be entitled for trial before the civil cases from the said county, and all cases shall be tried at the term for which they are docketed, unless satisfactory cause be shown for a continuance.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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### **An Act in Relation to Roads.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, the County Judge shall have power to summons all male citizens under fifty years of age, and over sixteen, to work on public roads within their county six days in each and every year.

SEC. 2. Be it further enacted, That the County Judge shall appoint overseers and appoint out the portion of road they shall work.

SEC. 3. Be it further enacted, That if any person or persons shall refuse to work on any public road, he shall be compelled to pay a fine of three dollars for every day that he refuses to work, unless a good and lawful excuse be rendered to the County Judge; after the case be reported to the Judge of such refusal or non-attendance by the overseer, the County Judge shall cause such fines to be collected by the Sheriff or Constable, and all fines collected under this Act shall be used for county purposes.

SEC. 4. Be it further enacted, That the overseer shall notify the people when they are going to work on the roads, to bring their axes, grubbing hoes and spades with them.

SEC. 5. Be it further enacted, That where there is a petition from the citizens of the county to the Judge to have a new road cut from one public place to another, the Judge shall appoint two persons to examine and mark the best and nearest way, and report the same to the Judge; and they shall receive one dollar per day for their services, to be paid out of the road fine.

SEC. 6. Be it further enacted, That all licensed preachers, school teachers, and one miller from each mill, and the Governor, be exempt from this Act.

(Amendment of October 17, 1882.)

SEC. 7. Be it further enacted, That any road overseer who refuses or neglects to have the roads worked in the time specified in Section 1 of this Act, without a lawful excuse rendered to the County Judge, shall be fined in any sum not less than ten nor over twenty-five dollars, said fine to be collected as other fines, and when collected to be placed in the County Treasury for county purposes; and that this Act take effect from and after its passage.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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### **An Act in Relation to Arbitration.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That when an arbitrator or arbitrators are chosen by two or more persons to decide and settle any matter in controversy, it will be necessary for said arbitrators to take an oath prescribed by any person authorized to administer the same, to the effect that they will settle the controversy according to law and equity. After each person in controversy shall have furnished said arbitrators with all proofs, facts and statements, or any evidence they may possess in relation to said controversy, the said statements and evidence given on oath before said arbitrators (who are hereby authorized to swear all witnesses in

the case), and after an impartial trial of said controversy, the decision of said arbitrators shall be final and binding on the parties choosing said arbitrators, and said decision shall be recorded in the County Clerk's office of the county in which the case was arbitrated.

SEC. 2. Be it further enacted, That in case arbitrators can not agree in forming a decision, they shall have the right of choosing an umpire, whose decision shall be final.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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**An Act Respecting Mortgaged Property.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That if any person or persons shall give a mortgage or deed of trust upon any personal or movable property, and shall remove the same from this Nation, or shall sell or otherwise dispose of the same within the limits of this Nation, with intent to defraud the mortgagee or person for whose benefit the deed of trust was given, such person so offending shall be deemed guilty of grand larceny, and shall be punished accordingly.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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**An Act to Provide Bailiffs for Courts.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That during any term of the Supreme, District or County Courts of this Nation, if the presiding Judge of such courts shall deem it necessary, he may appoint a sufficient number of Bailiffs to

assist the Sheriff or Constable in the discharge of his duties: and such Bailiff or Bailiffs so appointed, shall each receive the sum of two dollars per day while engaged in such service, to be paid out of the National Treasury; and the Clerk of such court shall issue his certificate to the person or persons appointed as aforesaid.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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**An Act Defining the Power of the Governor in  
Suspending Officers.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor shall have power to suspend officers of this Nation when charges of neglect of duty or misdemeanor in office are preferred against them in writing by reliable persons, or when such neglect of duty or misdemeanors shall come within the personal knowledge of the Governor.

(Amendment of September 29, 1880.)

SEC. 2. Be it further enacted, That in all cases where an officer is accused, as aforesaid, he, the said officer, shall be caused by a citation from the Governor, to appear before him (the Governor), in person, with such evidence as he may have, to show his innocence of the charges preferred against him.

SEC. 3. Be it further enacted, That if, after hearing the evidence, the Governor shall be satisfied that the charges are false or malicious, then, in that case, it shall be the duty of the Governor to restore the said officer to the duties and privileges of his office; otherwise the Governor shall remand the case to the District Court of the proper county for adjudication.

SEC. 4. Be it further enacted, That this Act shall not be construed so as to interfere with the action of the Grand Juries of the respective counties of the Nation.

SEC. 5. Be it further enacted, That this Act take effect, and be in force from and after its passage.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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### **An Act to Organize County Courts.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there shall be established in each county, a court, to be called "County Court," which shall have jurisdiction in all matters in controversy, in any sum not exceeding the value of one hundred dollars.

SEC. 2. Be it further enacted, That there shall be elected, by the qualified voters of the respective counties, a Judge of the County Court, to be commission[ed] by the Governor, and shall hold his office for the term of two years, or until his successor is elected and qualified (unless he be removed for some misdemeanor in office or other disqualification).

SEC. 3. Be it further enacted, That every County Judge shall have jurisdiction co-extensive with the county for which he may be elected. Every action cognizable before a County Judge, instituted by summons or warrant, shall be tried first before a County Court wherein the defendant resides, or if there be more than one defendant to a suit, residing in different counties, then in the county where the defendant and plaintiff both reside, and the other parties required to attend by summons or warrant as the case may be.

SEC. 4. Be it further enacted, That the County Court shall be a court of inquiry, and shall have power to commit, discharge, or remand to the court having jurisdiction, for further trial, offenders against the peace. For the foregoing purpose they shall have power to issue all necessary writs and processes, to carry the jurisdiction of said courts into effect, and they shall have power to bind, to keep the peace, and for good behavior.

SEC. 5. Be it further enacted, That the said Court shall have the power to take probate of wills ; to appoint guardians ; to grant letters testamentary and of administration ; to settle the accounts of executors, administrators and guardians ; to transact all business appertaining to the estates of deceased persons, minors, idiots, lunatics and persons non compos mentis, and the settlement, partition and distribution of estates ; which power shall be exercised in the manner prescribed by law.

SEC. 6. Be it further enacted, That the County Judge shall hold his Court on the third Wednesday in every month, for the trial of all civil and probate matters, but he shall have power to open Court on any day ( except Sunday ), for the examination of any criminal cases that may originate in his county, amounting to murder, treason, felony or any other misdemeanors, and bind the offenders over in a bond for their appearance at the first term of the Circuit Court, to be held after the crime has been committed ; Provided, that there is sufficient evidence adduced justifying it.

SEC. 7. Be it further enacted, That when any County Judge becomes disqualified, from sitting upon any case, by being connected with the parties by affinity or consanguinity, or by being interested, the parties in controversy may, by common consent, appoint a person to try the case ; but if the parties cannot agree in appointing a person, then the same shall be certified to the District Judge, and he shall appoint a proper person to try the said case or cases.

SEC. 8. Be it further enacted, That when any County Judge or Clerk shall be guilty of any willful neglect of duty or misdemeanor in office, he be dealt with as the law directs in all such cases.

SEC. 9. Be it further enacted, That when [ in ] the record of any order, judgment or decree of the County Court there should be any mistake, and there shall be any papers on file in said Court, whereby such record may be safely amended, the County Judge may cause the same to be amended in open Court, according to the truth and justice of the case ; but in all such cases the person or persons to be affected by such amendment, shall have notice of the application of such amendment.

SEC. 10. Be it further enacted, That the County Courts shall have like power to punish contempts as the District Court can or may have and exercise.

SEC. 11. Be it further enacted, That upon application of either of the parties in controversy, the County Judge may put the case off for one term and upon application from the other party he may put the case off one more term; but upon the third term the case shall be tried, without both parties agree to put it off.

SEC. 12. Be it further enacted, That when the rights of property is involved, not exceeding in value one hundred dollars, the County Judge may, at the request of either party, summons a jury of not less than five men, nor more than seven, to try the rights of property. Jurors thus summoned shall be impaneled in the same way and governed by the same laws in regard to their decision, as jurors in the District Court, and receive the same pay.

SEC. 13. Be it further enacted, That every person, before entering upon the duties of County Judge shall give a bond with good security, in the penal sum of five hundred dollars; said bond to be approved by the Circuit Judge, and payable to the Governor, and his successor in office.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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**An Act to Protect Citizens in Their Own Habitations.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That all citizens of this Nation, having a house, inclosure, or yard fence, [it] shall be considered his home, his refuge and his citadel, and no person shall willfully enter the same, unless by permission.

SEC. 2. Be it further enacted, That if any person or persons shall willfully enter the house, inclosure, yard fence of any person, or create any disturbance, by threats or otherwise. shall be compelled to

leave the place forthwith by order of the owner of the place, or his or her representative, and shall also be liable to indictment in the County Court, and when convicted, shall be made to pay a fine of not less than five nor more than one hundred dollars, at the discretion of the Court having jurisdiction of the same.

SEC. 3. Be it further enacted, That if any resistance to the order be shown by the disturber of the peace, by his taking up or showing any dangerous weapons, such as gun, pistol, knife, or any other kind of weapons from which a person's life may be endangered, and should the owner of the place, or his representative, be compelled to kill him or her in order to save life, he shall be protected by the Laws of this Nation.

SEC. 4. Be it further enacted, That if any person shall willfully enter another person's house, and destroy any furniture, or shall kill, destroy, or injure any stock within the bounds allotted to an actual settler, he shall be liable to indictment in the District Court having jurisdiction of the same; and when convicted, shall, by order of the Court, make a full indemnity to the person injured, and shall be fined in any sum not less than fifty nor exceeding five hundred dollars, as the Court may determine; and the said fine shall be paid into the National Treasury.

SEC. 5. Be it further enacted, That the above Act shall not be so construed as to prohibit officers from the discharge and exercise of their duties.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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### **An Act in Relation to Arson.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, every person who shall willfully and maliciously burn any dwelling house, store, cow house, or any other out-house of value, or shall aid or instigate to have

it done, shall be deemed guilty of arson, and upon conviction thereof shall be compelled, by order of the Court having jurisdiction thereof, to pay to the party injured a full indemnity for damages done, and shall receive thirty-nine lashes on his bare back.

SEC. 2. Be it further enacted, That any person who shall be accessory before the fact, shall be deemed equally guilty with the principal, and shall suffer accordingly.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Treason and Murder.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, every person owing allegiance to this Nation, who shall levy war against it, or adhere to its enemies, giving them aid and support, or shall carry on any treasonable or treacherous correspondence with them, shall be deemed guilty of treason, and upon conviction thereof by the testimony of two credible witnesses to the same overt act, of which such persons shall be indicted, or upon the voluntary confession of the party accused, in open court, shall suffer death.

SEC. 2. Be it further enacted, That every person who shall willfully and maliciously kill any person within this Nation, or shall aid, or abet, or instigate the killing of any person as aforesaid, shall be deemed guilty of murder in the first degree, and on conviction thereof shall suffer death.

SEC. 3. Be it further enacted, That every person who shall kill another with premeditated malice, shall be deemed guilty of murder in the second degree, and on conviction thereof shall be imprisoned not less than one, nor exceeding five years, in the dungeon of the National Jail, at the discretion of the Court.

SEC. 4. Be it further enacted, That any person who shall kill another in defense of himself or family, shall be deemed justifiable; though in all cases of self-defense it must appear that the danger was

so urgent and pressing that in order to save his own life, or prevent his receiving great bodily injury, before the mortal blow or injury was given.

SEC. 5. Be it further enacted, That any person who kills another in trying to arrest the person killed, for treason, or any other high crime or misdemeanor, or in discharge of any duty required by law, or accident, or misfortune, then in that case the party accused shall be for the same fully acquitted and discharged.

SEC. 6. Be it further enacted, That the mode of inflicting capital punishment shall be by hanging by the neck until dead.

SEC. 7. Be it further enacted, That any person who shall be accessory before the fact, shall be deemed equally guilty with the principal, and shall suffer accordingly.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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### **An Act to Suppress Gambling.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation. That the game of faro, roulette, monte, and all other games of chance, which are played by persons holding banks for the purpose of inviting or receiving bettors thereto, within this Nation, are hereby made penal offenses, and shall be punished as hereinafter provided.

SEC. 2. Be it further enacted, That any person in this Nation who shall keep a bank for any of the above mentioned games, or any other games of their character, or shall in any way be employed as a dealer or assistant to any one or either of them, shall, on conviction thereof, be deemed guilty of a misdemeanor, and shall be fined in a sum not exceeding one thousand, nor less than one hundred dollars; and the fine so collected shall be paid into the National Treasury for National purposes.

SEC. 3. Be it further enacted, That betting of checks, notes of hand, or any other representation of money, or articles of value, shall

be construed as coming under the provisions of this Act; nor shall a person charged with the above mentioned offenses be discharged for informality in an indictment.

SEC. 4. Be it further enacted, That on the trial of any persons for the commission of any offense mentioned in this Act, it shall be sufficient for the indictment to charge that the person or persons so offending, did "game," without stating what description of game was played; and upon making proof of the charge, it shall be considered that the offense was made out, without proving what the game was.

SEC. 5. Be it further enacted, That if any person or persons shall bet, or be concerned in betting, at any gaming table, bank or banks mentioned in the preceding chapter of this Act, or at any other gambling device whatever, such person or persons so offending shall, on conviction thereof by indictment, be fined in any sum not less than ten, nor exceeding fifty dollars.

SEC. 6. Be it further enacted, That if any person shall permit any game prohibited by this Act, to be played in his or her house, or shall rent any room for such purpose, he or she so offending, shall, on conviction, be fined not less than twenty-five, nor more than fifty dollars.

SEC. 7. Be it further enacted, That it shall be the duty of every Judge of the County Court within this Nation to take cognizance of any offences against this Act, which shall come to his knowledge, by information or otherwise, and shall thereupon forthwith be examined and held to bail at the next term of the District Court.

SEC. 8. Be it further enacted, That if any person or persons other than a citizen of this Nation, shall be charged with playing any of the games enumerated under this Act, he or they shall be held to bail in any sum not less than twice the amount of the fine that may be imposed when convicted, nor his or their bonds received unless the securities be citizens of this Nation.

SEC. 9. Be it further enacted, That it shall be the duty of every Sheriff, Constable, or other officers of the County Court, and of the Grand Juries of the counties of this Nation, to inquire into and pre-

sent all persons guilty of a violation of the above Act, and it shall be the duty of the District Judge to give it in charge to the Grand Juries.

SEC. 10. Be it further enacted, That in all convictions and fines imposed under this Act, the party, or parties, after conviction, that are not able to pay their fines shall be imprisoned in the National Jail not less than ten, nor more than sixty days.

SEC. 11. Be it further enacted, That this Act shall take effect from and after its passage.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to one Person Threatening the Life of Another.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, if any person or persons shall make any threat against the life of another person, he or they shall be arraigned before any Court having jurisdiction of the same, and if satisfactory evidence be found against him or them, it shall be the duty of said Court to bind him or them over to keep the peace in a bond not less than fifty, nor exceeding three hundred dollars, in any reasonable time, at the discretion of the Court.

SEC. 2. Be it further enacted, That if any person or persons, after having been bound over to keep the peace, make any further threats or misbehavior, upon conviction thereof, the Court shall order the Sheriff or Constable to collect said bond, and when collected, the money shall be placed in the National Treasury for public purposes.

SEC. 3. Be it further enacted, That if any person or persons violating the above Act, and not able to pay the said bond, he or they shall be imprisoned in the National Jail not less than three, nor more than six months.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Larceny and Felony.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, every person who shall feloniously take, steal, or carry away any goods, chattels, money or other article of value under twenty dollars, or shall be accessory thereto, shall be deemed guilty of petit larceny, and on conviction thereof, shall return to the owner the goods, chattels, money or other articles of value so stolen, or pay the value thereof to such owner, and shall receive any number of lashes on the bare back, not exceeding thirty-nine, at the discretion of the Court.

SEC. 2. Be it further enacted, That any person who shall feloniously take, steal, or carry away any goods, chattels, money, or other articles of value over twenty dollars, or shall be accessory thereto, shall be deemed guilty of grand larceny, and on conviction thereof, shall restore to the owner the goods, chattels, money, or other articles of value so stolen, or pay the value thereof to the owner, and shall receive thirty-nine lashes on the bare back, and may be imprisoned one year, at the discretion of the Court.

SEC. 3. Be it further enacted, That any person who shall feloniously take or steal any horse, mare or gelding, foal or filly, ass or mule, shall, on conviction thereof, restore the property so stolen, or shall pay the value thereof, which shall be adjudged by the jury trying the offender, and shall be fined in a sum not exceeding two hundred dollars, at the discretion of the Court, and shall receive thirty-nine

lashes on the bare back, and be imprisoned not exceeding one year; and for the third offense he shall suffer death by hanging by the neck until dead.

SEC. 4. Be it further enacted, That any person who shall feloniously take or steal any neat cattle, hog, sheep or goat, shall on conviction thereof, pay to the owner the full value of the property, which shall be adjudged by the jury trying the offender, and shall receive thirty-nine lashes on the bare back.

SEC. 5. Be it further enacted, That every person who shall feloniously steal, take away, deface, alter or falsify any record, writ, process or other proceedings of any of the courts of this Nation, or any office for records, shall, on conviction thereof, be fined in a sum not exceeding five hundred dollars, at the discretion of the court, and shall receive fifty lashes on the bare back.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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### **An Act in Relation to Guardians, Their Duties, Etc.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That it shall be the duty of the County Judge to appoint guardians for orphan children that are not of age.

SEC. 2. Be it further enacted, That the nearest relative shall have the preference, but if there are no relations, the County Judge shall appoint a competent person to act.

SEC. 3. Be it further enacted, That a guardian shall give a bond and security in a sum of money equal to the amount of property belonging to such minor or minors, made payable to the County Judge, that he will truly conduct and manage his or her ward's property in a business like manner; and it shall extend to good management of his or her wards.

SEC. 4. Be it further enacted, That the County Judge shall appoint two disinterested persons to appraise all the property before it is turned over to the guardian, which shall be recorded in the County Clerk's office; and the guardian shall receive for his services three per cent. out of the estimate of the property that may be turned over to his or her charge.

SEC. 5. Be it further enacted, That it shall be the duty of the guardian to keep said minor or minors at school; and said guardian shall attend and see what progress said wards are making in their studies.

SEC. 6. Be it further enacted, That the guardians of minors shall make an annual report of the management of his or her ward's property, and the County Judge shall have it recorded in the office of the County Clerk.

SEC. 7. Be it further enacted, That guardians shall furnish their wards with good and sufficient clothing, out of the proceeds of their property; and the guardians shall keep an account of said ward's expenses, and render an account of the same to the County Judge.

SEC. 8. Be it further enacted, That a guardian shall not sell any property of a minor or minors, unless said minors are actually suffering for the want of means to support them, then, in that case, the Court may grant them an order to sell any property for the support of such orphan minors; and if there is any perishable property, and the guardian can satisfy the Court, then he or she may sell such property.

SEC. 9. Be it further enacted, That all minors shall be deemed competent to take charge of their property when they marry, or a male arrives at the age of nineteen, and female at the age of eighteen.

SEC. 10. Be it further enacted, That when a guardian shall forfeit his or her bond, the Court shall order the Sheriff or Constable to collect as much of said bond as will pay for the property that may have been destroyed, and immediately appoint some other competent person to take charge of the effects of the minor, and turn over all the

property that is belonging to said minors to the person so appointed; and he shall be required to give a bond, with two good securities, in a sum equal to the amount turned over to him by the County Judge.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act to Prohibit Criminals From Carrying Arms.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, if any Sheriff or Constable shall suffer or permit any criminal to come before any Court in this Nation, armed with any deadly weapon, the Sheriff or Constable so offending shall be fined in any sum not less than ten nor more than fifty dollars for every such offense; and the fine, when collected, shall be paid into the National Treasury, for National purposes.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Marks and Brands.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, all persons owning stock within this Nation, shall have an ear mark and brand, and cause the same to be recorded in the office of the County Clerk in the county where they reside.

SEC. 2. Be it further enacted, That if any person shall neglect to have his or her mark and brand recorded, he or they shall pay a fine of not less than five, nor exceeding ten dollars; and the fine, when collected by the Sheriff or Constable, shall be paid into the County Treasury, for county purposes.

SEC. 3. Be it further enacted, That all persons having their brands and marks recorded, shall pay the County Clerk twenty-five cents for such service.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Constables, Their Duties, Etc.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, no county within this Nation shall have more than one Constable, whose duties and salaries shall be the same as Sheriffs.

SEC. 2. Be it further enacted, That the Constables shall give bond, with security, to the same amount as Sheriffs, and said Constables shall be elected in the same manner as Sheriffs, and shall hold their office for the term of two years from the time of their election, or during good behavior.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act to Record Marriages, Etc.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, all persons marrying in this Nation, shall have the same recorded in the Clerk's office of the County Court in the county in which they may reside.

SEC. 2. Be it further enacted, That all persons neglecting to record their marriages within one month from the time they are married, shall be fined in a sum not less than five nor exceeding ten dollars, at the discretion of the Court having jurisdiction of the same.

SEC. 3. Be it further enacted, That all fines imposed under this Act shall be collected by the Sheriff or Constable, by order of the County Court, in the county in which such violation may have occurred.

SEC. 4. Be it further enacted, That all marriages in this Nation shall be solemnized by any Judge or ordained preacher of the Gospel; for every couple joined together in the bonds of matrimony, the person pronouncing the ceremony shall, for every such service, receive the sum of one dollar from the persons joined together.

SEC. 5. Be it further enacted, That all persons who are living together out of wedlock shall be compelled by the County Judge to be lawfully joined together in the bonds of matrimony; and any person refusing to be lawfully joined together shall be compelled to pay a fine of not less than twenty-five, nor exceeding fifty dollars.

SEC. 6. Be it further enacted, That the County Judge shall cause all fines imposed under the above Act to be collected by the Sheriff or Constable, and when collected, to be placed in the County Treasury, for county purposes.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act to Legalize Marriages Solemnized by Licensed Preachers.**

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**PREAMBLE.**

WHEREAS, It is enacted in Section 4, of the "Act to record Marriages," that any Judge of the Chickasaw Nation, or any ordained preacher of the Gospel, shall have the power to perform the marriage ceremony.

AND WHEREAS, Many of our citizens have been united in the bonds of matrimony by preachers not ordained, nor authorized to marry individuals by the regulations of the church to which such preachers belong;

AND WHEREAS, The District Court of the Chickasaw Nation, in the county of Pontotoc, at the January term, did decide that all such marriages were unauthorized by the church to which such preachers belong, and consequently both canonically and legally void;

AND WHEREAS, The persons so marrying, as well as the licensed preachers performing the ceremony, did the same in good faith, and without any doubt whatever of the lawfulness of it;

AND WHEREAS, By the decision in question, the parties living together are not husband and wife, nor the children of such marriage legitimate; therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That every marriage which has been solemnized by any [un] ordained licensed preacher, within the limits of the Chickasaw Nation, before the passage of this Act, is hereby legalized, and every child born in marriage, the offspring of it, is hereby declared to be legitimate, and shall be entitled to all the rights, privileges and immunities thereof, just the same as if the marriage ceremony had been performed by any lawful Judge of this Nation, or any ordained preacher of the Gospel, as contemplated in the 4th section specified in the preamble of this Act.

SEC. 2. Be it further enacted, That all marriages which may hereafter be solemnized by licensed preachers shall be lawful, just the same as if the ceremony was performed by an ordained minister of the Gospel, or Judge of this Nation; and this Act shall be in force from and after its passage.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act Defining the Duties of School Trustee.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That it shall be the duty of the local trustees of the schools of this Nation, to visit the school for which he is appointed at least once a month, see that the school is properly conducted, and report quarterly to the School Superintendent, and in the event of any disturbance or any irregularities in the school, to decide and settle the same, until the decision of the School Superintendent can be had.

SEC. 2. Be it further enacted, That each local trustee shall receive for his services the sum of twenty-five dollars per annum.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Pay of Members of the Legislature.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, no member of

the Chickasaw Legislature shall receive pay for any adjournment of a longer period than three days.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act Repealing the Acts of 1856 Which Are Not Adopted.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, all the Certified Copies of Laws that were passed in the Legislature of 1856, that are not adopted by the Legislature of 1857, are hereby repealed.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Pulling Down Fences.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, any person or persons who shall be convicted of the crime or misdemeanor of pulling and leaving down any person's field or farm fence, shall be compelled to pay such fine as the County Court may estimate the damages done to the owner of the farm; and when collected, shall go to the person or persons injured, and if the person or persons so offending should not be able to pay such fine, he or they shall be confined not more than sixty days in the National Jail, at the discretion of the Court.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to the Descent of Property.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, the property of all persons who die intestate or without a will, shall descend to the legal wife or husband, and their children.

SEC. 2. Be it further enacted, That in case such deceased person has neither wife, nor husband, nor children, his or her grand children (if any) shall inherit the estate.

SEC. 3. Be it further enacted, That in case there be no grand children, then the brother or sister shall inherit the estate, and the next in kin shall be the father and mother, or either of them.

SEC. 4. Be it further enacted, That in case such person has neither wife nor husband, children or grand children, brother or sister, father or mother, then the property shall descend to the half brothers and sisters of the deceased, and their legal issue.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act Against Defacing the Capitol.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, any person or persons who are caught cutting, marking, or in any way defacing any part of the Capitol of the Chickasaw Nation, shall be subject to fine of not less than one dollar nor more than five thousand dollars, according to the damages done said Capitol.

SEC. 2. Be it further enacted, That the Court having jurisdiction thereof shall take cognizance of the violation of this Act. All fines thus collected shall go into the National Treasury.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act Against Burning the Woods and Prairies.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, any person or persons who shall willfully set the woods or prairies on fire, at any time between the first day of August and the first day of March, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall, for each and every offense, be fined in a sum not exceeding ten dollars, at the discretion of the Court having jurisdiction of the same; and the said fine, when collected, shall go into the County Treasury for county purposes.

SEC. 2. Be it further enacted, That in case the person is not able to pay the above fine, he shall be imprisoned in the National Jail, any length of time not exceeding ten days, at the discretion of the Court.

SEC. 3. Be it further enacted, That when the property of any person is injured or destroyed, by means of the woods or prairies being fired, the person sustaining the damage shall make application to the County Judge, who shall appoint two competent men to assess the damages, and if the amount so assessed does not exceed one hundred dollars; the County Court shall give judgment in the case; but if the amount exceeds one hundred dollars, the District Court shall have jurisdiction of the same, and the offender shall be responsible for all damages, and shall be required to pay to the person sustaining the injury, a full equivalent for all damages, which shall be collected in the same manner as bonds and fines.

SEC. 4. Be it further enacted, That when the offender is not able to refund the person sustaining a damage, as above specified, he shall be imprisoned any length of time not exceeding one month, at the discretion of the Court having jurisdiction.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

**An Act Prohibiting Ball-Playing and Horse Racing  
on the Sabbath.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That when any person or persons are found playing ball or horse-racing on the Sabbath, [they] shall be guilty of a misdemeanor, and upon conviction thereof, before the County Court of the county where the offense was committed, shall be fined five dollars for each and every offense.

SEC. 2. Be it further enacted, That all fines collected under the first section of this Act, shall be placed in the County Treasury, for county purposes.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

**An Act to Suppress Rioting at Public Places.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, any person or persons who shall be guilty of riotous proceedings at any public place or places of religious worship, or shall bring any intoxicating liquors to any of the aforementioned places, he or they so offending shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than twenty-five, nor exceeding one hundred dollars; and it shall be the duty of any Sheriff or Constable of this Nation to take such offenders into custody, and keep them until they desist from such disturbances; and it shall also be their duty to inform upon such offenders to the County Judge of the county where such disturbance was acted.

SEC. 2. Be it further enacted, That in case there shall be no Sheriff or Constable present when such riotous proceedings are acting, it shall be the duty of any person to take such offender in custody, and shall prevent such offender from disturbing the harmony of the place;

and the person taking such riotous person into custody shall inform the County Judge of the county where such disturbance was acted.

SEC. 3. Be it further enacted, That all fines collected under the above Act shall be placed in the County Treasury for county purposes.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to the Attendance of Witnesses.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation. That from and after the passage of this Act, any person or persons whose testimony or evidence is required in any of the Courts of this Nation, upon application being made to the County Clerk of the Court where such testimony or evidence is required, he, the Clerk, shall issue a subpoena or summons for the person or persons, and it shall be the duty of the Sheriff or Constable to serve the same, and he shall make a return of the same to the Clerk of the Court where such subpoena or summons emanated.

SEC. 2. Be it further enacted, That in case the person or persons summoned refuse or fail to attend said summons, it shall be the duty of the Clerk to issue a writ of citation for such person or persons who refuse or fail to attend said summons; and if good and sufficient cause cannot be shown, to the satisfaction of the presiding Judge, for his non-attendance, he or they shall be fined in a sum not less than five nor more than fifty dollars.

SEC. 3. Be it further enacted, That in case any person or persons refuse to obey such summons, the party or parties having such summons issued may demand a writ of attachment for the person refusing to obey such summons, from the Clerk of the County Court where his presence may be required; and it shall be the duty of the

Sheriff or Constable of the county where such summons emanated, to apprehend and bring the party or parties before the presiding Judge, where his or her testimony is or may be required, if to be found within the limits of the Nation.

SEC. 4. Be it further enacted, That when any fine or fines have been assessed upon any person or persons, for not complying with such summons, it shall be the duty of the Sheriff or Constable of the county where such summons emanated to collect the same; and when collected he shall pay the said fine into the County Treasury, for the benefit of the county where the person fined may have been required to appear.

SEC. 5. Be it further enacted, That when the testimony and evidence of any person is required at any of the Courts of this Nation, and the person or persons requiring such testimony shall give the opposite party at least ten days' notice of the same and he shall file with the Clerk of the Court where such evidence is required, interrogatories, and opposite party may file cross-interrogatories, and such evidence shall be taken before the proper officers of the county where such witness may live, and such testimony shall be certified to by the proper person to take such deposition or testimony, and when the above requirements are complied with, the same weight shall be attached to them as if the person were present.

SEC. 6. Be it further enacted, That witnesses shall receive the same pay as jurors, and be paid in the same manner.

APPROVED, October 12, 1876.

B. F. OVERTON,

Governor.

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**An Act Removing White Men From the Nation for Refusing to Attend Court When Duly Summoned.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, if any white person who is living within the limits of this Nation, under permission or otherwise, be summoned to attend Court, where his evidence is

material in any suit at law, either civil or criminal, and he shall refuse to attend according to such summons, without a good, lawful excuse, such person or persons so refusing shall be fined in any sum not less than five nor more than fifty dollars, at the discretion of the Court; and in case of a refusal to pay such fine, then the Governor, after due information had of the same, will cause the immediate removal of such person or persons beyond the limits of the Chickasaw Nation; and any fines collected under this Act shall be paid into the National Treasury, for public purposes.

SEC. 2. Be it further enacted, That in case it is necessary, the Governor shall call on the United States Agent for assistance to cause such person to be removed out of the Nation for a violation of a summons, as provided in the first section of this Act.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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### **An Act Providing for a Jailer.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there shall be elected, by joint vote of the Legislature, a National Jailer, who shall hold his office for the term of two years, and until his successor is qualified.

SEC. 2. Be it further enacted, That every person who is elected or appointed to the office of Jailer shall, within twenty days after his election or appointment, and before entering upon the duties of his office, give bond, with security, in the sum of one thousand dollars, to be approved by the Governor; which bond shall be conditioned for the faithful performance of the duties of his office; said bond shall be deposited in the National Secretary's office, and shall be made payable to the Governor of the Chickasaw Nation, etc.

SEC. 3. Be it further enacted, That the Jailer shall receive into custody, and safely keep, subject to the order of the proper court, all offenders against the Laws of this Nation, who may be committed to

his charge by any lawful officer, and the Jailer perform the duties incumbent on the Sheriff or Constable of Tishomingo County, Chickasaw Nation.

SEC. 4. Be it further enacted, That whenever any person elected or appointed Jailer, shall fail or refuse to give bond and take the oath of office, as prescribed in section second of this Act, the office shall be deemed vacant, and the National Secretary shall notify the Governor of the fact, who shall proceed to fill such vacancy for the unexpired term.

SEC. 5. Be it further enacted, That the Jailer shall reside in sight of the Jail; he shall see to the feeding of all prisoners in his charge; he shall supply them with good water three times per day. He shall perform all the duties necessary for the health and comfort of the prisoners, and keep the Jail swept clean, and shall scour the same whenever necessary.

SEC. 6. Be it further enacted, That the Jailer shall keep the keys of the Capitol, and have the floor scoured after adjournment of each Legislature, and after the adjournment of the District Court of Tishomingo County; he shall keep the floor swept clean, and put the Capitol in order for the use of the Legislature, Courts, elections, and for the purpose of religious services; and he shall allow no person to enter the Capitol in vacation term, except those permitted by law.

SEC. 7. Be it further enacted, That the Jailer shall cause the prisoners in his charge to make improvements around the Capitol that are necessary or advantageous to the Nation, whenever it is safe to do so; and all expenses for hauling, that are incurred in carrying into effect said improvements, shall be paid by the Nation, and the Jailer shall receive the sum of fifty cents per day for each prisoner's board, while in his charge.

SEC. 8. Be it further enacted, That the Jailer shall receive the sum of three hundred dollars per annum, for his services as Jailer, and shall receive the sum of fifty cents per day for each prisoner's board while in his charge.

SEC. 9. Be it further enacted, That the Jailer shall preserve and constantly keep the furniture of the Capitol in order, and in the Capitol, including water buckets, drinking cups, brooms; and other

articles purchased for the comfort and convenience of the Legislature or Courts, and to suffer no person to take them away or injure them, under penalty of forfeiting fifty dollars of his salary for each offense, when the same is proved to the County Court.

SEC. 10. Be it further enacted, That if any person or persons shall take any property of the Capitol from under its roof for the purpose of private use, shall, upon conviction by the County Court of Tishomingo County, be fined in any sum not exceeding fifty dollars for every such offense, and if unable to pay the fine, the party so offending shall be sentenced to imprisonment and hard labor for any period not exceeding ninety days. All fines collected under this section shall be placed in the County Treasury, for county purposes.

SEC. 11. Be it further enacted, That any person or persons having Capitol furniture in possession, shall be sufficient evidence to the Court that this Act has been violated.

SEC. 12. Be it further enacted, That it is the duty of the Jailer to receipt to the National Secretary for Capitol furniture turned over to him, and shall be accountable for the same, and shall turn over the same to his successor in office, taking a receipt therefor.

SEC. 13. Be it further enacted, That the Jailer shall take charge, and be accountable for all furniture purchased for the comfort and convenience of prisoners while in Jail; and any Jailer who shall allow any furniture belonging to the Jail (purchased by the Nation) taken away or injured, shall be punished as prescribed in section ninth of this Act; and that all parts of Acts in conflict with this Act are hereby repealed, and that this Act be in force from its passage.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

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### **An Act in Regard To Resignations.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, all officers who are elected or appointed, wishing to resign, are hereby required to

write out their resignation and send it to the Governor or the National Secretary of the Chickasaw Nation, forthwith.

SEC. 2. Be it further enacted, That when any officer shall say that he has resigned, and neglected to send his resignation to the Governor or National Secretary within ten days after he has stated that he has resigned, he shall forfeit one-third of his pay that may be due him, which amount shall revert back to the National Treasury.

SEC. 3. Be it further enacted, That it shall be the duty of any person hearing an officer stating of his resignation, to make oath to the effect that it was on such a day of the month, and that it is within the time, or over, as the case may be, as prescribed by law.

SEC. 4. Be it further enacted, That it shall be the duties of the Clerks of the different counties to report to the Auditor, that a certain officer or officers have forfeited one-third of their salary, by not offering their resignation within ten days, as prescribed in this Act.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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**Joint Resolutions Relating to Fraudulent Claims,  
Ho-you-po-nubby, and Others.**

SECTION 1. Be it resolved by the Legislature of the Chickasaw Nation, That the claims of Ho-you-po-nubby and others whose names appear on the rolls of the General Register in the United States Agent's office or elsewhere, who claim to be Chickasaws under the "Treaty between the United States and the Chicasaws," made and concluded on the 24th day of May, A. D. 1834, and who have been denied to be Chickasaws in a council held at Boggy Depot, about the year A. D. 1840.

SEC. 2. Be it further resolved, That the said claimants above referred to, as claiming lands under the "Treaty of 1834," are forever debarred, and that no part of the invested funds of the Chickasaws, now invested in the Lands of the Government of the United States, shall ever be taken or applied to the payment of any of the persons referred to above, claiming to be Chickasaws under the "Treaty of 1834," who have been denied to be Chickasaws by the council above referred to.

SEC. 3. Be it further resolved, That all claims of the Chickasaw people, as a Nation, that date back to the Treaties of 1832 and 1834, are hereby forever debarred.

SEC. 4. Be it further resolved, That any person or persons who shall introduce or agitate any of the above named claims in this Nation, and being citizens thereof, shall be deemed guilty of treason, and shall be dealt with accordingly.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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### **An Act Relative to Proper Treatment of Persons in Custody.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act all persons, when in the custody of any Sheriff, or other legal officer, or any citizen acting under authority from an officer of this Nation their body shall be considered sacred and any person who shall kill, injure or in anywise destroy the life or limb of any such prisoner, and upon conviction, after sufficient evidence adduced against such person destroying the life or limb of such prisoner, the Court shall inflict such punishment as, coming within its jurisdiction, is provided by law in other cases of murder, wounding and maiming.

SEC. 2. Be it further enacted, That all officers or citizens under whose charge a prisoner or prisoners are placed, shall be held responsible for their safe keeping, and from all possible injury whilst in their custody.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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**An Act Against Destroying Pecan and Other Trees.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, if any person or persons shall cut down any pecan or hickory tree or even a limb, for the purpose of getting the nuts, within the limits of this Nation, shall be fined in any sum not less than twenty-five, nor more than fifty dollars, as the Judge of the County Court having jurisdiction of the same may determine, and the fine when collected shall be placed in the County Treasury, for county purposes.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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**An Act Authorizing the Governor to Grant Permits to Persons  
Wishing to Trade in the Nation.**

WHEREAS, It is stipulated in the 39th Article of the Treaty of 1866, between the United States and the Choctaw and Chickasaw Tribes of Indians, "That no person shall expose for sale, in the country, any goods or other articles of merchandise, without obtaining a permit from the Legislature thereof ;"

AND WHEREAS, The Legislature meets but once a year, which makes it difficult for traders, or other persons desiring to trade therein, to procure permits; therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, the Governor is hereby authorized and empowered to grant permits to any respectable persons desiring to trade within the limits of the Chickasaw Nation; Provided, however, that the person or persons desiring to trade therein shall have five signers, citizens, before he, she or they can expose any goods or other articles of merchandise for sale or barter.

SEC. 2. Be it further enacted, That all persons in this Nation now and hereafter trading therein, under permit (citizens excepted), shall make, under oath, a true and correct statement to the Governor, of the amount of capital invested annually in goods or other articles of merchandise exposed for sale in this Nation, and shall pay to the Governor the sum of one per cent., annually for said privileges, and the Governor shall report to the Auditor of Public Accounts quarterly, the number of permits given, and the amount collected by him from the persons obtaining permits under this Act, and the funds so collected shall be placed in the National Treasury, for National purposes.

SEC. 3. Be it further enacted, That if any person (except citizens), shall expose any goods or articles of merchandise whatever for sale, without first obtaining a permit from the Governor, he shall incur the penalty of having all the goods and other articles of merchandise confiscated; the said confiscated property shall be sold by the Sheriff or Constable, at the county seat of the county where the said property has been seized, to the highest bidder, for cash or currency.

SEC. 4. Be it further enacted, That the said Sheriff or Constable shall report to the Auditor of Public Accounts, quarterly, the amount of property sold under the confiscating section of this Act; and he shall place the monies derived from the sale of all confiscated property, at the end of every fiscal quarter, in the National Treasury, to be applied to National purposes.

SEC. 5. Be it further enacted, That one per cent. shall be the rate of taxation charged by the Nation on all goods or merchandise, or other articles for sale or barter, to be paid to the Governor at the time the permit is given, and the said rate of taxation shall be charged and paid to the Governor for any and all goods, or other articles of merchandise or barter, which may be exposed for sale afterwards, on which the tax has not been paid; and any and all monies collected by the Governor, under the foregoing section of this Act, shall be reported to the Auditor of Public Accounts, and be placed in the National Treasury, for National purposes.

SEC. 6. Be it further enacted, That no permit shall be given under this Act for a longer period than three years; but the same may be renewed at the expiration of the time specified in the permit, in the same manner mentioned in the first section of this Act.

SEC. 7. Be it further enacted, That the length shall be limited (under three years) and specified in the permit, by which a person may trade in this Nation.

SEC. 8. Be it further enacted, That every citizen of this Nation trading therein, exposing goods or other articles of merchandise for sale or barter, shall have a permit, but he shall be exempt from paying the taxes specified in this Act.

SEC. 9. Be it further enacted, That all laws and parts of laws conflicting with this Act are hereby declared to be null and void.

APPROVED, October 7, 1876.

B. F. OVERTON,  
Governor.

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**An Act to Remove the Court Ground of Panola County.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Court ground of Panola County, in the Chickasaw Nation, be and the same is hereby removed from its present location, near Abijah Colbert's to a place in said County known as the Rock

Springs, and that the sum of one hundred and fifty dollars be and the same is hereby appropriated for the purpose of removing the Court House from its present location to the said Rock Springs, and to place the same in a habitable condition.

SEC. 2. Be it further enacted, That William Kemp and Charles Shecoe be and they are hereby appointed as commissioners to contract with some suitable person to remove the said Court House and place the same in a habitable condition, and upon whose certificate to the fact that the work has been completed according to contract, the County Judge shall give the contractors a certificate for the amount on the National Treasury, to be paid out of the county funds.

APPROVED October 9, 1876.

B. F. OVERTON,  
Governor.

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**An Act Prohibiting the Carrying of Arms in Public Places.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the first of January, 1868, it shall be unlawful for any person or persons, except Sheriffs or Constables, and any others summoned by them, to aid in destroying whisky or other ardent spirits, or to make arrests, to carry arms into any congregation, preaching, meeting of Legislature, ball-playing, taun-che-pi-sho-fa, election, or any other public meeting in the Chickasaw Nation, and any person or persons violating this Act shall be fined not less than one dollar, nor more than twenty-five dollars, for each and every offense, on conviction by the Court having jurisdiction.

SEC. 2. Be it further enacted, That if the person so offending is not able to pay the said fine in money, the Court having jurisdiction shall order the Sheriff or Constable to take any stock belonging to offender, and sell to the highest bidder, for cash to pay each fine and

all fines collected under this Act, shall be placed by the Sheriffs or Constables in the County Treasury for county purposes.

SEC. 3. Be it further enacted, That any person or persons who shall when passing any settlement fire off their arms at random or should shoot any stock, or dogs, while passing any settlement, shall be compelled by the Court having jurisdiction, to pay the value of such stock to the owner and shall pay five dollars for every dog shot and killed.

SEC. 4. Be it further enacted, That this Act shall not be so construed [ as ] to interfere with any persons shooting or killing his, her or their own stock or dogs.

SEC. 5. Be it further enacted, That when such persons so offending are not able to pay the above mentioned fine, they shall be lodged in the National Jail not less than five nor more than thirty days at the discretion of the Court having jurisdiction of the same.

SEC. 6. Be it further enacted, That this Act shall not debar persons from carrying arms into the Councils of the Tribes when called upon to meet them.

APPROVED October 9, 1876.

B. F. OVERTON,  
Governor.

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### **An Act Organizing Militia in the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, all male persons, members of the Chickasaw Nation or tribe, who are citizens by birth or adoption and of able bodies and sound mind, over the age of eighteen and under thirty years of age, except scholars attending school, shall be deemed eligible for Militia duty.

SEC. 2. Be it further enacted, That the Governor shall have power and authority to call out the Militia whenever he may deem it necessary for the welfare and protection of the Chickasaw Nation.

SEC. 3. Be it further enacted, That the Militia, when ordered or called out by the Governor, shall be formed into a company or companies, as the case may demand.

SEC. 4. Be it further enacted, That a company shall not contain less than twenty-five, nor more than sixty persons, and each company to be commanded by as many officers as will be necessary for its good control, government or discipline.

SEC. 5. Be it further enacted, That the Militia shall be fed and paid at the expense of the Nation, while in the field on actual service.

SEC. 6. Be it further enacted, That the Governor be required to order contracts to the lowest bidder for subsistence for the Militia when called out, and for forage when the case may require or demand the same.

SEC. 7. Be it further enacted, That when the Militia is called out they shall receive pay according to rank.

SEC. 8. Be it further enacted, That when it becomes necessary for the Militia to be called out, the Governor shall issue his proclamation, and any person failing to respond to the call, who may be eligible to Militia duty, shall be fined in a sum not less than five, nor exceeding fifteen dollars; the amount of said fine to be ascertained by the County Courts of this Nation having jurisdiction of the same; but if the absentee can render a lawful excuse to the County Judge, no fine shall be imposed, otherwise the fine shall be enforced, and when collected shall be placed in the National Treasury, for public purposes. The commanding officer of a company, upon sudden emergencies, may call his company into service whenever there is sufficient evidence that marauding or hostile Indians are in the Chickasaw Nation.

SEC. 9. Be it further enacted, That the following pay list shall govern the payment of the Militia for services, viz.:

Captain per month	-	-	-	-	-	-	-	-	\$50 00
First Lieutenant per month	-	-	-	-	-	-	-	-	40 00
Second " " "	-	-	-	-	-	-	-	-	38 00
Third " " "	-	-	-	-	-	-	-	-	37 00
First Sergeant, " " "	-	-	-	-	-	-	-	-	36 00
Second " " "	-	-	-	-	-	-	-	-	35 00
Third " " "	-	-	-	-	-	-	-	-	34 00
First Corporal " " "	-	-	-	-	-	-	-	-	33 00
Second " " "	-	-	-	-	-	-	-	-	32 00
Third " " "	-	-	-	-	-	-	-	-	31 00
Private " " "	-	-	-	-	-	-	-	-	30 00

SEC. 10. Be it further enacted, That the Governor shall be Commander-in-Chief of the Militia, when called out for service in the field.

SEC. 11. Be it further enacted, That the Governor be authorized to furnish all necessary arms and ammunition for the use of any and all companies while in the service of the Nation; and it shall be the duty of the Legislature to make appropriation for the payment of the same.

SEC. 12. Be it further enacted, That the Governor be empowered to purchase arms, if it should be necessary, and report the same to the succeeding Legislature for the payment of the same.

SEC. 13. Be it further enacted, That it shall be the duty of each Captain or Commander to furnish the Governor with the number and names of the persons under their command, which roll or list shall be deposited with the National Secretary; and all contracts for provisions and ammunition be reported to the Governor for his approval or rejection. All laws, or parts of laws, conflicting with this Act, are hereby repealed.

APPROVED, October 9, 1876.

B. F. OVERTON,  
Governor.

**An Act Authorizing the Superintendent of Public Instruction to Issue Certificates.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That to carry into effect the different school bills passed and approved at the present session of the Legislature, the committee appointed to act in conjunction with the School Superintendent shall, with the Superintendent, certify to services being done as provided for, at the expiration of the first five months, by the contractors for carrying on the schools; and upon said certificate the Auditor shall issue his warrant for the amount, and the Treasurer will pay the same out of any money not otherwise appropriated that may be in his hands, for the ensuing year; and the amount is hereby appropriated for that purpose, as the contracting parties may agree upon.

SEC. 2. Be it further enacted, That after the ensuing year, when the schools have gone into operation, the certificates of the School Superintendent and Trustee shall be sufficient.

SEC. 3. Be it further enacted, That the standard of school books for the several schools shall be of a uniform character, and shall be of the Southern series of school books, and no other books shall be used or taught in any of the schools in this Nation.

APPROVED, October 9, 1876.

B. F. OVERTON,  
Governor.

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**An Act Establishing a Female Seminary at Bloomfield Academy, and a Male School at C. M. L. Academy, for Chickasaw Children.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there shall be established a "High School" at Bloomfield Academy for girls, to be called "The Bloomfield Seminary;" the girls selected to attend said seminary to be between the ages of 9 and 18

years old; and not more than one child from a family shall enter said school at the same time, and no scholar shall remain longer than five years at this school.

SEC. 2. Be it further enacted, That no student shall enter said seminary until they can read well in McGuffey's Fifth Reader, spell well, and read in the New Testament, and be of good moral character.

SEC. 3. Be it further enacted, That the said school shall contain forty-five scholars, and increase hereafter in accordance to means. The scholars shall be selected throughout the Chickasaw Nation according to the qualifications required in the school section.

SEC. 4. Be it further enacted, That the School Board shall act in conjunction with the Superintendent of Schools, in making a contract for the said school with responsible party or parties, to carry into effect this Act for a seminary for a term of years. The contract shall not be made but with those of the highest moral character, or Christian standing, with practical and successful experience in teaching and managing a first-class boarding school.

SEC. 5. Be it further enacted, That the party or parties agreeing to, and contracting to carry on said school, shall furnish tuition, bedding, washing, mending clothes, medicine and medical attention, and also furnish all the modern apparatus for successfully carrying on a first-class school, and to furnish all the books and stationery for a thorough English course of studies, and all other necessary stationery and fixtures that may be needed.

SEC. 6. Be it further enacted, That the party or parties contracting and carrying on said school shall receive for their services heretofore mentioned, not exceeding one hundred and ninety-four dollars per scholar, for ten scholastic months, to be paid semi-annually, the first payment to be paid at the expiration of the first five months, and the other at the end of the year.

SEC. 7. Be it further enacted, That there shall be a High School established at the C. M. L. Academy for boys upon the same plan and basis as provided for in the foregoing Act.

APPROVED, October 9, 1876.

B. F. OVERTON,  
Governor.

**An Act Establishing a First-Class Boarding School at Wapanacka.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation. That there shall be established a first-class boarding school for male and female Chickasaw children, at the Wapanacka Institute. That after the 30th of September 1882, the Wapanacka school is hereby set apart for the exclusive privilege for the Chickasaw children in the Choctaw Nation. And all Chickasaw children in the Choctaw Nation must come to school in the Chickasaw District and hereinafter the school shall be a mixed school for male and female in such proportion as the Superintendent and Trustees may deem right. In the event the school should not be filled from the Choctaw Nation then it shall be filled with children from the Chickasaw Nation. Sixty pupils, male and female, between the age of fourteen and eight years old, shall be selected for this school, for the school year 1889-90 only; the students to remain not longer than four years at this school, then to be transferred to the high school, there to complete a thorough course of studies.

SEC. 2. Be it further enacted, That the party or parties agreeing to and contracting to carry on this school shall furnish tuition, good board, bedding, washing, mending clothes, medicine and medical attention; also to furnish books, stationery, and all the modern apparatus for successfully carrying on a first-class boarding school.

SEC. 3. Be it further enacted, That the contracting parties for carrying on this school shall be paid at the rate of not exceeding one hundred and seventy-five dollars per scholar, for their services for a scholastic year of ten months, the said amount to be paid semi-annually, the first payment to be made at the expiration of the first five months' service, and the second payment to be made at the close of the fiscal year.

SEC. 4. Be it further enacted, That the School Board shall assist in making all contracts for the different schools, or letting out contracts for repairs on school buildings, and shall act as Trustee of Schools for the county they may be selected from, and be governed by

the School Laws now in force in regard to School Trustees, and shall receive, for the ensuing year, fifty dollars each for their services.

SEC. 5. Be it further enacted, That the School Superintendent and the aforesaid School Board shall keep in view the interest and welfare of the Nation in making contracts, and shall get the schools started on as small amount as it possibly can be done for, with good and responsible parties that have the means to do the work; and shall in no wise exceed the amount provided for in the different school Acts.

SEC. 6. Be it further enacted, That the different buildings belonging to the Nation, as school houses and academies are hereby placed under the control of the Superintendent of Public Instruction, who will issue an order for the surrender, by any and all persons now occupying them, so that the school can be started without let or hindrance.

APPROVED, October 9, 1876.

B. F. OVERTON,  
Governor.

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### **An Act to Establish Neighborhood Schools.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there be established neighborhood schools in this Nation, as follows: Not to exceed eight in Pontotoc, and five each in Panola, Pickens and Tishomingo Counties; Provided. the requisite number shall be made up.

SEC. 2. Be it further enacted, That ten or more scholars shall be taught at the neighborhood schools, and all Chickasaw scholars between the ages of six and fourteen years, going to neighborhood schools shall be entitled to the sum of eight dollars per scholar per month for board during their attendance at school.

SEC. 3. Be it further enacted, That all Chickasaw children attending neighborhood schools shall be between the ages of six and fourteen years.

SEC. 4. Be it it further enacted, That no school shall be started or attempted to be carried on, when any family or families are staying in or boarding scholars in the school houses, and no school house shall be used for any other purpose than that for which they were built.

SEC. 5. Be it further enacted, That when parents or guardians prefer sending their child or children to school in the States [they] may do so, and be entitled to the rates of fifteen dollars per month.

SEC. 6. Be it further enacted, That when the Lebanon Institute shall have its quota of scholars provided for, the balance of the orphans attending either of the other schools shall be entitled to their pro-rata share of funds, equal with those attending the Lebanon school.

SEC. 7. Be it further enacted, That hereafter all citizens, school teachers who may wish to teach school in this Nation, shall not be required to undergo an examination as to his or her qualifications, as a teacher, before being permitted to teach said school.

SEC. 8. Be it further enacted, That the pay of neighborhood school teachers shall be at the rate of four hundred and fifty dollars each for a ten months' session. No one teacher shall be allowed to take charge of more than thirty scholars. All parts of Acts, in conflict with this Act, are hereby repealed.

APPROVED, October 9, 1876.

B. F. OVERTON,  
Governor.

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### Tenure of Office Bill.

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, no citizen shall be allowed to hold more than one National office at the same time, unless under such conditions as are herein expressly permitted.

SEC. 2. Be it further enacted, That every governmental or National place of honor or trust, with a salary or fees, wherein any specified condition for the public good is required to be performed, whether under commission, oath or otherwise, shall be considered an office, agreeable to the intent and meaning of this Act.

SEC. 3. Be it further enacted, That no officer of this Nation, during his continuance in office, shall be elected or appointed Interpreter, Draftsman, Sergeant-at-arms, Clerk of the House, Secretary of the Senate, or Clerk of any legislative committee, or to fill any office which may hereafter be created by the Constitution and Laws, if any citizen, not an officer, be present or contiguous, who can competently and is willing to accept and discharge the duties of any of the said offices; but if no competent person can be obtained to fill said offices, then any member of the Legislature or any competent officer of the Nation, may fill the said offices; and he shall receive, in addition to his official salary, the same amount for his daily services as a member of the Legislature.

SEC. 4. Be it further enacted, That all county offices or other offices in this Nation, not supported by National funds, shall not be considered a National office, and the same are hereby exempt from the prohibitions of this Act.

SEC. 5. Be it further enacted, That if any officer in this Nation should be elected or appointed to fill any important office created under the Constitution and Laws, he shall be required to resign the former office before he is commissioned to fill the latter.

APPROVED, October 9, 1876.

B. F. OVERTON,  
Governor.

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**An Act Providing for Interpreters for the Supreme and  
District Courts.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, the Supreme and District Judges of this Nation be and they are hereby authorized and

empowered to appoint an interpreter for the several terms of their respective Courts.

SEC. 2. Be it further enacted, That the interpreter so appointed shall receive for his services as such the sum of three dollars per day for each day's service actually rendered.

SEC. 3. Be it further enacted, That it shall be the duty of the said Supreme and District Judges to certify the amount due said interpreters, and that the aforesaid interpreters take the oath usually administered to officers of the Nation.

APPROVED, October 10, 1876.

B. F. OVERTON,  
Governor.

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### **An Act to Prohibit Polygamy.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, no citizen of this Nation shall be allowed more than one lawful, living wife or husband, and every person violating this Act shall be deemed guilty of polygamy, and shall be subject to indictment, trial and punishment by the District Court of the county where the offense may have been committed.

SEC. 2. Be it further enacted, That polygamy shall consist in being married, by any Judge of this Nation or other person lawfully authorized to perform the marriage ceremony, to two or more men or women, as the case may be, the first husband or wife being still alive and undivorced by the District Court of this Nation, and all such marriages shall be void from the beginning, just the same as if they had not been solemnized; and no rights of citizenship whatever shall be acquired by such unlawful marriages.

SEC. 3. Be it further enacted, That every person found guilty of polygamy shall be compelled to separate and remain apart until the disability is removed, and shall pay the cost of the suit, be fined fifty dollars; one-half of the fine, when collected, shall go to the Attorney

prosecuting the suit, and the other half, with the cost of the suit, shall be paid into the National Treasury by the collecting officer, at the end of every fiscal quarter, to be used for public purposes.

SEC. 4. Be it further enacted, That should the party convicted of polygamy not be able to pay the fine and cost of suit, then and in that case, the party shall be committed to Jail, with hard labor, for not less than one nor more than six months, at the discretion of the Court, for the first offense; and for every succeeding offense, the last mentioned time of imprisonment and hard labor, together with the aforementioned fine and costs, shall be the punishment, and they shall be collected by the provisions of the "Act in relation to collection of bonds and fines."

APPROVED, October 10, 1876.

B. F. OVERTON,  
Governor.

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### **An Act to Prohibit Leasing Land.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, the leasing of land is hereby prohibited within the limits of this Nation, and every citizen violating this Act shall be fined in any sum not exceeding one thousand dollars, at the discretion of the District Court having jurisdiction; and the lease shall be adjudged to be void from the beginning, and the lessee shall be removed from beyond the limits of the Chickasaw Nation, by the Sheriff or Constable of the county where the lease was made, or the lessee or lessees, as the case may be.

SEC. 2. Be it further enacted, That the foregoing section shall not be construed to interfere with or invalidate leases entered into before the passage of this Act, nor to interfere with or prohibit citizens from renting their places for a term not exceeding a year, as

practiced heretofore; and that the fines collected under the provisions of this Act shall be placed in the National Treasury, for National purposes.

APPROVED, October 10, 1876.

B. F. OVERTON,  
Governor.

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**An Act to Imprison Offenders Not Able to Pay Fines Imposed By  
the Courts, and to Provide for Hard Labor During the  
Confinement.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, all offenders against the Laws of this Nation shall be subject to imprisonment in the National Jail, if the person or persons convicted are not able to pay the fine imposed by the Court having jurisdiction of the offense, with the addition of hard labor, as the Court may see proper to impose.

SEC. 2. Be it further enacted, That in all cases where fines only are the penalty, and the party is unable to pay, the term of imprisonment shall not exceed three months, at the discretion of the Court, with or without hard labor; but this section shall not be construed to interfere with the term of imprisonment provided for in other laws.

SEC. 3. Be it further enacted, That in all cases of imprisonment with labor, the National Jailer shall see that the prisoner is employed on some useful and beneficial work, of public or private interest, as the Legislature may hereafter provide for.

APPROVED, October 10, 1876.

B. F. OVERTON,  
Governor.

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**An Act Regulating Legislative Elections.**

SECTION. 1. Be it enacted by the Legislature of the Chickasaw Nation, That in all the legislative elections for the different offices of this Nation, which are elected by the Legislature, shall be by joint vote of both Houses ; and in case of a tie vote in any of the elections, the polls shall be immediately opened by order of the Speaker of the House, and the voting shall be kept up until one of the tied candidates gets a majority of the whole number of votes cast.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act Providing the Mode of Corporal Punishment.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That whenever the punishment for any offense in this Nation is whipping, the punishment shall be inflicted by either the Sheriff or Constable, by means of a good hickory switch.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act Authorizing the Supreme Judge to Issue Law Licenses.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, all persons wishing to plead law before the Courts of this Nation, shall be required to obtain license before they can be admitted to the bar.

SEC. 2. Be it further enacted, That the Supreme Judges be, and they are hereby authorized to issue a law license to any citizen whom they may deem possessed of sufficient law knowledge to practice in all the Courts of this Nation.

SEC. 3. Be it further enacted, That each applicant shall be required to pay a fee of fifteen dollars for such license to the Judge issuing the same.

SEC. 4. Be it further enacted, That the Supreme Judges are hereby required to account for all such fees, annually, to the National Auditor, and shall place the amounts of fees in the National Treasury.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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### **An Act Appointing Clerks Pro Tem.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That in case the Clerk of any Court of this Nation shall, from any cause, be absent from the Court ground at any term of any Court, it shall be the duty of the presiding Judge to appoint a Clerk pro tem, who shall serve as Clerk for that term only; and for such services he shall receive three dollars per day.

SEC. 2. Be it further enacted, That when it so happens that the Clerk is absent from the Court ground, it shall be the duty of the presiding Judge to send the Sheriff or Constable belonging to that county after all the necessary books and papers belonging to that office; and the books and papers belonging to that office shall be turned over to the Clerk pro tem, who shall keep them in custody for the term that he was appointed for, and after the Court adjourns he shall turn the books, papers and the proceedings of the Court over to the Judge, who shall dispatch them to the regular Clerk by one of the proper officers of that Court.

SEC. 3. Be it further enacted, That it shall be the duty of the Judge to give the Clerk pro tem, a certificate, certifying the number

of days that he served, and upon the presentation of such certificate, the Auditor of Public Accounts shall issue a warrant on the National Treasurer for the amount, and the Treasurer shall pay the said warrant out of any money that may be in the National Treasury.

SEC. 4. Be it further enacted, That at the next term of the Court from the one that the Clerk was absent from, the Judge shall call on the Clerk to show cause of his non-attendance, and if no good and satisfactory reason for such non-attendance being shown, to the satisfaction of the Judge, (the Clerk) shall be fined in a sum of five dollars per day for every day that he may be absent from his duties; and the fine, when collected, shall be placed in the County Treasury, for county purposes.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act to Preserve Bills, Etc., Passed One House Only.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after [the] passage of this Act, it shall be the duty of the Secretary of the Senate and the Clerk of the House of Representatives, at the close of each session, to collect all petitions, memorials, bills and resolutions that may have passed one House and not the other, and all other papers that may have been in their charge during the sitting of the Legislature, and turn them over to the National Secretary, to be by him safely kept in his office for future reference.

SEC. 2. Be it further enacted, That this shall not be so construed as to mean the rejected bills, but only such bills as may have passed one House, and by reason of adjournment it never had time to be brought up.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

**Resolution in Relation to Striking Boundary Lines.**

SECTION 1. Be it resolved by the Legislature of the Chickasaw Nation, That there be a committee of eight appointed by the Legislature, one from each county from the Senate, and one from each county from the Representative Hall, and that said committee be required to strike off and define the boundary of each county of this Nation.

SEC. 2. Be it further resolved, That the following lines shall be boundary lines of the Counties of Pickens, Panola, Pontotoc and Tishomingo, namely :

SEC. 3. The boundary line of the County of Panola shall commence at the mouth of Island Bayou, on the north bank of Red river, thence up said Bayou to the line between the Chickasaws and Choctaws, thence along said line to Blue river, then up Blue river to the road that leads from Fort Washita to Fort Smith, where it crosses Blue river at Andrew Colbert's, thence along said road to Hatsborough, thence along the road that leads from Hatsborough to Tiner's, where it crosses Washita river, thence down said river to where it empties into Red river, thence down said river to the beginning point.

SEC. 4. The boundary line of the County of Pickens shall commence on the north bank of Red river, at the mouth of Washita river, thence up Red river to the 98th meridian line, thence north along said line to where it crosses Washita, down Washita to the beginning point.

SEC. 5. The boundary line of the County of Tishomingo shall commence where the road crosses Blue river that leads from Fort Washita to Fort Smith, at Andrew Colbert's, thence up Blue river to the fork above the old Dragoon crossing, thence up the eastern prong to the road which leads from Fort Arbuckle to Fort Smith, thence along said road to the crossing of the Washita river, thence down said river to the line of the County of Panola, thence along said line to the beginning point.

SEC. 6. The boundary line of the County of Pontotoc shall commence on the east bank of Blue river, where the line crosses which runs between the Chickasaws and Choctaws, thence along said line to the Canadian river, thence up said river to the 98th meridian line, thence south along said line to Washita river, thence down said river to the line of the County of Tishomingo, thence along said line to the line of the County of Panola, thence down said line to the beginning point.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Prosecutions.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, all criminal prosecutions shall be carried on thus: In the name and by the authority of the Chickasaw Nation, Be it remembered, that at the Circuit Court in and for the County of——on the——day of——, in the year one thousand eight hundred and ——, We the Grand Jurors, empaneled and sworn, and charged to inquire for the body of said County, by the oath of good and lawful persons of the County aforesaid, of all treasons and all murder, and all offenders against the Laws of the Chickasaw Nation, it is presented that one H. B., of the County of——, in the Chickasaw Nation, did with a certain——, willfully and of malice aforethought, wound one C. B., and from the said wound he, the said C. D., did——, so we the Grand Jurors, upon our oaths aforesaid, do say that the aforesaid A. B. did willfully, and of malice aforethought, ——, or instigate the——of the said C. B., against the peace and dignity of the Nation.

E—— F——,

FOREMAN OF THE GRAND JURY.

Witness: { C. D.  
          { G. H.

SEC. 2. Be it further enacted, That all larceny and felony prosecutions shall be carried on thus: In the name and by the authority of the Chickasaw Nation, Be it remembered, that at the Circuit Court

in and for the County of—, on the—day of—, in the year one thousand eight hundred and—, we the Grand Jurors, empaneled and sworn, and charged to inquire for the body of said County; by the oaths of good and lawful persons of the County aforesaid, of all offenders against the Laws of the Chickasaw Nation, it is presented that A. B., a person of said County and Nation, did feloniously take and steal—, the property of—, over the value of—dollars, and appropriated the value thereof to his own use against the peace and dignity of the Nation.

E— F—,

FOREMAN OF THE GRAND JURY.

Witness: { C. H.  
          { N. H.

SEC. 3. Be it further enacted, That all writs and processes shall be: The Chickasaw Nation to the Sheriff or Constable of—, greeting: You are hereby commanded to take A. B. of—, Chickasaw Nation, if to be found within its limits, and—safely keep so that you may have—body before the Court to be held on the—day of—, in the year of our Lord one thousand eight hundred and—. Herein fail not, but make due return to the said Court.

B. C.

Clerk of the Court, County of—, C. N.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Marriages Under Choctaw Law.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, all persons that were married under the Choctaw Law, or by mutual consent of parties, who lived together as man and wife six months previous to the adoption of the Constitution of the Chickasaw Nation, dated August 30,

1856, shall be compelled by the County Judge to have the same established upon oath, and recorded in the office of the County Clerk.

SEC. 2. Be it further enacted, That it shall be the duty of the County Judges to notify the people of their respective counties of the passage of this Act; any person or persons who refuse or neglect to have their marriage recorded within three months after the passage of this Act, shall be compelled to pay a fine not less than five nor exceeding fifteen dollars, at the discretion of the Court.

SEC. 3. Be it further enacted, That all fines imposed under this Act, shall be collected by the Sheriff or Constable, and be placed in the County Treasury.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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### **An Act in Relation to Change of Venue.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, every person or persons having a suit in the District Court, and believing they cannot have justice in the county where the suit is pending, by the people being prejudicial against him or them, in that case either party may petition to the Judge of the Court for a change of venue.

SEC. 2. Be it further enacted, That the parties petitioning for a change must state their reasons for wanting a change, and must verify, on signing the petition, before a legal officer, that the facts therein contained are true; then, in that case, the Judge shall grant a change, but not to more than two counties; Provided, the above Act has been complied with.

SEC. 3. Be it further enacted, That where a petition praying for a change of venue has been filed, the Court shall give the opposite party or parties two days' notice before granting said change of venue.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act as to Time of Residence for a Person to Hold Office And to Vote.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That no person shall be elected to the office of Sheriff, Constable, or County Judge, unless he shall have been an inhabitant of the Chickasaw Nation six months, and the last two months thereof a citizen of the county for which he may be chosen.

SEC. 2. Be it further enacted, That the District Judge, Attorney-General, and any citizen, shall be allowed to vote for Governor and District Attorney, in any other county other than their own, where an election for the above offices may be held.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Poison.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, if any person or persons shall willfully and maliciously administer any poison of a deadly nature, or cause the same to be administered to any person,

with intent to murder, he, she, they or their counselors or abettors, shall be guilty of murder, and on conviction thereof in the Court having jurisdiction of the same, shall suffer death.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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### **An Act in Relation to Drawing Weapons.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, if any person or persons shall willfully and maliciously draw or level any deadly weapons, such as guns, pistols, bowie-knives, or anything that a person's life might be taken with, on another person, he or they so offending shall be deemed guilty of a high misdemeanor, and, on conviction thereof, shall pay a fine of not less than twenty-five, nor exceeding fifty dollars, at the discretion of the Court having jurisdiction of the same.

SEC. 2. Be it further enacted, That should the offenders not be able to pay the fine, he or they shall be imprisoned in the National Jail not less than one week, nor exceeding one month, at the discretion of the Court.

SEC. 3. Be it further enacted, That when the said fine shall have been collected, by order of the County Court having jurisdiction thereof, it shall be placed in the County Treasury for county purposes.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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### **An Act Compelling Witnesses to Testify in Courts and Before Grand Juries.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That any person or persons who shall, after being sworn in open Court, or before the Grand Jury, refuse to answer the interroga-

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tives of the Court or Jury (such questions as the Court may admit), shall be fined in a sum of not less than one dollar, nor more than five hundred dollars, as the Court may determine.

SEC. 2. Be it further enacted, That where the offender is not able to pay the fine, he shall suffer such corporal fine as the Court may determine, by imprisonment in the National Jail of not less than one hour, nor exceeding three months.

SEC. 3. Be it further enacted, That where any person refuses to make oath before any Court or Jury, he or they shall suffer the above penalties and imprisonment, as the Court in its discretion may see proper to inflict.

SEC. 4. Be it further enacted, That when said fines are collected by the Sheriff or Constable, they shall go into the County Treasury, for county purposes.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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### **An Act to Take the Evidence of Disabled Persons.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That all witnesses who are disabled to attend Court, in case he, she or they are sick, or their family, or any other disability, shall be required to give their deposition on oath, before any Judge of any Court of this Nation, and in the presence of the plaintiff and defendant, or defendants, or their attorneys, by first giving the opposite party or parties at least three days' notice of the same. If the cited party should fail to appear without good and just cause shown, the evidence taken shall be legal to all intents and purposes.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

**A Resolution for the Selecting of a Burying Ground.**

SECTION 1. Be it resolved by the Legislature of the Chickasaw Nation, That the Governor be and he is hereby requested to appoint two persons to select a burying ground (to be kept sacred) for the burying of all culprits of the Chickasaw Nation who may be executed.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act to Fine Persons Who are Found With Whisky in Their Possession.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That when any person or persons are found with whisky or other spirituous liquors in this Nation, and it cannot be proven that the possessor or holder introduced, or is selling, or has been selling or bartering it, the person so found with whisky or other spirituous liquors in their possession shall be compelled to pay a fine of from five to fifteen dollars for every such offense, by the Court having jurisdiction. When the fine shall have been collected, as in other cases, it shall be placed in the County Treasury, for county purposes.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act Legalizing the Law in Relation to Ardent Spirits.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, the law relating to ardent spirits, etc., that was passed at the October term of the

Legislature, for the year A. D. 1856, and printed in the Constitution and Laws of the Chickasaw Nation, is hereby adopted, and the same value shall be attached to it as if it had been passed by the Legislature of 1857, and it shall remain in full force and effect until it is repealed by the Legislature of the Chickasaw Nation.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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### **An Act in Relation to Appeals.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, any person or persons who shall wish to appeal from any of the decisions of the Courts of this Nation (with the exceptions of the Supreme Courts), shall file with the Clerk of the Court that they wish to appeal from, a petition, setting forth their reasons for wishing to appeal from the judgment of the Court where the case had been decided. The petition must be filed within five days after the decision of the Court, and if not filed within the time prescribed, the decision shall be final, and there can be no appeal taken after that time.

SEC. 2. Be it further enacted, That the Judge of the Court where such decision was made may grant an appeal to the party or parties petitioning; Provided, he is satisfied that the petitioner did not receive justice; and when an appeal is granted, the Clerk of the Court shall sign all of the papers belonging to the case, and send them to the Clerk of the Court to which the appeal is taken, by the Sheriff or Constable of the county where the case was tried.

SEC. 3. Be it further enacted, That if the case be a civil case, or where the rights of property are to be tried, it shall be the duty of the Sheriff or Constable to keep the property in their possession for the term specified for taking an appeal; and if the appeal be granted, the defendant shall give bond, with good and approved securities, in

at least double the value of the property in dispute (in writing), for the forthcoming of the property. If said defendant cannot give bond, then the Sheriff or Constable shall hold the property until a final disposition is made. Said bond above mentioned, if forfeited, shall be collected, with all cost, as directed by law.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Money That May Come Into the Hands of the Supreme Judges.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, any money or monies that may originate or accumulate in the hands of the Supreme Court of this Nation, for licenses granted, or fines imposed for contempt of Court, shall be paid into the hands of the National Treasurer, for National purposes; and it shall be the duty of the Supreme Court to make a report of the amount of monies paid into the National Treasury to the Auditor of Public Accounts, annually.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to a Wife's Separate Property.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, it shall be the duty of the County Clerk of each county of this Nation to provide books for the registration of the wife's separate property.

SEC. 2. Be it further enacted, That it shall be the duty of every woman of this Nation to have the amount of their separate property recorded in the book provided for that purpose, and also the kind of property owned by her, and the amount of each kind; and she shall also be required to have her private marks and brands recorded in the same book.

SEC. 3. Be it further enacted, That the wife's separate property shall not be held responsible for the action of the husband; Provided the wife's separate property be registered according to a former requisition of this Act.

SEC. 4. Be it further enacted, That the husband cannot sell any property belonging to the wife; Provided, this Act is complied with, unless with the wife's consent; but any property belonging to the wife, that is not registered according to this Act, can be disposed of by the husband, and the title to such property is good, and the same be held responsible for the husband's action.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**'An Act Confirming the Treaty of 1866.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That, whereas, a Treaty was concluded at Washington City, on the 28th of April, 1866, by Commissioners duly appointed on the part of the Chickasaws and Choctaws, and the United States Government, which Treaty was ratified with amendments by the United States Senate, and confirmed by the President, the Chickasaw Legislature does hereby give its assent, and confirm the said Treaty and amendments made by the Senate of the United States.

SEC. 2. Be it further enacted, That the Chickasaw Legislature does hereby give its assent to the sectionizing and allotment of the lands in severalty, under the system of the United States, as provided

for in the Treaty of April, 1866, and the President of the United States is hereby requested to cause the same to be done as soon as may be practicable.

SEC. 3. Be it further enacted, That the provisions contained in Article 3, of the said Treaty, giving the Chickasaw Legislature the choice of receiving and appropriating the three hundred thousand dollars therein named, for the use and benefit, or passing such laws, rules and regulations as will give all persons of African descent certain rights and privileges, be, and it is hereby declared to be the unanimous consent of the Chickasaw Legislature, that the United States shall keep and hold said sum of three hundred thousand dollars for the benefit of the said negroes, and the Governor of the Chickasaw Nation is hereby requested to notify the Government of the United States that it is the wish of the Legislature of the Chickasaw Nation that the Government of the United States remove the said negroes beyond the limits of the Chickasaw Nation, according to the requirements of the third Article of the treaty of April 28, 1866.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

### **An Act Establishing Salary of Officers.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the general election in August, 1874, the salary of officers shall be thus per annum:

Governor, per annum,	- - - - -	\$1500 00
Attorney-General, per annum,	- - - - -	500 00
County Judges, each, per annum,	- - - - -	200 00
Sheriffs,	“ “ - - - - -	400 00
Constables,	“ “ - - - - -	400 00
District Judge,	“ “ - - - - -	600 00
Senators and Representatives, per diem,	- -	4 00
Draftsmen, Clerks, Interpreters, Sergeant-at-arms,		4 00

SEC. 2. Be it further enacted, That after the expiration of the term of the present incumbents in office, of the following officers, their salaries shall be thus per annum:

National Auditor, per annum,	- - - -	\$500 00
National Treasurer, " "	- - - -	600 00
National Jailer, " "	- - - -	300 00
National Secretary, " "	- - - -	600 00
Sup't of Schools, " "	- - - -	750 00
County and District Clerks, each, per annum,	-	300 00
Supreme Judges, per annum,	- - - -	200 00
Supreme Clerks, " "	- - - -	100 00

SEC. 3. Be it further enacted, That there shall be but one Sergeant-at-arms elected for each House of the Legislature, at the next regular term of the Legislature in 1874.

SEC. 4. Be it further enacted, That all laws or parts of laws in conflict with this Act are hereby repealed.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

### **An Act Concerning Concubinage and Adultery.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That when any person having a wife or husband, and shall be found living with or keeping another woman or man, shall be deemed guilty of concubinage or adultery, and shall be subject to indictment, trial and punishment in the District Court of the county where the offense may have been committed.

SEC. 2 Be it further enacted, That every person found guilty of concubinage or adultery. shall be compelled to separate for ever, and remain apart, and fined in a sum of fifty dollars, and cost of suit: one-half of the said fine shall, when collected, go to the attorney

prosecuting the suit, and the other half to the National Treasury, for National purposes; said costs and fines shall be collected as other-fines and costs are.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Robbery.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, if any person or persons within the limits of this Nation, shall commit robbery, or be accessory thereto, shall, upon conviction by the District Court of the county where the crime has been committed, be sentenced, for the first offense, to thirty-nine lashes on the bare back, and to return the property taken in the robbery to the party robbed, or pay the value thereof to the injured party, and be fined in a sum not exceeding one hundred dollars, and be imprisoned in the National Jail, with hard labor, not exceeding six months, at the discretion of the Court; and for the second offense, the penalty shall be one hundred lashes on the bare back, return the property to the person robbed, or pay the value thereof, be fined in a sum not exceeding five hundred dollars, and be imprisoned in the National Jail, with hard labor, not exceeding one year; and for the third offense death shall be the penalty.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Bribery.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, every citizen of this Nation shall be disqualified to hold any office or place of honor,

trust or profit under the Constitution of the Chickasaw Nation, who shall be convicted of bribery, or be accessory thereto, by giving or offering to give any money, article of value, office, place of honor, trust or profit, with or without emoluments, to procure his election or appointment to office, or any other person's election or appointment to office, within the limits of this Nation, and shall also be subject to imprisonment in the National Jail, with hard labor, for any period not exceeding six months, at the discretion of the District Court of the county where the bribe or offer of bribe may have been given or attempted.

SEC. 2. Be it further enacted, That if any officer of the Chickasaw Nation shall take a bribe from any person, for the purpose of neglecting his duty or causing a delay, evasion or perversion of law or justice, the officer so bribed, as well as the person bribing, shall be subject to the penalties in the first section of this Act, and on conviction thereof shall be punished accordingly.

SEC. 3. Be it further enacted, That if any citizen shall bribe, or cause to be bribed, any jury, either whole or in part, so as to obtain a false verdict, or cause the jury to disagree, the person or persons so bribing, together with the jury, either whole or in part, so bribed, shall come under the penalties of the first section of this Act, and be punished accordingly.

SEC. 4. Be it further enacted, That if any District Attorney or attorney pro tempore, of the Chickasaw Nation, or any Supreme or District Judge thereof, shall be charged with bribery, in writing, duly sworn to, he shall be suspended by the Governor from his official duties, until the case is decided by impeachment at the succeeding Legislature; and if the impeachment is sustained, he shall be punished according to the penalties of the first section of this Act.

SEC. 5. Be it further enacted, That if any Clerk of any Court of this Nation shall take a bribe, for the purpose of falsifying any judgment, decree, writ, process, or any other proceedings of any Court of this Nation, he shall, on conviction, be punished as is provided for in the first section of this Act, and the person bribing or attempting

to bribe a Clerk, or any other officer of this Nation, shall, on conviction of the crime, be punished agreeable to the first section of this Act.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

**An Act to Punish Persons Decoying Scholars from School, Etc.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, it shall be unlawful for any person or persons to decoy any scholar or scholars from school, or to use immoral or indecent behavior in or about any school within the limits of this Nation, under the following penalties: If any person or persons shall decoy any scholar or scholars from school, against the consent or wishes of the parent or guardian, or persons sending such scholar or scholars to school, he, she, or they shall, on conviction of the County Court of the County where the offense shall have been committed, be fined in any sum not exceeding fifty dollars; but should the person or persons so offending not be able to pay the fine, he, she, or they shall be imprisoned, with hard labor, for any term not exceeding three months, at the discretion of the Court. Should any person or persons be guilty of any immoral conduct, or indecent behavior, in any school of this Nation, or about any school thereof, he, she, or they shall, upon conviction before the County Court of the County where the offense shall have been committed, be fined, or imprisoned, as the case may be, under the provisions of this section.

SEC. 2. Be it further enacted, That it shall be the duty of the Sheriffs or Constables to arrest all offenders violating the foregoing section, and carry him, her, or them before the County Judge for trial, or put the party in jail, as the case may be, until the trial can be had. Should any Trustee of Schools, teacher or other persons, inform the

County Judge that such an offense has been committed, it shall be his duty to order the Clerk of his Court to issue a writ of arrest for such person or persons violating this Act, and bring him, her or them before the Court for trial.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act to Prohibit the Collection of National Revenue or Other  
Tax without Authority.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, every citizen of this Nation is hereby prohibited from collecting any revenue of the Chickasaw Nation, or cause it to be collected, either whole or in part, by collusion, misrepresentation or otherwise, without the sanction of law or proper authority.

SEC. 2. Be it further enacted, That if any citizen or citizens of the Chickasaw Nation shall collect any revenue or other tax belonging to it, or cause it to be collected, either in part or whole, without lawful authority, shall be deemed guilty of fraud, and on conviction thereof, by the District Court of the County, where the fraud has been committed, he or they shall be sentenced to receive fifty lashes on the bare back, six months' imprisonment with labor, and be fined five hundred dollars for the first offense; and for the second and every succeeding offense, he or they shall receive one hundred lashes, and be imprisoned one year with labor, fined one thousand dollars and be disfranchised.

SEC. 3. Be it further enacted, That the citizen or citizens defrauding shall be liable to the person or persons defrauded for the whole amount of damages occasioned by the committal of such fraud: and the District Court shall have jurisdiction in the case; and if the citizen or citizens are not able to pay the damages to the party injured,

he or they, after conviction, shall be punished by the penalties of the second Section for the first or second offense as the case may be.

SEC. 4. Be it further enacted, That the person or persons defrauded, shall not hereafter be exempt from paying revenue tax to the proper officer, and it shall be collected and receipted for the same as if the fraud had not been committed; and all prosecutions against citizens for offenses committed under this Act, shall be commenced within two years from the time the offense was committed; and failing in this, succeeding prosecution shall be void.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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#### Game Law.

WHEREAS, Non-citizens, not lawfully, residing within the limits of this Nation, have heretofore been in the habit of coming in this Nation under the pretext of hunting wild game, trapping and fishing;

AND WHEREAS, Said non-citizens not lawfully residing in this Nation, do kill cattle and hogs, and destroy other property belonging to citizens and non-citizens lawfully residing in this Nation; therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, any citizen of this Nation who may see any person or persons, not lawfully residing in this Nation, under the pretext of hunting wild game, trapping or fishing, shall report the same to the Sheriff or Constable, and the Sheriff or Constable may arrest such person or persons, and carry them before the Governor of this Nation, who is hereby directed to report the citizen of the United States to the proper authority of the United States, to be dealt with as an intruder and a violator of the Laws of the Chickasaw Nation.

SEC. 2. Be it further enacted, That any member of any other Tribe of Indians violating this Act, the Governor is hereby directed to report the same to the proper authority of the Tribe to which the said intruder or intruders may belong; and this Act take effect from and after its passage.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act Adopting Sarah Cobb.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That Sarah Cobb, the daughter of McKinney Cobb, be and she is hereby adopted a member of the Chickasaw Tribe of Indians, with all the rights and privileges of a citizen.

SEC. 2. Be it further enacted, That Sarah Cobb, a daughter of McKinney Cobb, born out of wedlock, is hereby declared a legitimate, legal and lawful heir of McKinney Cobb.

SEC. 3. Be it further enacted, That this Act take effect from and after its passage.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act Providing for the Settlement and Adjustment of the Eastern Boundary Line.**

WHEREAS, The United States did agree, in the nineteenth Article of the Treaty of June 22, 1885, to survey and cause the eastern and western boundary lines of the country owned by the Choctaw and Chickasaw Nations, to be run and permanently marked, as described in the first Article of said Treaty;

AND, WHEREAS, The United States did run and permanently mark the western boundary line of the district of country belonging to the Choctaws and Chickasaws, but failed to run and mark the eastern boundary line of said Nations ;

AND, WHEREAS, It is essential that measures be adopted to cause the said eastern boundary line to be surveyed and permanently marked ; therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there be two delegates elected by joint vote of both Houses, and be commissioned by the Governor, to attend to the adjustment of the eastern boundary line, and with full authority to effect the sale of said lands, which may accrue to the Chickasaw people on the adjustment, requesting the Government of the United States to pay over all monies there arising into the Treasury of the Chickasaw Nation as other monies are paid.

SEC. 2. Be it further enacted, That the persons herein delegated and commissioned shall be, and they are hereby empowered to act with the Choctaw Commissioners, and the Commissioners on the part of the Chickasaws are hereby authorized to appoint a Secretary for the Commissioners. The said Commissioners and Secretary shall receive one thousand dollars each, and five per cent. each of the proceeds of sale of lands acquired on settlement of the eastern boundary line, as compensation for services and expenses that may be incurred in the adjustment of said business.

SEC. 3. Be it further enacted, That said delegates are hereby authorized and empowered to request of the Government of the United States, an advance of sixty thousand dollars, to be refunded when the \$297,890.25 shall be appropriated by Congress ; and also, that said advance be paid into the Chickasaw Treasury, by the United States, as other monies are paid. Said advance for relief of indigent and destitute Chickasaws.

SEC. 4. Be it further enacted, That the delegates shall report to the Legislature at its next regular session, at which time their commission expires, at the option of the Legislature.

SEC. 5. Be it further enacted, That the sum of three thousand dollars be, and the same is hereby appropriated out of any monies now

in the hands of the Treasury, not otherwise appropriated, for the said delegates; and the Auditor of Public Accounts is hereby authorized to issue his warrant for the same.

SEC. 6. Be it further enacted, That the Act approved July 17, 1867, authorizing the Governor to appoint Commissioners to attend to the surveying of the eastern boundary line be, and the same is hereby repealed.

SEC. 7. Be it further enacted, That should there be any vacancies occur, from any cause, in the said delegation, it shall be the duty of the Governor to fill such vacancy by appointment.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act to Prohibit the Disposal of Timber Within the Limits of the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation That from and after the passage of this Act, it shall be unlawful for any citizen of this Nation to sell, barter, give, or otherwise, dispose of, either by permission or collusion; publicly or privately, any timber now growing, or which may hereafter grow on the lands of this Nation, to any person or persons, corporations or companies, when such person, persons or corporations, are not citizens of this Nation, and any citizen or citizens offending against this Act, shall, upon conviction by the County Court of the County where the offense shall have been committed, the amount of the offense not exceeding one hundred dollars, be fined five dollars for every tree taken or disposed of against the prohibitions of this Act; and it shall be the duty of the County Court of the County where such violation occurs, to issue a writ of execution against the offender's property for the amount of judgment and cost of suit; and the Sheriff or Constable shall seize the property of the offender and advertise

it for sale, and after fifteen days' notice is given in writing, and posted in three public places in the county previous to the day of sale, the Sheriff or Constable shall sell to the highest bidder, for cash, such advertised property, to satisfy said judgment: Provided, however, if the offender can pay the fine and cost of suit; in money or National script, either at the time the judgment is rendered, or at any time before the day of sale of his property, then and in all such cases, the property so seized shall be restored to him, and he shall be relieved from the penalty of that particular offense. But should the offender violating this Act not be able to pay the penalty imposed by the Court, then the offender shall be committed to jail, with or without labor, at the discretion of the Court, not less than ten, nor exceeding thirty days; and when the number of trees taken or disposed of, under the provisions of this section shall exceed in value one hundred dollars, then, and in every such case, the District Court of the county where the offense shall have been committed, shall have jurisdiction; and it shall be the duty of the District Judge to charge the Grand Jury in this particular, and they shall take cognizance of it and indict all offenders within the jurisdiction of their county; and the person or persons so indicted, after trial and conviction, shall be fined the tree valuation specified in this section, and the District Court shall give judgment accordingly, and issue a writ of execution against the offender's property, to the Sheriff or Constable, to be seized and disposed of as herein provided for and in case the offenders are not able to pay the fine and cost of the suit, in money, or script, or property, then the District Court shall commit such offenders to jail, with or without labor, at the discretion of the Court, for a term not exceeding ninety days, nor less than thirty days.

SEC. 2. Be it further enacted, That if any person or persons not citizens of this Nation, shall cut down any timber on any of the unoccupied public lands, or any occupied lands, and remove the same beyond the limits of the Nation, the same shall be reported to the Governor, and he shall notify the United States Agent of the fact, and request him to notify the United States District Attorney for the district, that the person or persons offending against the Laws of the

United States, in this connection, may be prosecuted as the United States Laws direct ; Provided, however, That this section shall not be construed to interfere with mechanics living in the Nation under permits from using such timber as may be necessary to enable them to go on with their business, nor with the disposition of the products of their mechanical labor, nor to interfere with travelers through the country who may meet with some accident, by breakage of wagon or other vehicle, in using timber to put their breakage in temporary or permanent repairs.

SEC. 3. Be it further enacted, That it shall be the duty of the District Attorney to prosecute every person indicted under this Act ; and he shall receive for his services one-half of the fines collected under his prosecutions, and the other half shall be placed in the National Treasury, for public purposes ; and the officer depositing the money in the Treasury shall take duplicate receipts therefor, depositing one of them with the Auditor of Public Accounts, and retaining the other, as in similar cases of depositing money in the Treasury ; and it shall be the duty of the National Treasurer to make annual reports to the Governor at the end of the fiscal year, of the amount of money on hand, arising from this source, with the names of the depositing officer, and the name of the person from whom the money was collected.

SEC. 4. Be it further enacted, That this Act shall not be construed so as to prevent citizens from erecting saw mills and using timber and disposing of the products of their saw mills to citizens of this Nation residing within the limits of this Nation.

SEC. 5. Be it further enacted, That all parts of laws in conflict with this Act are hereby repealed.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

**An Act in Relation to Board of Prisoners.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, that the Sheriffs and Constables shall receive the sum of seventy-five cents per day, for the board of each prisoner while in their custody for trial, upon the certificate of the Judge having jurisdiction; Provided, that they report the case immediately after the arrest.

SEC. 2. Be it further enacted, That all parts of laws in conflict with this Act are hereby repealed.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act Against Disturbing the Legislature.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, no person, other than a member of the Legislature, shall be allowed to disturb the Senate or the House of Representatives by making themselves conspicuous in any talking whatever; and for every such offense the President of the Senate or the Speaker of the House is hereby authorized to impose a fine of five to ten dollars, and have the offender put out of either of said rooms; the fine to be collected by the County Court of Tishomingo County.

SEC. 2. Be it further enacted, That persons permitted by and with the consent of two-thirds of either House, shall not come under the first section of this Act; and all memorials from any source shall be read and interpreted in both Houses.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

**An Act in Relation to Filling Vacancies in Office.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, all vacancies in office, from whatever cause arising, which are filled by appointment of the Governor, shall be for the unexpired term of the former incumbent.

SEC. 2. Be it further enacted, That all laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act Prohibiting Citizens From Holding Stock for Non-Citizens.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, no citizens, or person under permit, shall hold for pasturage in this Nation, any stock of any kind, in his name or otherwise, belonging to non-citizens.

SEC. 2. Be it further enacted, That any person reported for violation of the first section of this Act, to the County Judge, shall be taken before said Judge, who shall investigate the case, and if, upon the evidence of one or more witnesses, the accused be found guilty, the Judge shall remand him for further trial to the District Court, and report the non-citizen, the owner of said stock, to the Governor, who shall report him to the United States Agent, and ask of said Agent the application of the Intercourse Law for pasturing stock.

SEC. 3. Be it further enacted, That the District Court shall, after a verdict of conviction, fine the citizen so offending not less than one hundred dollars, nor more than five hundred dollars; this fine to be collected as other fines, one-half to go to the informant, the other into the County Treasury, for county purposes; and if not able to pay the

fine imposed, the offender shall be lodged in the National Jail for a period of not less than two nor more than six months, at the discretion of the Court.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act for the Protection of Religious Services.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That all denominations known as Christians, when assembled at any church house, grove or other place so allowed for religious worship, or to perform any duties belonging to the same, shall be respected and protected from any and all insults given, by words or actions, from persons not belonging to the same order of Christians, unless they be engaged in vindicating their personal rights or religious views, appropriately set forth.

SEC. 2. Be it further enacted, That if any person or persons be engaged in any ungentlemanly proceedings in or about such meetings or gatherings as will give any unlawful offense to any of said members thereof, or by disturbing their peace or exercises, by any unnecessary talking or noise of any kind, if he, she or they be a citizen of this Nation, they shall be fined from five to ten dollars for every such offense, by the County Court; and the fines, when collected, shall be paid, one-half to the informer and the other to the County Treasurer, for county purposes; and in case of failure to pay fines, shall be imprisoned in the National Jail not less than one nor more than thirty days, at hard labor or not, as the Court decrees; appeals allowed as in other cases.

SEC. 3. Be it further enacted, That if any citizen of the United States, living in this Nation, under permit or otherwise, shall violate the first and second sections of this Act, they shall be reported to the United States Agent, who is hereby requested, if the accused is found guilty, to order them out of the Nation, or in case he or they prefer to

pay the fine imposed, he will collect the same and turn it over to the County Court of the county in which the offense was committed.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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### **An Act in Relation to Forgery.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That every person convicted of having forged, counterfeited, or falsely altered any will, deed of gift, note or order, or any other instrument in which any valuable consideration may be in question, shall be guilty of forgery, and shall be punished by imprisonment in the National Jail, with hard labor, for not less than one month, nor exceeding two years, and fined in a sum not less than twenty-five dollars, nor exceeding the amount value of the instrument so changed or forged, at the discretion of the Court having jurisdiction.

SEC. 2. Be it further enacted, That this Act take effect and be in force from and after its passage.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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### **An Act Entitled, An Act Prohibiting Licensed Merchants and Citizens From Trading on Sunday, and Fixing Penalty Therefor.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, no licensed merchant shall be allowed to sell, or expose for sale, any wares, goods or merchandise on Sunday (except in cases of actual sickness or death), within the limits of this Nation.

SEC. 2. Be it further enacted, That if any licensed trader or merchant shall violate the provisions of this Act, upon proof being made to the Governor, the Governor is hereby directed to revoke his, her or their license, and cause the party or parties to be removed beyond the limits of this Nation, by the proper authority.

SEC. 3. Be it further enacted, That if any citizen of this Nation shall sell or expose any goods, wares, merchandise, or any other articles of trade, on Sunday (except in cases of actual sickness or death), shall upon conviction before the District Court, be fined, in each and every offense, in the sum of fifty dollars and cost of suit; one-half of the fine to go to the informer and the other half to the National Treasury, for National purposes.

SEC. 4. Be it further enacted, That this Act take effect from and after its passage.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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#### Claim Law.

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, all claims against this Nation must be presented within twelve months after date, or they will not be allowed.

SEC. 2. Be it further enacted, That no certificate for pro tem. pay will be allowed, unless signed by the Judge or Judges making the appointment.

SEC. 3. Be it further enacted, That any officer whose office is filled by pro tem. must produce a certificate of the Judge or Judges, that he made a lawful excuse and was received; an officer failing to do so, shall forfeit so much of his salary as will pay the pro tem. filling his place.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

**An Act in Relation to County Officers Whipping Their Own Convicts.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, that where an appeal is taken to the Supreme Court of this Nation, in criminal cases, in which the punishment is whipping or hanging, it shall be the duty of the Sheriff or Constable of the county where the criminal was convicted, to attend at the session of the Supreme Court to administer the whipping or hanging, whenever the decision of the District Court is confirmed by the Supreme Court.

SEC. 2. Be it further enacted, That should the Sheriff and Constable fail to attend the Supreme Court, to discharge the duties required in the first section of this Act, they shall be fined fifty dollars each by the District Court of their county, for negligence of duty, unless good and sufficient cause be shown to the Court. the cause of such non-attendance; and the fine shall be turned over to the County Treasury, for county purposes; and all laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act to Limit the Number of Supernumerary Officers of the Legislature During Its Session.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Secretary of the Senate shall act as Clerk of the Finance Committee; the Clerk of the House of Representatives shall serve as Clerk of the School Committee, neither one of which shall receive any extra pay for the performance of such committee services.

SEC. 2. Be it further enacted, That the Law Committee shall be entitled to a draftsman, who shall also act as Clerk of the Law Committee.

SEC. 3. Be it further enacted, That the Interpreter, when not engaged in interpreting for the House for which he is chosen he shall at all times be ready to interpret for the committees, when called upon to do so, and any of the foregoing officers who shall refuse to discharge any of the duties required above, such supernumerary so offending shall be promptly discharged from office, and a competent person appointed in his place ; and this Act take effect from and after its passage.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act Entitled an Act Prohibiting the Collection of Debts in the Courts of This Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That as there never has been any law for the collection of debts from the Nation, or from individuals, it is hereby enacted that no Courts of this Nation shall allow any case of indebtedness to be entered upon the records of said Court, except bonds and fines, and such other indebtedness as is provided for by the Laws of this Nation.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act Prohibiting Injury to Stock for Breaking Into Farms.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, no person shall injure the stock of another citizen for breaking into his farm, unless

he shall have a fence five feet high around said farm, and not then until he shall have requested of the owner of said stock to keep up said stock.

SEC. 2. Be it further enacted, That any person violating this Act, shall be reported to the County Court, which shall investigate the case; and if the party be found guilty, he shall be fined in a sum not less than the value of the stock injured—the value of the stock to be estimated by witnesses under oath.

SEC. 3. Be it further enacted, That the cracks between the rails in the above mentioned fences shall not exceed four inches for three feet from the ground.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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**An Act to Appoint an Agent to Collect Money From the  
M., K. & T. Railroad Company, or Other  
Persons, For Ties, Etc.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there shall be appointed, by the Governor of the Chickasaw Nation, an agent, whose duty it shall be to collect money from the Missouri, Kansas and Texas Railroad Company, or proper authorized person of said company, and of any person or persons for ties, timbers, wood, stone, or stone coal, or any other material for the use or construction of said road in the Chickasaw or Choctaw Nations, and pay over the same to the Treasurer of the Chickasaw Nation once every three months, taking his receipt for the same, and shall make out his report to the Governor every six months, the amount of money received by him of said railroad company or any other person or persons as aforesaid.

SEC. 2. Be it further enacted, That the said agent shall, before he enters upon the duties of his office, give a bond, with two or more sufficient securities, to be approved by the Governor, in a sum of one thousand dollars, payable to the Governor of the Chickasaw Nation or

his successor in office, conditioned that he will account for and pay over to the Treasurer of the Chickasaw Nation, all monies received by him of said Railroad Company or other persons, and make out his report to the Governor as aforesaid required.

(Amendment of October 8, 1887.)

SEC. 3. Be it further enacted, That the duties of the present National Agent on the Missouri Pacific railroad be extended to the Frisco road running through the Choctaw Nation.

SEC. 4. Be it further enacted, That the said Agent shall receive ten per cent. on his collections of all royalties he may collect on the Missouri Pacific and Frisco Railroads, and that this Act take effect and be in force from and after its passage.

APPROVED, October 18, 1876.

B. F. OVERTON,  
Governor.

**An Act Authorizing the School Committee to Appoint an Interpreter.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the School Committee shall have power to appoint an Interpreter for said committee, who shall be allowed the same per diem as other Interpreters; and said Interpreters to be discharged whenever the School Committee is discharged; and this Act to take effect from and after its passage.

APPROVED, October 18, 1876.

B. F. OVERTON,  
Governor.

**An Act in Relation to Taking Up and Milking Cows Without the Consent of the Proper Owners Thereof.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That hereafter, any person or persons who shall, without the consent of the proper owner, take up and milk any cow within the

Chickasaw Nation, shall, upon complaint of the owner before the County Court of the county where the person or persons offending may reside, and proof of the offense charged, be fined by the Court the sum of ten dollars for each cow so taken up and milked without the consent of the owner of such cow or cows; one-half of said fine to go to the party injured, and the other half into the County Treasury, for County purposes; and in case the person or persons thus offending shall be a citizen of the United States, he, she or they shall be reported by the County Judge to the Governor, who shall take steps to have such citizen of the United States removed from and kept out of the limits of the Chickasaw Nation.

APPROVED, October 19, 1876.

B. F. OVERTON,  
Governor.

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**An Act Requiring all Non-Citizens to Remain in the Chickasaw Nation for a Period of Two Years Before They Can Procure A License to Marry a Citizen of this Nation.**

(Amendment of September 24, 1887.)

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That all non-citizens shall remain in any one county of this Nation for a period of two years, and be of good moral character and industrious habits before they can procure a license to marry a citizen of this Nation; Provided, further, they be recommended by at least five good and responsible citizens of this Nation, and of the County wherein they resided, the County Judge being satisfied with the petition shall grant a license to marry under existing laws, and the non-citizens so applying for license shall pay fifty dollars, five of which shall be retained by the County Judge and forty-five dollars to be placed in the National Treasury for National purposes.

SEC. 2. Be it further enacted, That such member of the Chicka-

saw Nation shall be competent to contract marriage, or shall have the consent of his or her parents or guardian to marry such citizen of the United States, and hereafter no marriage between a citizen of the United States and a member of the Chickasaw Nation shall confer any right of citizenship, or any right to improve or select lands within the Chickasaw Nation, unless such marriage shall have been solemnized in accordance with the Laws of the Chickasaw Nation; and all marriages between citizens of the United States and members of the Chickasaw Nation shall be duly certified by the officer or minister of the Gospel who shall have performed the marriage ceremony, to the Clerk of the County Court of the county where such marriage took place, who shall record the same, and every such officer or minister of the Gospel (if a citizen of the Chickasaw Nation) who shall marry a citizen of the United States to a member of the Chickasaw Nation, without such license, shall be subject to a fine of fifty dollars, to be imposed by the County Court and collected as other fines, for county purposes; and if such minister be a citizen of the United States, he shall be removed from the Nation.

SEC. 3. Be it further enacted, That no marriage heretofore solemnized, or which may hereafter be solemnized, between a citizen of the United States and a member of the Chickasaw Nation, shall enable such citizen of the United States, to confer any right or privilege whatever, in this Nation, by again marrying another citizen of the United States, or upon such other citizen of the United States or their issue, and in case any citizen of the United States shall have married a member of the Chickasaw Nation, and shall have heretofore abandoned her, or should hereafter voluntarily abandon or separate from such member of the Chickasaw Nation, such citizen of the United States shall forfeit all right acquired by such marriage in this Nation, and shall be liable to removal, as an intruder, from the limits thereof.

SEC. 4. Be it further enacted, That all Acts or parts of Acts coming in conflict with the provision of this Act are hereby repealed,

and that this Act take effect from and after its passage.

APPROVED, October 19, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Administrators.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Judge of the County and Probate Courts in and for the several Counties of the Chickasaw Nation, be and they are hereby empowered and required to appoint administrators, administratrixes in their respective counties, on the estates of all persons subject to the Laws of said Nation, dying intestate, without having made a will, within said counties, or where usual domicile was at the time of the death of such person within the same; and to appoint two or more appraisers for each estate, to make, under oath, a correct inventory and appraisal of all property, money, goods and chattels, rights and credits of every kind, belonging to the estate of any such deceased person, so far as the same may be shown or shall come to their knowledge, and report the same to the proper County and Probate Court, for record by the Clerk thereof, who shall record the same; and every administrator or administratrix shall take and subscribe an oath before the presiding Judge of said Court that he or she will faithfully and honestly administer on such estate, and so far as practicable, collect all debts due the same, and all property belonging thereto, and out of any money so collected, or out of any property that may come into his or her possession, in payment of debts or claims due such estate, pay the just debts of such estates; and he or she will, as soon as possible, equally divide the estate of such intestate among the lawful heirs of such deceased person, and every administrator or administratrix shall give bond in double the amount of the appraised value of such estate, with two or more good and sufficient securities, to be approved by the Judge of the proper County and Probate Court, conditioned that such administrator or administratrix shall faithfully discharge all of his or

her duties as such, according to law, and obey all lawful orders or decrees of the said County and Probate Court, touching the administration of such estate, and all partial and final settlement, make, at such time or times as may be required by the Judge of the proper County and Probate Court.

SEC. 2. Be it further enacted, That administrators shall give notice by public advertisement, posted up at three conspicuous places within the county where their letters of administration were granted, one of which place shall be the Court House or Court Ground of said County Court, requiring all persons having claims or demands against such estate, to present the same in open Court, duly verified under oath, within twelve months after the date of such advertisement, otherwise to be forever barred.

SEC. 3. Be it further enacted, That all perishable property within the jurisdiction of the County and Probate Court of the Chickasaw Nation, belonging to the estate of persons dying intestate within said Nation, or whose usual place of residence was previous to death, within the same, may, upon the order of the proper County and Probate where said property is situated, be sold at not less than two-thirds of the appraised value thereof, the proceeds to be held or disposed of and accounted for by the proper administrator or administratrix in the same manner as other money belonging to and in possession of the deceased person at the time of his or her death; and any property belonging to the estates of deceased persons, subject to the jurisdiction of the Chickasaw Nation, dying intestate, may, at the discretion of the Judge of the County and Probate Court having jurisdiction over said property, be sold at public sale for cash, in order to make an equal distribution of the same among the lawful heirs of such deceased person or persons: Provided, however, that no such order of sale shall be made, except upon the petition of a majority of such heirs: And provided, such property shall not be sold until publicly advertised at three places in the county where the same is situated, one of which places shall be the County Court House or Court Ground, by posting up such advertisement conspicuously, nor shall any such property be sold for less than two-thirds of its appraised value.

SEC. 4. Be it further enacted, That all administrators and administratrixes shall be allowed, as compensation for services as such, two per cent. on the dollar of all property and debts which he or she may collect, belonging to such estates of intestates as may be administered upon by him or her; said per cent. to be computed upon such settlements as such administrator or administratrix shall make with the proper county, and receive the approval of the Judge thereof. The appraisers shall receive two dollars per day each, while actually engaged in making out and reporting the inventory and appraisement of such estate, as herein required.

SEC. 5. Be it further enacted, That all laws or parts of laws in conflict with this Act are hereby repealed.

APPROVED, October 19, 1876.

B. F. OVERTON,  
Governor.

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**An Act in Relation to Exempting Women From Imprisonment, and no Punishment by Imprisonment, After Whipping.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act entitled "An Act to imprison offenders not able to pay fines etc.," shall not be so construed as to apply to the women of this Nation, and they are hereby exempted from punishment by imprisonment, and subject only to the fine, which shall be collected as provided for in the Act in relation to the collection of bonds and fines.

SEC. 2. Be it further enacted, That hereafter no court shall be authorized to sentence any person to imprisonment, who has been convicted of crime, after they have received punishment by whipping, and all laws or parts of laws in conflict with this section of this Act are hereby repealed.

APPROVED, September 29, 1876.

B. F. OVERTON,  
Governor.

**An Act in Relation to Fraud and Embezzlement.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the Passage of this Act, any person who shall embezzle, make way with, or appropriate any money, goods, chattels or other property whatsoever to his or her own use without the consent of the owner, or shall obtain by false pretenses, with fraudulent intent, and shall, on demand of the owner, refuse or fail to make full restitution in kind or value. shall be deemed guilty of a misdemeanor, and upon conviction by the court having jurisdiction thereof, shall be fined in a sum double the amount of damaged sustained by the injured party ; and in case the offender does not pay the said fine within thirty days, he shall receive not exceeding thirty-nine lashes on the bare back, at the discretion of the court, and be released.

SEC. 2. Be it further enacted, That all fines collected in cash under this Act, shall be collected as other fines, and one-half shall go to the party injured, and the other half into the National Treasury, for National purposes.

APPROVED, September 28, 1877.

B. F. OVERTON,  
Governor.

**An Act to Increase the Salaries of the Academy Trustees.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation That the salaries of the Trustees of the several Academies of this Nation, be increased to fifty dollars per annum, for their services as such, from and after the passage of this Act.

APPROVED, October 17, 1878.

B. C. BURNEY,  
Governor.

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**An Act to Punish Persons that Assist Prisoners in Their Escape from the Custody of Officers.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, any citizen of this Nation who shall assist prisoners in their escape from the custody of any officer having them in charge, shall, on conviction by the District Court of the county where the offense was committed, be fined in a sum not less than twenty-five nor exceeding five hundred dollars, and if the offender is not able to pay the said fine, he or they shall be imprisoned in the National Jail, with hard labor, for a period not less than two nor more than six months, at the discretion of the court, and should he or they refuse to work, then the prisoner shall be placed in the dungeon of the Jail until he or they shall have served the time so adjudged.

SEC. 2. Be it further enacted, That the fine so assessed shall be collected as other fines and placed in the National Treasury for public purposes.

APPROVED, September 16, 1879.

B. C. BURNEY,  
Governor.

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**An Act to Restrict Citizens of the Chickasaw Nation in the Employment of Non-Citizens.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, that none but adult citizens of this Nation shall be allowed to contract with non-citizens, and they shall use that class of labor only on one place.

SEC. 2. Be it further enacted, That this Act shall not be so construed as to interfere with the employment of non-citizens to work at mills, cotton gins or machinery of any kind, or clerks in the mercantile business.

SEC. 3. Be it further enacted, That any person violating the first section of this Act shall be deemed guilty of a misdemeanor and be subject to a fine of five hundred Dollars by the court having Jurisdiction, and all fines collected under this Act shall be paid into the National Treasury for National purposes.

SEC. 4. Be it further enacted, That it shall be the duty of the Sheriffs and Constables to report all such cases to the District Court of the county in which the offense was committed.

APPROVED, September 18, 1879.

B. C. BURNEY,  
Governor.

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**An Act Entitled, An Act Requiring All Persons to give Bond for Maintenance of Civil Suits.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That any person or persons bringing civil suits in the courts of the Nation, shall give a good, and sufficient bond with one or more securities, for the cost of the suit, and that this Act take effect from and after its passage.

SEC. 2. Be it further enacted, That this bond shall be collected as all other bonds are collected and the money placed in the National Treasury for National purposes.

APPROVED, September 25, 1879.

B. C. BURNEY,  
Governor.

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**An Act Making Henry Allen an Heir at Law of Jonas Wolf.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, the child known

as Henry, son of Allen, deceased, be and the same is hereby adopted as one of the legal representatives of Jonas Wolf and shall be entitled to all the rights, privileges and immunities as one of his own bodily heirs, and in case the said Jonas Wolf dies intestate the aforesaid Henry shall be considered as one of the heirs of Jonas Wolf and he shall be entitled to have an equal right with the bodily heirs of the aforesaid Jonas Wolf's estate.

APPROVED, September 18, 1879.

B. C. BURNEY,  
Governor.

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**An Act Repealing An Act Creating Governors Expressmen.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act creating Govenor's expressmen be and the same is hereby repealed.

SEC. 2. Be it further enacted, That the Sheriff's and Constables of the different counties shall perform the duties of the Governor's expressmen whenever called upon so to do, and that this Act take effect and be in force from and after its passage.

APPROVED, September 15, 1880.

B. F. OVERTON,  
Governor.

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**An Act Authorizing the Execution of Bills of Sale of Stock and for Other Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That any citizen of this Nation trading for or buying stock from any person other than a citizen of this Nation, shall execute such trade or sale in the presence of two good and reliable witnesses

(citizens), by bills of sale (in writing) of said stock, fully describing the kind, marks, brands, etc., and any stock so transferred shall not be held as collateral for the fulfillment of said obligation on the part of the citizen.

SEC. 2. Be it further enacted, That no citizen of this Nation shall take a mortgage, lien or deed of trust on stock of any kind belonging to any person or persons who are not citizens of this Nation, to be held on the common domain of the Chickasaw Nation until the obligations specified in said mortgage, lien or deed of trust be effected and completed on the part of the mortgagor.

SEC. 3. Be it further enacted, That all bills of sale made and executed for sale of stock shall be recorded in the County Clerk's office where said citizen resides within ten days after execution.

SEC. 4. Be it further enacted, That no citizen of this Nation shall employ any non-citizen for the purpose of raising or attending as herder of any stock whatever in the limits of this Nation, and any person or persons violating any part of this Act shall be guilty of a misdemeanor and be fined in any sum from five hundred to two thousand dollars, and if the party or parties are not able to pay said fine, he or she shall be lodged in the dungeon of the National Jail for the period of twelve months, and all fines collected under this Act one-half shall go to the informant and one-half to be placed in the National Treasury for National purposes.

(Amendment of October 10, 1883.)

SEC. 5. Be it further enacted, That no bills of sale for stock be recorded by the Clerk, unless such citizen having the same recorded shall bring the witnesses before the Clerk who shall take an oath to be administered by the Clerk, that said bill of sale for stock was made and executed in their presence.

SEC. 6. Be it further enacted, That any person or persons violating any of the provisions of this Act shall be guilty of felony, and on conviction by the District Court shall, in addition to the fines imposed, receive not less than thirty nor more than one hundred lashes on the bare back.

SEC. 7. Be it further enacted, That in all cases of a violation of this Act circumstantial evidence shall be sufficient to convict,

(Amendment of October 6, 1886.)

and any citizen purchasing stock of any kind, not exceeding ten head shall be exempt from taking witness before the County Clerk and have his bill of sale recorded. And no citizen shall be allowed to buy more than ten head of stock from the same person the same year.

SEC. 8. Be it further enacted, That all Acts and parts of Acts in conflict with this be and the same is hereby repealed.

APPROVED, September 20, 1880.

B. F. OVERTON,  
Governor.

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**An Act Authorizing the National Secretary to Purchase Stationery  
For the use of the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of thirty dollars be and the same is hereby appropriated annually out of any monies in the National Treasury not otherwise appropriated, for the purpose of purchasing books and stationery for the National Secretary and the different District, Probate and Supreme Clerks of the Chickasaw Nation.

SEC. 2. Be it further enacted, That the said sum of thirty dollars shall be placed in the hands of the National Secretary who shall purchase all the books and stationery needed for the use of the Nation, and shall furnish the Clerk for each county, and the Supreme Clerk with the amount necessary for his office, taking the Clerk's receipt for the same, which receipt shall be the Secretary's voucher for the amount furnished, and no claim for stationery made otherwise than provided for in this Act shall be allowed by the Legislature.

SEC. 3. Be it further enacted, That the Auditor of Public Accounts is hereby authorized to issue his warrant on the National Treasurer for the amount named in this Act, and this Act take effect and be in force from and after its passage.

APPROVED, September 29, 1880.

B. F. OVERTON,  
Governor.

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**An Act Giving the Governor Power to Appoint a National Interpreter.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor shall have the power to appoint a competent person to act as National Interpreter, whose duty it shall be to interpret all official and public business for the Governor.

SEC. 2. Be it further enacted, That the National Interpreter's term of office shall expire with the term of the Governor by whom he is appointed, and his compensation for such services shall be three hundred dollars per annum.

SEC. 3. Be it further enacted, That this Act take effect and be in force from and after its passage.

APPROVED, September 28, 1881.

HICKEYUBBEE,  
Governor.

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**An Act Prohibiting the Hunting, Marking, Branding of Stock, And Hunting And Fishing in the Chickasaw Nation on Sunday.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, it shall be unlaw-

ful for any citizen of this Nation to hunt, mark or brand any stock on Sunday or cause said work to be carried on during that day.

SEC. 2. Be it further enacted, That this Act shall not be so construed as to prevent any citizen from herding any cattle or horses collected during the round-ups or to prevent any one from hunting his or her work stock on said day.

SEC. 3. Be it further enacted, That for any violation of said Act, he, she or they so offending shall be fined in any sum not exceeding one hundred dollars, nor less than fifty, at the discretion of the Court having jurisdiction, and for every succeeding offense the highest named amount of fine shall be assessed, and collected as other fine[s] are collected, and be placed in the County Treasury.

(Amendment of October 3, 1881.)

SEC. 4. Be it further enacted, That it shall be unlawful for any person of this Nation to hunt or fish on Sunday. That any citizen having any non-citizen, or non-citizens, under his employ violating this Act, he, the citizen, shall immediately report such non-citizen to the Sheriff or Constable of the county wherever the offense was committed, and any citizen failing to report such case or cases, shall be fined five dollars by the Court having jurisdiction. And this Act take effect, and be in force from and after its passage.

APPROVED, October 14, 1886.

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WM. M. GUY,  
Governor.

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**Stationery Bill.**

(Amendment of November 9, 1888.)

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of one hundred and ninety dollars is hereby annually appropriated out of any money in the hands of the National Treasurer, not otherwise appropriated, to purchase stationery for the use of the different officers of the Chickasaw Nation, and the Auditor

of Public Accounts is hereby authorized to draw his warrant on the Treasurer for said amount, to be placed in the hands of the National Secretary ; and this Act take effect from and after its passage.

APPROVED, October 10, 1881.

HICKEYUBBEE,  
Governor.

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**An Act to Remove Sandy Creek School From Its Present Location.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the neighborhood school known as the Sandy Creek School be and the same is hereby removed from its present location to the settlement of Burney McAllister, on Sandy Creek, in Pontotoc County, and to be called and styled the Chikika School, and that this Act take effect and be in force from and after its passage.

APPROVED, September 29, 1882.

B. F. OVERTON,  
Governor.

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**An Act to Authorize William P. Worthington to Establish a Ferry at Worthington Crossing on Red River.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That William P. Worthington be and he is hereby authorized to establish and keep up a ferry at Worthington Crossing on Red River, for the accommodation of travelers, emigrants and the public generally, and to secure him against fraud, he is hereby authorized to fence in the landing on this side of the river, and to put up a gate, to be styled a ferry gate, and any person or persons wishing to cross said river shall be required to pay the rates of ferriage provided for in this

Act, at the aforementioned ferry gate, and every person paying their ferriage at the gate shall not be made to pay at the ferry, and any person or persons that refuse or fail to pay their ferriage, may be stopped anywhere on this side of the river and be made to pay their ferriage; Provided, however, such stoppage shall be within the limits of the Chickasaw Nation; and the said William P. Worthington, or his representatives, shall have the right to collect the ferry rates from any and all persons, citizens excepted, fording said river one mile each way from the ferry, just the same as if he, she or they crossed on the ferry.

SEC. 2. Be it further enacted, That the said William P. Worthington shall keep at all times good and trusty and efficient boatmen at the said ferry for the use of the traveling public, and he shall be responsible to every person crossing on his ferry for any and all damages sustained by the negligence of his boatman, or the inefficiency of his boat.

SEC. 3. Be it further enacted, That for the privileges in the first section of this act, the said William P. Worthington shall at all times keep the roads leading to the ferry for a reasonable distance in good traveling condition and give bond and security biennially to the District Court of Pickens County, in the sum of five hundred dollars, for the requirements specified in this Act, and conditioned that the said bond and security shall be for the benefit of the party or parties injured either in person or property, resulting from a violation of this Act.

SEC. 4. Be it further enacted, That the following table of rates shall be the legal allowance and it shall be kept posted at the ferry gate for the information of the public:'

FERRY RATES.

Wagon and two horses or mules	-	-	50	cts.
For all extra stock	-	-	10	"
Sheep, goats and hogs	-	-	2½	"
Man and horse	-	-	25	"
Footman	-	-	10	"

APPROVED October 10, 1882.

B. F. OVERTON,  
Governor.

**An Act to Regulate the Marking and Branding of Stock in the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That all citizens owning or claiming of stock of any kind whatsoever in this Nation, except goats, shall be required to brand the same with letters or figures and shall have but one brand and shall have the same recorded, if not already recorded, in the office of the County Clerk in the county where the stock runs or is kept.

SEC. 2. Be it further enacted, That any citizens using any marks, circles, crops or hieroglyphics of any kind for branding of stock shall be deemed guilty of felony and on indictment and conviction shall be punished as hereafter provided for in this Act.

SEC. 3. Be it further enacted, That if any citizen of this Nation shall alter, deface or obliterate in any manner whatever any mark or brand shall be deemed guilty of felony and on conviction in the District Court shall be punished as may be hereafter provided for in this Act.

SEC. 4. Be it further enacted, That if any citizen of this Nation violating any of the provisions of the 1st, 2d or 3d sections of this Act, shall, on indictment and conviction in the District Court, be sentenced to receive not less than thirty nor more than fifty lashes on the bare back and pay a fine not less than one hundred nor more than five hundred dollars, for each and every offense, at the discretion of the court having jurisdiction.

SEC. 5. Be it further enacted, That if any person shall neglect to have his or her brand or mark recorded as provided for in the 1st section of this Act, in sixty days after the passage of this Act, shall pay a fine not less than five nor more than ten dollars for every sixty days they may neglect to have his or her mark or brand recorded, and the fine when collected by the Sheriff or Constable shall be paid into the County Treasury for county purposes.

SEC. 6. Be it further enacted, That all persons having their marks and brands recorded shall pay the Clerk twenty-five cents for

such services and all laws or parts of laws in conflict with this Act be and the same are hereby repealed, and this Act take effect and be in force in sixty days after its passage.

APPROVED, October 17, 1883.

B. F. OVERTON,  
Governor

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**An Act Repealing an Act Granting Citizenship to the Heirs of  
W. H. Bourland.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the rights of citizenship granted to the following named children and nephews of W. H. Bourland, Amanda, Matilda, Garduria and Run Hannah, approved October 7, 1876, the same is hereby repealed and annulled.

SEC. 2. Be it further enacted That the Governor is hereby directed and required to remove said parties and their descendants beyond the limits of this Nation, and that this Act take effect from and after its passage.

Passed the Senate, October 11, 1883.

JONAS WOLF, President of the Senate.

Attest: JO BROWN, Secretary Senate.

Passed the House of Representatives, October 13, 1883.

L. FRAZIER, Speaker.

Attest: A. L. MCKINNEY, Clerk.

The above Act became a law by reason of limitation.

THOS. W. JOHNSON,

National Secretary, C. N.

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**An Act Restricting the Amount of Ties to Be Furnished  
(The) Railroad.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the National Agent be and is hereby directed and required to ascertain the number of ties that is required for the

railroad from Red river to Island bayou, being within the limits of the Nation, and he contract only one-fourth the number of ties annually to keep the railroad bed in repairs in this Nation.

SEC. 2. Be it further enacted, That if the National Agent shall contract for more ties than is provided for by this Act shall be guilty of felony and upon conviction shall be fined by the Court having jurisdiction, in any sum not less than five hundred and not more than two thousand dollars, and be lodged in the National Jail not less than one month nor more than three months at the discretion of the Court trying the case, and his bond be put in suit by the District Attorney for the benefit of the Nation, as other bonds, and when collected be placed in the National Treasury for National purposes.

SEC. 3. Be it further enacted, That this Act take effect and be in force from and after its passage.

APPROVED October 17, 1883.

B. F. OVERTON,  
Governor.

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### **An Act to Procure a Seal for the District Court.**

SECTION I. Be it enacted by the Legislature of the Chickasaw Nation, That the National Secretary is hereby authorized and directed to procure a seal for the District Court, to be engraved: "District Court of the Chickasaw Nation."

SEC. 2. Be it further enacted, That the sum of six dollars is hereby appropriated out of any money in the hands of the National Treasurer, not otherwise appropriated, to pay for said seal; and the Auditor of Public Accounts is hereby authorized to draw his warrant on the Treasurer for the same, and the Treasurer shall pay the amount, as specified in this Act, and this Act take effect from and after its passage.

APPROVED, October 22, 1883.

B. F. OVERTON,  
Governor.

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**An Act Authorizing and Directing the School Superintendent to  
Keep the Academies of this Nation Full, as  
Directed by Law.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the School Superintendent and Trustees are hereby authorized and directed, where any scholar in any of the schools in this Nation shall vacate his place for fifteen days, except in case of sickness, the School Superintendent, or Trustee, shall declare said place vacated and fill said vacancy, and this Act take effect from and after its passage.

APPROVED, October 22, 1883.

B. F. OVERTON,  
Governor.

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**An Act to Prevent Obstruction of Stage or Mail Routes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, any citizen obstructing the United States mail routes through this Nation, by fencing, ditching or otherwise, without making a better and shorter road around the obstruction made or placed in said route, shall be deemed guilty of a misdemeanor and reported to the County Court and if proven guilty or confessing the fact, be fined in any sum not less than fifty dollars, and the Sheriff or Constable of the county wherein the offense was committed ordered to have offenders to immediately remove or open up the obstructions for the free and unmolested transit of the United States mails through the country.

SEC. 2. Be it further enacted, That if there should be repetition of the offense at the same or any other place on same route by the same offender, he shall be fined in any sum not less than one hundred nor more than five hundred dollars, at the discretion of the Court

having jurisdiction in the case, and for every other offense he commits thereafter be fined in the sum of five hundred dollars.

SEC. 3. Be it further enacted, That all fines imposed under the provisions of this Act, one-half shall go to the informer and the other half into the National Treasury for National purposes.

SEC. 4. Be it further enacted, That this Act shall take effect and be in full force from and after its passage.

APPROVED, May 12, 1884.

JONAS WOLF,  
Governor.

**An Act Granting John Wolner a Charter For a Ferry Boat on Washita River at Cherokee Town.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the right to establish a ferry boat on Washita river at Cherokee Town, and the same is hereby granted to John Wolner, his heirs and assigns at the following rates of toll :

TABLE OF TOLL RATES.

For any vehicle drawn by two horses, mules or oxen,	-	50c.
And for each additional span	- - - - -	25c.
For any vehicle drawn by one animal,	- - - - -	35c.
For man and horse,	- - - - -	25c.
For footman,	- - - - -	10c.
For loose cattle, oxen, horses or mules, per head,	- -	10c.
Sheep, goats and hogs per head,	- - - - -	2½c.
And five cents for all animals not enumerated in this Act.		

SEC. 2. Be it further enacted, That John Wolner shall give a good and sufficient bond in the sum of one thousand dollars to the District Judge for any person that may sustain damages while crossing on his boat by negligence of Wolner or his ferrymen.

SEC. 3. Be it further enacted, That John Wolner shall keep the banks in good repair and the road worked one half mile each way from his ferry.

SEC. 4. Be it further enacted, That John Wolner, his heirs and assigns, shall have the right to exclude any person from putting in a ferry boat one mile above and one mile below his ferry, and that this charter shall expire in September, 1894, and that this Act take effect from and after its passage.

APPROVED, September 25, 1884.

JONAS WOLF,  
Governor.

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**An Act Amendatory to an Act to Appoint an Agent to Collect Money From the M., K. & T. Railroad Company, or Other Persons, For Ties, Passed and Approved, October 18, 1876.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That it shall be unlawful for the National Agent to appoint or take bond of any person to attend to the duties of National Agent as his agent or representative.

SEC. 2. Be it further enacted, That the National Agent shall make out an itemized account every three months of all the monies received by him and from what source received, to the Governor and Treasurer, under oath, and turn all monies over to the Treasurer and take his receipt therefor, and any failure on the part of the National Agent to comply with this Act shall be deemed guilty of a misdemeanor in office, and notice being filed with the Governor, he shall suspend and investigate the same, and if said Agent be deemed guilty, he shall be removed from office and the office filled as provided for.

SEC. 3. Be it further enacted, That this Act take effect and be in full force from and after its passage.

APPROVED, September 20, 1884.

JONAS WOLF,  
Governor.

**An Act Granting the Methodist Episcopal Church, South, the Right to Establish a Church and School Building in the Chickasaw Nation, for a Term of Years.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Methodist Episcopal Church, South, be, and are hereby granted the privilege for the term of ten years, from the passage of this Act, to establish at White Bead Hill, in Pickens County, Chickasaw Nation, a church and school building, to be under the direct supervision and control of the Methodists.

SEC. 2. Be it further enacted, That the said Methodist Missionary Board, having control of said church and school building, shall have the right and privilege to make such improvements as are necessary for the use, comfort, maintenance of the church, and the successful operation of a first-class school, and the use of a sufficient quantity of land surrounding said church, and the school building for the support of the same, not to exceed ten acres.

SEC. 3. Be it further enacted, That whenever the Methodist Episcopal Church, South, shall cease to use said building for religious or school purposes, or shall abandon the same, the buildings and all improvements thereunto belonging, shall be open to the free use of the citizens of White Bead Hill for school and religious purposes, and this Act take effect from and after its passage.

APPROVED, October 1, 1884.

JONAS WOLF,  
Governor.

**An Act to Prohibit the Carrying of Pistols Within the Limits of the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, it shall be unlawful for any person, citizen, non-citizen or freedman, to carry any revolver or pocket pistol of any kind within the limits of this Nation, and any person violating this Act, shall upon conviction before the County Court, where the crime may have been committed, be compelled to pay a fine of not less than twenty-five dollars nor more than one hundred dollars at the discretion of the Court.

SEC. 2. Be it further enacted, That persons legally summoned by any of the officers to assist in executing the Laws of this Nation, or any person or persons in pursuit of horse thieves or fugitives from justice, shall be exempt from the provisions of this Act while on such duty.

SEC. 3. Be it further enacted, That the fines collected under the provisions of this Act, shall one-half go to the informer and the other half to be placed in the hands of the Sheriff for county purposes.

SEC. 4. Be it further enacted, That any person or persons convicted under the provisions of this Act, not being able to pay their fines shall be lodged in the National Jail for not less than one month nor more than three months, with or without hard labor, at the discretion of the Court.

SEC. 5. Be it further enacted, That the National Secretary be, and is hereby directed to furnish the United States Indian Agent with a certified copy of this Act immediately after the Governor's approval, and ask for his assistance in removing all non-citizens beyond the limits of the Chickasaw Nation, that fail to comply with this Act.

APPROVED, September 30, 1884.

JONAS WOLF,  
Governor.

**An Act Authorizing the National Agent to Contract for the Sawing  
of Walnut Logs on the Washita and Red Rivers and  
Collecting Royalty Therefor.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, assembled, That the National Agent be, and he is hereby authorized to contract with parties owning saw mills in this Nation to saw up the walnut logs that are now out on the Washita and Red river, to saw up said logs and sell the lumber or ship it beyond the limits of this Nation for sale and collect the royalty therefor at the rate of eight dollars per thousand feet, for National purposes.

SEC. 2. Be it further enacted, That any Acts or parts of Acts coming in conflict with the provisions of this Act be, and the same is hereby repealed, and that this Act take effect from and after its passage.

APPROVED, October 31, 1884.

JONAS WOLF,  
Governor.

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**An Act to Build a New Male Academy in Tishomingo County.**

WHEREAS, The Chickasaw Male Academy, from its long continued use, has become much out of repair, and the locality and surroundings of the place render it in no wise a healthy home for our children, who spend the greater portion of their youthful days there;

AND WHEREAS, To put the necessary repairs on to make it comfortable and respectable will cost thousands of dollars, and in a short time require as much or more expense for repairs as it does now

AND WHEREAS, For the aforesaid reasons we deem it necessary and economical to build a new Academy in a new healthy location ; therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be, and he is hereby authorized to appoint two competent persons to act in conjunction with the School Superintendent to be styled the "Building Committee," to select a good, healthy and suitable location in Tishomingo County for the erection of a new Academy to supply the place of the "Old Chickasaw Male Academy."

SEC. 2. Be it further enacted, That the Building Committee shall use discretion and good judgment in selecting a location convenient to wood and water, and other natural conveniences, suitable and necessary for a first-class boarding school. And after such selection shall have been made, the committee shall proceed at once to let the contract for building said Academy to the lowest and best bidder.

SEC. 3. Be it further enacted, That the committee, when advertising the letting of the contract to build said Academy, shall give dimensions, kind of material to be used, style of work, and such other specifications as may be necessary to give a definite and comprehensive idea of the kind of structure contemplated in this Act.

SEC. 4. Be it further enacted, That the committee shall enter into a written contract with the contractor to whom the contract for erecting said Academy may be awarded, upon such terms and agreements, best adapted to a speedy and satisfactory consummation of the provisions of this Act, with this restriction, that no payment on said contract shall be made earlier than March, 1886, and paid by installments from that time on until completed.

SEC. 5. Be it further enacted, That as the installments become due, agreeable to contract, the committee shall issue a certificate stating amount due the contractor, and the Auditor of Public Accounts shall issue a warrant for the same on the National Treasurer.

SEC. 6. Be it further enacted, That when said Academy is completed and received by the committee, they shall report the same

to the Governor and be relieved from further duty, and shall receive three (3) dollars per day while in actual service to be paid on the presentation of the Governor's certificate to the Auditor, certifying the number of days each member of said committee served.

SEC. 7. Be it further enacted, That as soon as practicable, after the completion of said Academy, the Superintendent of Schools shall cause the removal from the old to the new Academy with as little cost as possible, which cost shall be paid at the next ensuing session of the Legislature, on presentation of the account to the Finance Committee.

SEC. 8. Be it further enacted, That the sum of fifteen thousand dollars (\$15,000) be and the same is hereby appropriated to carry out the provisions of this Act, and that this Act take effect from and after its passage.

APPROVED. October 20, 1885.

JONAS WOLF,  
Governor.

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**An Act Prohibiting the Shooting of Guns or Pistols Around the Capitol Building, Religious Meetings and Courts of this Nation, and Fixing a Penalty Therefor.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That it shall be unlawful for any person or persons, wilfully or maliciously to shoot a gun or pistol in one-half mile in either direction from the Capitol building, religious meetings and Court Houses of this Nation.

SEC. 2. Be it further enacted, That any person or persons violating the provisions of the first section of this Act, it shall be the duty of any Sheriff or Constable of this Nation to arrest and disarm all violators of this Act, and report them to the County Judge wherein the offense was committed.

SEC. 3. Be it further enacted, That it shall be the duty of the County Judge to require all violators under the provisions of this Act, to give bond for their appearance at the next term of the Court for trial, and on conviction be fined in any sum not less than ten nor more than twenty-five dollars, at the discretion of the Court, and cost of the suit, and be collected as other fines, and placed in the National Treasury for National purposes.

SEC. 4. Be it further enacted, That this Act take effect from and after its passage.

APPROVED, October 10, 1885.

JONAS WOLF,  
Governor.

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**An Act to Develop the Coal Mines in Panola County,  
Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That any citizen of this Nation, or company composed of Chickasaw citizens, who may wish to prospect for, dig, sink shafts, sell and transport stone coal in Panola County, Chickasaw Nation, not to exceed fifteen miles from the Missouri Pacific Railroad, shall make application in writing to the Governor of the Chickasaw Nation for that purpose; state the number and names of the company, the county and section of country located, and the metes and bounds of the reservation on which he or they propose to operate; Provided, that the same shall not be within or infringe upon improvements or legal limits of any other citizen or mining company, without the written consent of such other.

SEC. 2. Be it further enacted, That the person or company engaged in mining stone coal are hereby invested with the right to prospect for, dig, sink shafts, mine, sell and transport stone coal in Panola County, Chickasaw Nation; and said parties are also invested with the right to contract, own, equip, operate and use such tramways or switch railroad and telegraph lines running from the Missouri Pacific

Railroad, not to exceed fifteen miles in length, as may be necessary to fully and completely enable the said parties to operate said mine and to sell and transport the products of coal from the Chickasaw Nation.

SEC. 3. Be it further enacted, That every person or company proposing to engage in mining stone coal, shall, before beginning the work, obtain from the Governor of the Chickasaw Nation permission for that purpose, which permission shall clearly describe the location of the reservation selected, with its metes and bounds of the coal to be mined, and shall at the same time file a bond in the office of the National Secretary, with good and sufficient securities, approved by the Governor, and made payable to the Governor of the Chickasaw Nation, or his successor in office, in the sum of one thousand dollars, for the benefit of the Chickasaw Nation, conditioned upon compliance with the requirements of this Act; and any failure to comply with the requirements of this Act shall forfeit his or their bond, and shall be fined in the sum of one thousand dollars by the District Court, and shall forfeit the rights and privileges to work said coal mine; and the Governor is hereby authorized to revoke his or their permission, and to proceed against such person or persons in the name of the Chickasaw Nation, before the District Court of this Nation.

SEC. 4. Be it further enacted, That no permission shall be granted under this Act by the Governor for a longer period than ten years, and permission may be renewed every ten years; Provided such person or company shall have complied with all the requirements of this Act; Provided, further, that parties locating claims under this Act shall begin work thereon within one year from the date of their permission, otherwise such permission shall be null and void.

SEC. 5. Be it further enacted, That every person or company mining stone coal under the provisions of this Act shall be required to pay to the Chickasaw Nation one-half of one cent per bushel for each and every bushel of coal mined, and shall pay such royalty on the first Monday in each and every month in each year.

SEC. 6. Be it further enacted, That the citizen or citizens building said tramways or switch road to their coal mines shall pay to the

Chickasaw Nation ten cents for each and every tie, and fifteen cents for every telegraph post used in building said tramway or switch railroad, and keeping them in repair; to be paid on the first Monday in each and every month.

SEC 7. Be it further enacted, That any citizen or citizens using such tramway or switch railroad shall pay to the proper owner the customary value of all stock killed or injured by said road. And that this Act take effect from and after its passage.

APPROVED, October 14, 1885.

JONAS WOLF,  
Governor.

**An Act Prohibiting Stock From Being Driven Off Their Range and Fixing Penalty Therefor.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That any person or persons who shall drive or cause to be driven by hired men any stock off of their range to the extent of two miles, or allow them to follow beyond the first lot shall be guilty of misdemeanor and upon conviction thereof before the County Court of the county where the offense was committed shall be fined in any sum not less than ten nor exceeding fifty dollars (\$50) for each and every offense.

SEC. 2. Be it further enacted, That one-half of all fines collected under the first section of this Act shall be paid to the citizen owning said stock, the other half shall be placed in the hands of the Sheriff for county purposes.

SEC. 3. Be it further enacted, That all non-citizens found violating the first section of this Act shall be removed beyond the limits of this Nation by the proper authority, as all other violaters of the Laws of the Chickasaw Nation.

SEC. 4. Be it further enacted, That this Act take effect from and after its passage.

APPROVED, October 14, 1885.

JONAS WOLF,  
Governor.

**An Act Rejecting the Adoption of the Freedmen in the  
Chickasaw Nation.**

WHEREAS, The 3d Article of the Treaty of 1866, between the United States and the Choctaw and Chickasaw Nations stipulates that the territory lying west of the 98th degree of west longitude, known as the Leased District, be ceded to the United States Government for (\$300,000) the consideration of three hundred thousand dollars, which sum shall be held in trust by the United States for said Nations, at a certain rate of interest, until each respective Nation elects within two years after the ratification of said Treaty, to make certain laws, rules and regulations giving the Freedmen once held as slaves by said Nation, the rights, privileges and immunities of citizens of said Nations, except in their annuities and public domain, etc.;

AND WHEREAS, It provides further, that if said laws, rules and regulations are not made within two years by said Nations from the ratification of the aforesaid Treaty, then the United States Government promises to remove within 90 days from the expiration of the two years such of said Freedmen as are willing to remove from said Nations, using the aforesaid three hundred thousand dollars for the use and benefit of said Freedmen in their removal. etc., and those choosing to remain or who might return after removing to receive no part or benefit from the said three hundred thousand dollars, and shall be upon the same footing as other citizens of the United States;

AND WHEREAS, The United States has failed to remove said Freedmen agreeable to the stipulations of said Treaty and left them here among us for a long time, recognized by us as occupying the same status as other United States citizens;

AND WHEREAS, The Chickasaw people in justice to their posterity have not made said laws, rules and regulations as provided for in the aforesaid Article of said Treaty for the following reasons, to-wit:

1st. That the Chickasaw people cannot see any reason or just cause why they should be required to do more for their freed slaves than the white people have done in the slave holding States for theirs.

2nd. That it was by the example and teaching of the white man that we purchased, at enormous prices, their slaves and used their labor, and were forced by the result of their war to liberate our slaves at a great loss and sacrifice on our part, and we do not hold or consider our Nation responsible in nowise for their present situation. Therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Chickasaw people hereby refuse to accept or adopt the Freedmen as citizens of the Chickasaw Nation upon any terms or conditions whatever, and respectfully request the Governor of our Nation to notify the Department at Washington of the action of the Legislature in the premises.

SEC. 2. Be it further enacted, That the Governor is hereby authorized and directed to appoint two competent and discreet men, of good judgment and business qualifications to visit Washington City, D. C., during the next session of Congress, and memorialize that body to provide a means of removal of the Freedmen from the Chickasaw Nation to the country known as Ok-la-ho-ma in the Indian Territory, or to make some suitable disposition of the Freedmen question, so that they be not forced upon us as equal citizens of the Chickasaw Nation.

SEC. 3. Be it further enacted, That the delegation is further authorized to apply to the Indian Department in Washington for an investigation and settlement of the Orphan, Incompetent, Misapplied and other claims of the Chickasaws against the United States Government, and any and all funds paid on account of said claims, shall be received and receipted for the same as other monies coming into the Treasurer's hands from the United States Government.

SEC. 4. Be it further enacted, That the Delegation is also authorized to represent the Chickasaws in any and all measures that might be presented or come before any branch of Congress, or the Indian Department, whereby the interest of our country and people may be involved, and use prudence and discretion in their deliberations upon such matters, and report the result of their mission at the next Legislature.

SEC. 5. Be it further enacted, That for each delegate the sum of fifteen hundred dollars (\$1500) be and the same is hereby appropriated out of any monies in the Treasury not otherwise appropriated, as a full compensation for their services on this mission; and the Auditor is hereby authorized to issue a warrant for the same; and this Act take effect from and after its passage.

APPROVED, October 22, 1885.

JONAS WOLF,  
Governor.

**Report of the Committee on Claims to Citizenship.**

SPECIAL COMMITTEE ROOM, }  
October 22, 1885. }

HON. LEGISLATURE OF THE CHICKASAW NATION :

We, the committee appointed by the Senate and House of Representatives to investigate all cases of claimants to citizenship in the Chickasaw Nation, respectfully report, That we have had under investigation the following cases : Joe Self and wife ; Wm. Donald et al ; Mrs. E. Dillard, James Blassingame, Charles Palmer and Fred. Evans ; and from the nature of the evidence submitted in each case we failed to find sufficient proof to enable the committee to declare either of said claimants entitled to Chickasaw rights ; but found ample proof that neither of said claimants has any right whatever as citizens of the Chickasaw [ Nation ].

For further information as to the disposition of each case you will find by reference to Committee Record. We would further state

that there is a number of cases that could not be tried at this term of the Legislature. All of which is respectfully submitted.

GEORGE WILSON,  
Chairman Committee.

Attest: THOS. W. JOHNSON,  
Clerk Committee.

APPROVED, October 23, 1885.

JONAS WOLF,  
Governor.

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**An Act Granting Bud Williams and T. Mitchell, Citizens of  
the State of Texas, the privilege to Erect a  
Gin, Grist and Saw Mill in Panola  
County, Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, assembled, That Bud Williams and T. Mitchell, citizens of the State of Texas, be and the same is granted the privilege to erect a gin, grist and saw mill and operate the same at or near Walner Springs, in Panola County, Chickasaw Nation, for the period of five years, with the privilege of renewal, provided they comply with the Laws of the Chickasaw Nation.

SEC. 2. Be it further enacted, That Bud Williams and T. Mitchell shall not charge more than one-sixth for grinding corn, and the fourteenth for ginning cotton, and the usual rates for sawing lumber that is customary in the State of Texas.

SEC. 3. Be it further enacted, That said Bud Williams and T. Mitchell shall procure permits for themselves and all the hands they may need or use to operate their business, as provided for by this Act.

SEC. 4. Be it further enacted, That said Bud Williams and T. Mitchell shall comply with the Laws of the Chickasaw Nation, and upon any violation of the same, shall be investigated by the Governor, and if found guilty then the Governor shall order them to leave the limits

of the Chickasaw Nation with their property, and this privilege is hereby declared void, and that this Act take effect from and after its passage.

APPROVED, September 21, 1886.

WM. M. GUY,  
Governor.

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**An Act Extending the Privilege to Rev. J. J. Reed to Remain in the  
Chickasaw Nation as a Minister of the Gospel.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the privilege granted unto Rev. J. J. Reed, as a minister, approved, October 7, 1881, be continued for the period of five years to expire October 7, 1891, and that this Act take effect from and after its passage.

APPROVED, October 5, 1886.

WM. M. GUY,  
Governor.

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**An Act to Remove Johnson Keel School From Its  
Present Location.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the neighborhood [school] known as the Johnson Keel School be, and the same is hereby removed from its present location, to the settlement of Camey Bend, on Red River, Pickens County, and to be called and styled the Wesley Harney School, and that this Act take effect and be in force from and after its passage.

APPROVED, October 11, 1886.

WM. M. GUY,  
Governor.

**An Act Creating Additional Constables, Fixing Their Pay,  
and for Other Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, [That] the Governor be, and is hereby directed to appoint two Constables in Pickens County, and one in Pontotoc County, to serve until the general election in August, 1888, then they shall be elected as other officers.

SEC. 2. Be it further enacted, That before the Constables appointed under this Act shall enter upon their duties, shall give the same bond and be qualified as other Constables, now provided for by law, their pay and duties shall be the same as other Sheriffs and Constables.

SEC. 3. Be it further enacted, [That] it shall be the duty of the Constables each, to attend different election precincts in their county, and convey the election returns to the County Judge, as now provided for by law.

SEC. 4. Be it further enacted, That all Acts or parts of Acts coming in conflict with the provisions of this Act, be, and the same is hereby repealed, and that this Act take effect from and after its passage.

APPROVED, October 9, 1886.

WM. M. GUY,  
Governor.

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**An Act to Prohibit Hunting With Fire Cap Within the  
Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That it shall be unlawful for any person to fire hunt for deer, or any kind of game, any time during the year, and any person violating the provisions of this Act, shall be fined fifty dollars for each and every offense on conviction before the County Judge [of the county] wherein the offense was committed; Provided, further, any person or persons violating the provisions of this Act, kill or wound stock of any kind, the

County Judge shall appoint two commissioners to appraise the value of said stock killed or wounded, and the offender shall pay double the value of the stock so killed or injured.

SEC. 2. Be it further enacted, That for all fines collected under the provisions of this Act, one-half shall go to the informer, the other half placed in the County Treasury for county purposes; and provided further, cost of the case shall be collected as other costs, and that this Act take effect from and after its passage.

APPROVED, October 5, 1886.

WM. M. GUY,  
Governor.

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**An Act in Regard to Certificates of State Scholars.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, all accounts coming against this Nation for Chickasaw children, who have attended school in any of the States of the United States must be accompanied by a certificate from the teacher or teachers certifying to the time in actual attendance.

SEC. 2. Be it further enacted, That it shall be the duty of all children attending school in any of the States to return to this Nation; with their certificates, their grade of scholarship and standing in school.

APPROVED, October 11, 1886.

WM. M. GUY,  
Governor.

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**An Act Making Sam Hawkins an Heir at Law of  
Scotland Hawkins.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, the child known

as Sam Hawkins, son of James Hawkins, deceased, be and the same is hereby adopted as the legal heir of Scotland Hawkins.

APPROVED, October 14, 1886.

WM. M. GUY,  
Governor.

WHEREAS, The Chickasaw people, by purchase bought an undivided interest in the land owned and occupied by the Choctaw Nation, and paid therefor five hundred and thirty thousand dollars, as provided for by the Treaty, of 1837, and reaffirmed by the Treaty of 1855 and 1866;

AND WHEREAS, The Choctaw people did institute suit in the Court of Claims of the United States in the city of Washington, D. C., for the recovery of what's known as the Nett Proceed Claim and did include in said suit for recovery, pay for what is known as the Eastern boundary line, for land that lies in the state of Arkansas for which the Court of Claims allowed sixty-eight thousand one hundred and two dollars (\$68,102), with allowance with the Nett Proceed Claim;

AND WHEREAS, The Chickasaw people has one-fourth interest in the Eastern Boundary claim, for whose interest no allowance was made by the Court of Claims to the Chickasaws, but alone to the Choctaw people;

AND WHEREAS, The Choctaw Nation has appealed from the award that was made by the Court of Claims to the Supreme Court of the United States for a final decision;

AND WHEREAS, The Chickasaws are not known or recognized as being interested in said appeal, while they have one-fourth undivided interest in said claim;

AND WHEREAS, If the Chickasaws do not claim and demand their interest, final decision will be made to the Choctaw people, without any reference to the Chickasaws, Therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be and is hereby directed to instruct the Chickasaw Attorney, Halbert E. Paine, of Washington City, D. C., to

take such legal steps in his wisdom and judgment he may see fit that is right and just to secure to the Chickasaw people their one-fourth interest in said Eastern boundary land claim and to cause said interest due the Chickasaws to be placed to the credit of the Treasurer of the Chickasaw Nation, for the benefit of the Chickasaw people less one-fourth of the expenses incurred by the Choctaws in prosecuting and collecting said claim, Provided, said per cent. shall not exceed the amount paid by the Choctaws and that this Act take effect from and after its passage.

APPROVED, October 11, 1886.

WM. M. GUY,  
Governor.

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**An Act Granting W. T. Miller, a Citizen of the State of Texas,  
[The Privilege] to Erect a Gin, Grist and Saw Mill in Panola  
County, Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, assembled, That W. T. Miller, of the State of Texas, be and the same is granted the privilege to erect a gin, grist and saw mill and operate the same at or near the Colbert Spring in Panola County, Chickasaw Nation, for the period of five years, with the privilege of renewal, provided he complies with all the Laws of the Chickasaw Nation.

SEC. 2. Be it further enacted, That W. T. Miller shall not charge more than one sixth for grinding corn and the fourteenth for ginning cotton and the usual rates for sawing lumber that it cost in the State of Texas.

SEC. 3. Be it further enacted, That the said W. T. Miller shall procure permits for himself and hands that he may need or use to operate his business as provided for in this Act.

SEC. 4. Be it further enacted, That the said W. T. Miller shall comply with the Laws of the Chickasaw Nation and upon any violation of the same and upon information being filed to the Governor. he shall

investigate the same, and if the said W. T. Miller be found guilty then the Governor shall order him to leave the limits of the Chickasaw Nation with his property, and this privilege is hereby declared void, and this Act take effect from and after its passage.

APPROVED, October 9, 1886.

WM. M. GUY,  
Governor.

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**An Act in Relation to Stock Being Driven Through the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation. That the right of free transit for live stock through the Chickasaw Nation, on the public highway and established trails be and the same is hereby secured to all citizens of the United States; Provided, that such live stock shall travel not less than eight miles each day while passing through the Nation; and Provided, further, that such live stock shall consume no pasturage or other feed belonging to the Chickasaw Nation, without compensation therefor at the rate of fifteen cents per head, and upon payment of such compensation such live stock shall be permitted to pasture upon unoccupied lands for a distance of one mile on each side of such public highway or established trail, and the proper officers of the Chickasaw Nation shall have power to collect such compensation by "distrainment," and whenever live stock shall consume any pasturage on any one day in transit through the Chickasaw Nation, the presumption shall be that it consumed pasturage on every day of such transit except those on which it shall be clearly proven by the owners or drovers thereof that no pasturage was consumed; and if such live stock shall travel less than eight miles in any one day in passing through said Nation, the owners and drovers shall be liable to the penalty of one dollar per head, prescribed by Section 2117 of Revised Statutes of the United States.

SEC. 2. Be it further enacted, That a copy of this Act be furnished by the National Secretary to the United States Indian Agent and Commissioner of Indian affairs: that all Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed, and that this Act take effect from and after its passage.

SEC. 3. Be it further enacted, That all stock grazing through the Chickasaw Nation shall be required to travel over such roads or public highways as may hereinafter be provided for.

SEC. 4. Be it further enacted, That the road leading from Old Warren via Carriage Point, Mill Creek, Cherokee Town to Silver City, and be styled the Carriage Point and Cherokee Town trail; Provided, further, that the road leading from Gainsville to White Head Hill to be styled the Courtney trail.

SEC. 5. Be it further enacted, That [the] road leading from Red River Station via Rush Springs to Little Washita and Silver City and to be styled the Chism trail, amended by the Senate to read Colbert's ferry instead of Warren.

APPROVED, October 9, 1886.

WM. M. GUY.  
Governor.

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### Compact Between the Several Tribes of the Indian Territory.

SECTION 1. WHEREAS, by the solemn pledges of Treaties, we are assured by the Government of the United States, that the lands we now possess shall be the undisturbed home of ourselves and our posterity forever: therefore, we, the authorized representatives of the several parties hereunto assembled, in convention at Eufaula, Indian Territory, in order to establish relations between our several Nations to enable us better to promote the general welfare of all the Indians and to preserve our lands and rights intact, do enter into the following compact:

SEC. 2. Peace and friendship shall forever be maintained between the Nations parties to this compact, and between their respective citizens.

SEC. 3. Revenge shall not be cherished, nor retaliation practiced for offences committed by individuals.

SEC. 4. To provide for the improvement of our people in agriculture, manufactures and other domestic arts, adapted to promote the comfort and happiness of our women and children, a fixed and permanent location on our lands is an indispensable condition. In order, therefore, to secure these important objects and to prevent any future removal and to transmit to our posterity any unimpaired title to the lands guaranteed to our respective Nations, by the United States, we hereby solemnly pledge ourselves, to each other, that no Nation, party to this compact, shall without the consent of all the other parties "cede" or in any manner alienate to the United States any part of their present territory.

SEC. 5. If a citizen of one Nation commits murder or other crime within the limits of another Nation party hereto, he shall be subject to the same treatment as if he were a citizen of that Nation.

SEC. 6. In cases of property stolen or taken by force or fraud the property, if found, shall be returned to the owner, but if not found, the convicted person shall pay the full value thereof.

SEC. 7. If a citizen of any Nation, party to this compact, shall commit murder or other crime and flee from justice into the territory of another Nation, party hereto, such criminal shall on demand of the Executive of the Nation from which he fled, accompanied with reasonable proof of guilt, be delivered up to the authorities of the Nation having jurisdiction of the crime.

SEC. 8. We hereby further agree, that if any one of our respective citizens shall commit murder or other crime upon the person of any other citizen of the same Nation, in any place beyond the limits of our several Nations, the person so offending shall be subject to the same treatment as if the offence had been committed within the limits of

his own Nation, ( Provided, ) this section shall not apply to the Choctaws, Cherokees, Creeks, Chickasaws and Seminoles.

SEC. 9. Any citizen of one Nation may be admitted to citizenship in another Nation, party hereunto, by the consent of the proper authorities of such Nation.

SEC. 10. The use of ardent spirits being a fruitful source of crime and misfortune, we recommend its suppression within our respective limits and agree that no citizen of one Nation shall introduce it into the territory of any other Nation, party to this compact.

SEC. 11. That remedy at law for the recovery of any debts or the enforcement of any contract, or to secure any right, or demand, held by the citizens of one Nation against a citizen of the other Nation, or a citizen of the same Nation against another citizen residing in the other Nation, shall be the same in all respects as between citizens within their own Nation, the object of this provision being to open the courts of the Nations parties to this compact, fully to the citizens of all the other Nations.

SEC. 12. The Legislative authorities of the Nations parties to this compact, may regulate by law, the time, manner and conditions upon which the citizens of the other Nations parties to this compact, may be allowed to reside within its limits for the purpose of trade, stock-raising, farming or other business or pleasure, and certificates signed by the Principal Chief and attested by the Seal of the Nation to which the person availing himself of the benefits of any law regulating such privileges shall be taken and held as prima facie evidence of the citizenship of such person.

SEC. 13. In case of difficulty unfortunately arising between two or more tribes, parties to this compact, it is agreed that the same shall be referred for settlement to the Chief or Chiefs of such Nations as the parties differing may mutually agree upon, and the award of such arbitration shall be final and obligatory in character upon the parties.

SEC. 14. This compact shall be obligatory on parties hereto when approved by the National Council of such Nation.

## NAMES OF DELEGATES.

## CHEROKEES.

S. H. Bengé, President; Adam Feilen, Daniel Redbird, James Chambers, Frog Six Killer, Will P. Ross.

## SEMINOLES.

Hulputta, Fashutchee.

## CREEKS.

D. N. McIntosh, G. W. Stedham, Roby McIntosh, Chas. Gibson, Sam Grayson, Wm. Robinson.

## CADDOS.

Tawacanae Jake, White Bread, Jomi, Canosta.

## COMANCHES.

Black Crow, Keechi, Cowarahuttus.

## WICHITAS.

Towacanae Jim, Kawachitty, Towacanoe Marsteo.

## CHOCTAWS.

Thompson McKinney, N. B. Ainsworth.

## CHICKASAWS.

Jonas Wolf, Governor; Josiah Brown, Jackson Greenwood.

## DELEWARES.

Long Horn, Kiowa, Sun Boy, Lone Wolf, Big Stree.

## INTERPRETERS.

James Deere, J. S. Harrison, Punjo, Keechi Joe, E. P. Goforth.

Resolved, That this Council, when it adjourns, do so to meet on the 1st Monday in June, 1887, unless sooner called together by the Executives of the five civilized tribes.

S. H. BENGE, President.

SAM GRAYSON, Clerk.

March, 1886.

Passed the House October 12, 1886.

FLETCHER FRAZIER,  
Speaker of the House.

[Attest:] C. H. COLBERT, Clerk.

Passed the Senate October 13, 1886.

T. A. McCLURE,  
President Senate.

[ATTEST:] WM. ARCHARD, Secretary Senate.

APPROVED, October 13, 1886.

WM. M. GUY,  
Governor.

[Attest:] M. V. CHEADLE, National Secretary, C. N.

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**An Act in Relation to Stock Unlawfully Ranging and Grazing in the Chickasaw Nation.**

WHEREAS, The United States Government has pledged the Chickasaw Nation protection from the intrusion of cattle and cattlemen, and as it is a very difficult matter to control this class of intrusion;

AND WHEREAS, All efforts to remove and collect penalties for such intrusion have been attended with an outlay as large, if not larger, than the collection therefrom;

AND WHEREAS, We should not call for aid or protection until we are unable to protect ourselves;

AND WHEREAS, Our protests for years have been in vain against this intrusion, and in spite of our protests and the aid of the United

States Government in the expulsion of this class of intrusion, it still exists in violation of the Intercourse Laws and of our Laws, trampling alike on our rights and our domain, Therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That no cattle or stock of any kind belonging to non-citizens shall be permitted to range or graze within the limits of the Chickasaw Nation, unless so permitted for farmers under the provisions of the permit law, and any cattle or stock found so ranging, or grazing shall be taken up by the Stock Superintendent, one of whom shall be appointed in each county, whose office is hereby created, or by persons under his employment and they shall be kept under herd for the period of thirty days unless before the expiration of the thirty days, the owner thereof shall appear and properly identify the same.

SEC. 2. Be it further enacted, That if before the expiration of thirty days after such stock of non-citizens has been taken up the owner shall appear and identify them he shall upon the payment of one dollar per head be permitted to take possession of said stock and drive them from within the limits of the Chickasaw Nation, and if after the expiration of thirty days after identification said stock are not so driven out the Superintendent shall again take possession of them and hold them until payment of one dollar per head as before, and so on until all the stock shall be removed, one-half of the money so collected shall be retained by the Superintendent; and the balance shall be turned over to the National Treasurer for National purposes, and the Superintendent shall be required to make his reports quarterly to the Governor and Auditor.

SEC. 3. Be it further enacted, That if at the expiration of thirty days after the stock of non-citizens has been taken up by the Superintendent, the owner or owners thereof shall not have appeared and identified said stock, the Superintendent shall after public advertisement, describing said cattle or stock by kinds, marks and brands in at least three public places in the Chickasaw Nation, to be posted at least fifteen days, dispose of said stock or so much thereof as will pay the

one dollar per head, at public sale to the highest bidder for cash, one half of the proceeds of such sale to be retained by the Superintendent, the balance to be turned over to the National Treasurer for National purposes.

SEC. 4. Be it further enacted, That for the purpose of carrying out the provisions of this Act and for such other purposes as may be hereafter provided, the Governor shall appoint some competent person to serve as Superintendent until the convening of the Legislature in September 1888, at which time there shall, be Superintendents elected by a joint vote of both Houses of the Legislature, who shall hold their office for the term of two years the Superintendent so appointed or elected shall be required to take the usual oath of office and he shall be required to give bond for the faithful performance of the duties of his office ; said bond shall be for twenty-five hundred dollars to be made payable to the Governor of the Chickasaw Nation, and shall be approved by the Governor of the Chickasaw Nation, and having filed such bond and taken such oath the District Judge shall certify the same to the Governor, upon which the Governor shall grant the Superintendent his commission.

SEC. 5. Be it further enacted, [ That ] the Superintendent shall be permitted to employ as deputies such citizens of the Chickasaw Nation as in his judgment may be required, and each deputy shall be required to take an oath for the faithful performance of his duties, which oath may be administered by any qualified Judge of the Chickasaw Nation, and said deputies shall be paid by the Superintendent for their services.

SEC. 6. Be it further enacted, That the Superintendent shall defray all expenses incurred, in collecting said one dollar per head on cattle or stock found unlawfully ranging or grazing in the Chickasaw Nation, and shall render annually his report to the Legislature.

SEC. 7. Be it further enacted, That it is hereby made the duty of each County Clerk of this Nation to furnish said Superintendent a certified list of all marks and brands recorded in their counties and the

Superintendent shall keep a record of all marks and brands of citizens of this Nation in his office, and that this Act take effect and be in force from and after its passage.

APPROVED, October 14, 1886

WM. M. GUY,  
Governor.

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**An Act Requiring the Contracts of the Different Academies to be Submitted to the Legislature for its Approval or Rejection.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That all contracts made and entered into, by, and between the School Superintendent and Board of Trustees, and the contractors of the four academies hereafter to be let, shall be submitted to the Legislature for its approval or rejection, before it shall be binding upon the part of the Nation.

SEC. 2. Be it further enacted, That this Act take effect from and after its passage.

The above Acts became a law over the Governor's veto, December 20, 1886.

[ ATTEST : ] M. V. CHEADLE,

National Secretary, C. N.

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**An Act to Incorporate Mining Companies in the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That any resident citizens ( no less than three ) of the Chickasaw Nation, who may wish to form a corporated company or companies to engage in developing coal mines, and to transport, ship or sell all

coal mined beyond the limits of this Nation, shall be authorized to do so under the provisions hereinafter provided for by this Act.

SEC. 2. Be it further enacted, That when three or more citizens of this Nation form a corporative company to develop coal mines as provided for in the first section of this Act, shall first file a written application for a charter with the National Secretary designating the county and place, with the name of the company, and what the company wish to develop and work, and file with the Governor a good and sufficient bond in the sum of ten thousand dollars (\$10,000) payable to the Governor, and his successor in office, for the use and benefit of the Chickasaw Nation, for the faithful observance of the Laws of the Nation, and to pay the tax on all coal mined or worked under the provisions of this Act; Provided further, the National Secretary shall issue to such company or companies a charter designating the location, place and county they propose to operate in, over his official signature, with the great seal of the Chickasaw Nation attached.

SEC. 3. Be it further enacted, That the company after complying with the provisions of this Act, shall have the authority to contract with capitalists, to prospect for, develop and work coal mines as provided for in this Act, and to maintain and to operate the same, and to employ as much help as they may deem necessary to carry on their work, and shall pay the Permit Collector for all hands they may have in operating said mines.

SEC. 4. Be it further enacted, That the company or companies shall pay to the proper authority of the Chickasaw Nation, monthly one-half cent per bushel on all coal mined.

SEC. 5. Be it further enacted, That the powers and privileges conferred in this Act shall not operate or interfere with any individual claim or the right of any citizen, and provided further, should there be disputes arise as to the right of any claim, or suits arise for damages or for royalty on any claim, it shall not delay or stop the operation of the company, and in case there should be a suit for a claim or damages

for royalty the District Court shall appoint a receiver to hold the claim until the matter is adjusted and decided by the court as to whom it belongs.

SEC. 6. Be it further enacted, That the said co-operative company or companies shall be allowed to build or cause to be built and operated such tramways as may be necessary to carry out the intent and meaning of this Act.

SEC. 7. Be it further enacted, That no charter shall be granted for a longer period than twenty years.

( Amendment of September 24, 1887.)

SEC. 8. Be it it further enacted, That this Act shall include petroleum, natural gas and asphaltum, and the royalty on the same shall be two per cent. on all gross sales on each of said products.

SEC. 9. Be it further enacted, That the chartered coal companies in this Nation shall have the privilege and right under their charter, to mine, operate and prospect for petroleum, asphaltum, [and] natural gas; Provided that the company shall first file notice with the National Secretary of their intention in writing, then the National Secretary shall certify the fact on the back of the application for their charter, then give the company a certificate of his endorsement on the application, and include in said certificate that said company had the right to prospect for, and operate for either petroleum, asphaltum and natural gas, export and sell the same by paying the royalty to the Nation as provided for in the eighth section of this Act.

SEC. 10. Be it further enacted, That the company shall have the right to, and build oil tanks and lay pipe lines to convey petroleum and natural gas to market, and to operate the same to enable them to successfully carry on their business.

SEC. 11. Be it further enacted, That this Act shall include iron ore, and the royalty due and belonging to the Chickasaw Nation on iron ore shall be one-half of a cent per ton on all gross sales and shipments of the same in its crude state, and the said royalty shall be paid in like manner as that on coal, petroleum, asphaltum and natural gas; and companies to develop and work the said iron ore may be formed, organized and chartered, as authorized by the said Acts governing the

above named products, and said companies shall comply with all the requirements of the said Acts governing the development and mining of coal, petroleum, asphaltum and natural gas, and be governed by the same [Laws] as herein provided, and said charter may be issued for the same period of time.

SEC. 12. Be it further enacted, That all Acts or parts of Acts coming in conflict with the provisions of this Act, be and they are hereby repealed, and this Act take effect and be in full force from and after its passage.

APPROVED, December 21, 1886.

WM. M. GUY,  
Governor.

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**An Act Making Wesley Calhoun Minor Heir of Johnson Calhoun, ( Deceased ) an Heir at Law of J. H. Godfrey.**

SEC. 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act the child known as Wesley Calhoun, son of Johnson Calhoun (deceased), be and the same is hereby adopted as one of the legal representatives of J. H. Godfrey and Mary C. Godfrey, his wife and shall be entitled to all the rights, privileges and immunities as their bodily heir, and the child shall hereafter be known as Wesley Calhoun Godfrey.

SEC. 2. Be it further enacted, That Wesley Calhoun Godfrey be declared twelve ( 12 ) years old at the passage of this Act.

APPROVED, October 4, 1887.

WM. M. GUY,  
Governor.

**An Act Defining How Many Witnesses to be Summoned in  
Certain Cases, and for Other Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That in no case the District Judge shall allow more than three witnesses on the part of the prosecution or defense in any case except murder, who shall have all the witnesses that is necessary in the case, provided further that if the defense in any case wants more than three witnesses to testify in any case, he shall file a written application with the District Clerk, the names of the witnesses needed in excess of the number provided for by this Act and pay the cost of said witnesses.

SEC. 2. Be it further enacted, That all Acts or parts of Acts coming in conflict with the provision of this Act be and the same is hereby repealed and that this Act take effect from and after its passage.

APPROVED, October 1, 1887.

WM. M. GUY,  
Governor.

Unconstitutional—See Section 7, Article 1, Bill of Rights.

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**An Act to Allow John Cravens to Contract With a Non-Citizen  
to Erect a Grist Mill and Cotton Gin.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That John J. Cravens be and is hereby authorized to contract with any non-citizen to erect and operate a grist mill and cotton gin at or near Yarnubby, in Panola County, Chickasaw Nation, for five years from date of passage of this Act.

SEC. 2. Be it further enacted, That the non-citizen shall be of good moral character and shall not be allowed to charge more than one-sixth for grinding corn and not more than one-fourteenth for ginning cotton.

SEC. 3. Be it further enacted, That the said non citizen contracting with John J. Cravens ( according to the first section of this Act ) shall comply with all laws governing non-citizens, and this Act take effect from and after its passage.

APPROVED, October 6, 1887.

W. M. GUY,  
Governor.

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**An Act to Prohibit the Use of Dynamite and India Berries  
in Killing Fish.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That it shall be unlawful for any person or persons to use or cause to be used any dynamite or India Berries in killing fish in any streams of this Nation.

SEC. 2. Be it further enacted, That he, she or they so offending shall be fined in any sum not exceeding fifty dollars by the County Court in the county where the offense was committed, the fine shall be collected as other fines and when collected placed in the County Treasury for county purposes, and that this Act take effect from and after its passage,

APPROVED, October 5, 1887.

W. M. GUY,  
Governor.

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**An Act to Amend an Act Relating to Roads.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That any person or persons desiring to change or alter any public road within the limits of the Chickasaw Nation, shall first obtain an order from the County Court of the county in which said road is located, and the court shall require such person or persons so changing or altering said roads to have them in as good condition and by about as near route as the one altered and changed.

SEC. 2 Be it further enacted, That any person or persons violating any of the provisions of this Act, shall be fined in any sum not exceeding fifty dollars by the County Court of the county in which such violation is made, and the said County Court shall order the Sheriff or Constable of said county to remove or cause to be removed any obstruction to travel on the old road.

SEC. 3. Be it further enacted, That this Act take effect and be in force from and after its passage.

APPROVED, September 30, 1887.

W. M. GUY,  
Governor.

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**An Act to Prohibit the Skinning of Cattle on the Range and  
Disposing of the Hides Without the Consent of the  
Owner, and Fixing a Penalty Therefor.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, it shall be unlawful for any person or persons to skin any cattle on the range within the limits of the Chickasaw Nation, without first obtaining permission from the owner of such stock to skin and dispose of the hide or hides.

SEC. 2. Be it further enacted, That any person or persons violating the provisions of the first section of this Act, he, she or they shall be deemed guilty of a misdemeanor, and upon conviction by the County Court of the county wherein the offence was committed, be fined in any sum not less than ten nor exceeding twenty-five dollars, at the discretion of the court having jurisdiction of the same, and all such fines shall be collected as other fines imposed by the County Court, and when collected one-half shall go to the informer and the other half placed in the County Treasury for county purposes, and this Act take effect and be in force from and after its passage.

APPROVED, September 10, 1887.

W. M. GUY,  
Governor.

**A Resolution Requiring the Auditor to Issue Splitting Warrants to All Persons Having Claims Against the Chickasaw Nation, and for Other Purposes.**

SECTION 1. Be it resolved by the Legislature of the Chickasaw Nation, That the National Auditor be, and he is hereby required to issue split warrants to each individual having claims against the Chickasaw Nation, and the Treasurer is also directed to make pro rata payment to each person holding said warrants, members of the Legislature excepted.

SEC. 2. Be it further enacted, That this resolution take effect from and after its passage.

APPROVED, October 7, 1887.

W. M. GUY,  
Governor.

**An Act in Regard to Scholars Attending Schools Without the Limits of This Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That when a citizen of this Nation wishes to send their child or children without the limits of this Nation to school, may do so by first applying to the Superintendent of Schools for a certificate stating what age, grade, and to what College or first-class High School they intend to send, and being satisfied with the application, will issue a certificate for the same.

SEC. 2. Be it further enacted, That no child wishing to go to school without the limits of this Nation, shall be younger than 12 years old, and have a good knowledge of the English branches of study, and to rank as the highest grade of the C. M. L. and Bloomfield Acad-

emies, and only allowed to attend institutions which are first-class in every respect, and shall be entitled to the sum of fifteen dollars (\$15) per month, while in actual attendance.

SEC. 3. Be it further enacted, That any citizen failing to comply with the foregoing sections of this Act shall not be entitled to any pay, and all Acts and parts of Acts coming in conflict with the provisions of this Act are hereby repealed, and this Act take effect and be in force from November 1, 1887.

Amended by the Senate, by inserting that the scholars must be between the ages of twelve and twenty years, also that this Bill take effect from and after its passage.

APPROVED, October 3, 1887.

W. M. GUY,  
Governor.

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**An Act to Prohibit Parents or Guardians From Taking Their  
Child or Children From School.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That when a parent or guardian desires to take a pupil from any of the National Academies, he or she shall notify the Trustee of that school at least one week prior to removing the same, except in case of sickness, and said Trustee shall proceed at once to fill all such vacancies.

SEC. 2. Be it further enacted, That when a parent or guardian fails to comply with the provisions of the first section of this Act, and takes their child or causes them to be taken from school, without notifying the Trustee of said school, the same be subject to a fine of not less than five, nor more than ten dollars for each and every offense, at the discretion of the County Court having jurisdiction of the same, which shall be collected as other fines, and turned into the County Treasury for county purposes.

SEC. 3. Be it further enacted, That it shall be the duty of the Trustee, to report all violations of this Act to the County Judge, and that this Act take effect from and after its passage.

APPROVED, September 30, 1887.

W. M. GUY,  
Governor.

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**An Act Creating a Permit Collector in Each County, And For  
Other Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That at the general election in 1888 there shall be elected one Permit Collector in each county who shall serve for two years, unless sooner removed for misdemeanor in office.

SEC. 2. Be it further enacted, That before they enter on the duties of their office [ they ] shall be commissioned by the Governor, to give a good and sufficient bond in the sum of one thousand dollars to the Governor for the faithful performance of their duties, and shall receive fifteen per cent. of all the money they may collect for permits; Provided further, they shall have the right to appoint Deputy Permit Collectors, who shall give a good and sufficient bond in the sum of five hundred dollars to the Governor for the faithful discharge of his duties as Deputy Permit Collector, and for his services shall be paid by the Permit Collector out of the fifteen per cent. that he receives for his services.

SEC. 3. Be it further enacted, That the National Secretary shall furnish the Permit Collector in each county with blank certificates, book form, with stubs attached, numbered from one up, that is necessary and said stubs and certificates shall be printed and the numbers shall correspond with each other.

SEC. 4. Be it further enacted, That any parts of laws coming in conflict with the provisions of this Act is hereby repealed, and that this Act take effect from and after the general election in 1888.

APPROVED, September 23, 1887.

W. M. GUY,  
Governor.

**An Act Creating One Inspector of Permits in Each County.**

**SECTION 1.** Be it enacted by the Legislature of the Chickasaw Nation, That the Governor shall appoint one Permit Inspector in each county who shall serve to the next general election in 1888, and before he enters on the discharge of his duties shall be commissioned by the Governor and take the oath of office, that he will faithfully discharge the duties of his office.

**SEC. 2.** Be it further enacted, That it shall be the duty of the Inspector to take up all the permits in his county and give his receipt for the same and shall with the National Treasurer, compare the permits taken up by him with the stubs of the Permit Collector every quarter at the Capital and report all non-citizens he may find that has no permits, and it shall be the duty of the Treasurer to make a full and complete report every quarter to the Governor of his comparison with the Inspector and Permit Collector's books and by him laid before the next Legislature.

**SEC. 3.** Be it further enacted, That the Inspector shall be entitled to ten per cent. out of the permit money every quarter to be paid by the Permit Collector out of the permit money he collected, in the presence of the National Treasurer, and take his receipt therefor.

**SEC. 4.** Be it further enacted, That at the general election in 1888, each county shall elect their own Inspector for the period of two years, whose duty shall be the same as provided for in this Act, and this Act take effect from and after its passage.

APPROVED, September 23, 1887.

W. M. GUY,  
Governor.

**An Act Authorizing and Directing the Building Committee to Correspond With the Board of Missions of the Methodist Episcopal Church, South.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Building Committee named in the Act to Build an Institution of learning in Pontotoc County, Chickasaw Nation, be and they are hereby authorized and directed to correspond with the Board of Missions of the Methodist Episcopal Church, South, and enter into contract with the said Board, provided the said Board will accept of the terms offered by the Committee; however, subject to the approval of the Legislature.

SEC. 2. Be it further enacted, That the Committee shall not contract for more than thirty scholars, and rates not to exceed one hundred dollars (\$100.00) per scholar for a scholastic year of ten months, for five consecutive years; Provided, the Board of Missions will contribute all deficiencies that may occur for successfully carrying on a first-class board manual labor school.

APPROVED, September 29, 1887.

W. M. GUY,  
Governor.

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**An Act Defining What Shall Constitute a Claim in the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That a house out of either logs, plank or boards, not less than twelve feet square, fit for habitation, shall be a legal claim and hold good for twelve months; then every six months thereafter add one acre of land, prepared for cultivation, under a good and lawful fence until twenty acres have been taken in; then it shall be a lawful claim.

SEC. 2. Be it further enacted, That when any parent or guardian shall select a claim for his child or ward, he or she shall register the claim in the County Clerk's office of the county wherein the selection has been made, and fully comply with the provisions of the first section of this Act, shall be a legal and lawful claim.

SEC. 3. Be it further enacted, That when a place is registered for a child, that place cannot be sold or disposed of by the parent or guardian, except by the order of the County Court.

SEC. 4. Be it further enacted, [That] no parent or guardians shall select more than one place for each child, as provided in the second section of this Act.

SEC. 5. Be it further enacted, That when any citizen has abandoned any old place or claims shall renew them under the provision of the first section of this Act in six months, otherwise they will revert and become public land of the Nation.

SEC. 6. Be it further enacted, That any citizen who shall abandon any claim for the period of two years [it] shall become public domain of the Nation, and subject to entry by any citizen of this Nation; any Act or part of Acts coming in conflict with the provision of this Act be and the same is hereby repealed, and that this Act take effect from and after its passage.

APPROVED, September 24, 1887.

W. M. GUY,  
Governor.

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**An Act to Authorize H. F. Fleetwood to Establish a Ferry on Red River One-half Mile West of the Old Chism Trail.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That H. T. Fleetwood be and he is hereby authorized to establish and keep up a ferry on Red river about one-half mile west of the old Chism Trail in Pickens County, Chickasaw Nation for the accommodation of travelers, emigrants, drovers and the public at large,

and to secure him against fraud he is hereby authorized to fence in the landing on this side of Red river with a toll gate, and any person or persons wishing to cross the aforesaid river shall be required to pay the rates of ferriage allowed in this Act at the aforementioned ferry gate, and any person or persons paying their ferriage at the ferry gate shall not be made to pay at the ferry, and any person or persons that fail or refuse to pay their ferriage may be stopped anywhere on this side of the Red river and be made to pay their ferriage; Provided, however, such stoppage shall be within the limits of the Chickasaw Nation, and the said H. F. Fleetwood or his agent or representative shall have the right to collect the ferry rates from any and all persons fording the said river within one mile and a half of the ferry just the same as if they had crossed on the ferry; Provided, however, citizens of the Nation shall at any and all times have the privilege to ford or swim the river at any and all times either at the ferry or within the limits prescribed in this section without being made to pay ferry dues.

SEC. 2. Be it further enacted, That the said H. F. Fleetwood shall be required to keep at all times good boats for the accommodation of the traveling public, and he shall be responsible to any person or persons crossing on his ferry for any and all damages sustained by the negligence of his boatman or the insufficiency of his boat; Provided, however, persons crossing the river otherwise than on the ferry boat for the purpose of evading the payment of the ferry dues, then in all such cases, he shall not be held accountable for any damages sustained or injuries received either to persons or property.

SEC. 3. Be it further enacted, That for the privileges allowed and granted in the first section of this Act, the said H. F. Fleetwood shall at all times keep the roads leading to and from his ferry in good practicable traveling condition, and give bond and security biennially to the District Court of the Chickasaw Nation in the sum of five hundred dollars for the faithful requirements specified in this Act, conditioned that said bond and security shall be for the benefit of the party or parties damaged in person or property, resulting from a violation of the aforesaid requirements.

SEC. 4. Be it further enacted, That the following table of ferry rates shall be the legal rates, and shall be kept posted at the ferry gate for the benefit of the public.

FERRY RATES.

Wagon and two horses or mules or one yoke of steers,	-	50 cts.
For all extra stock per head,	- - - - -	10 "
Sheep, goats and hogs per head,	. - - - -	2½ "
Man and horse,	- - - - -	25 "
Footman,	- - - - -	10 "
Wagon or buggy without team,	- - - - -	25 "

APPROVED, September 23, 1887.

W. M. GUY,  
Governor

**An Act in Regard to Physicians, Mechanics and Hotel Men  
Obtaining Permits.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That if any non-citizen of the Chickasaw Nation, who wishes to practice medicine in this Nation, shall be required to get a recommendation from three resident citizens of this Nation that he is a sober man, of good moral character, and file with this recommendation a recommendation that he is a practicing physician from the board of the county and State from whence he came, and if the Governor is satisfied with said recommendation, shall issue him a permit to practice in the county and Nation, from the county he applies, upon the physician paying five dollars to the Governor, which money shall be placed in the National Treasury for National purposes, and said physician shall not charge for medicine and professional visits more than is charged in the States by regular practicing physicians.

SEC. 2. Be it further enacted, That any non-citizen who wishes to follow his trade as mechanic in the limits of this Nation, shall apply under the provision of section first of this Act.

SEC. 3. Be it further enacted, that it shall be unlawful for any physician, mechanic or hotel men, to build or make any improvement on the public domain of the Chickasaw Nation, except licensed traders, who shall only have dwelling and business houses and lots, actually necessary to enable them to carry on their business; and any non-citizen who may have houses, lots, or improvements of any kind in the limits of this Nation, shall sell or dispose of the same by the first day of January, 1888.

SEC. 4. Be it further enacted, That if any physician, mechanic or hotel men, wish to practice their profession or carry on their business in the limits of the Nation, shall rent houses from some citizen of this Nation; Provided, further, That any person under provision of the first section of this Act, desire to make any improvements on the claim of any citizen, shall first make a written contract in the presence of two witnesses, to be citizens of this Nation, and if said physicians, mechanics or hotel men fail to make said contract, as provided for by this Act, leave or vacate said place, shall forfeit all improvements made by them to the citizen owning the place.

SEC. 5. Be it further enacted, That any non-citizen refusing or failing to comply with the second section of this Act, shall be reported by any officer or citizen of this Nation to the Governor, who is hereby authorized and directed under the provision of this Act, to take such legal measures that is necessary to enforce this Act to its full intent and meaning, and any law or parts of laws coming in conflict with the provision of this Act be and the same are hereby repealed, and that this Act take effect from and after its passage.

APPROVED, September 24, 1887.

W. M. GUY,  
Governor.

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**An Act to Build a New Academy in Pontotoc County,  
Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there shall be and are hereby established an institution of learning for male children to be on the Manual Labor System in

Pontotoc County, Chickasaw Nation, consisting of frame building sufficient to contain forty pupils, and said institution to be known as the Collin's Institute.

SEC. 2. Be it further enacted, That a committee of three competent persons residents of Pontotoc County shall be elected by a joint vote of both branches of the Legislature to be styled the Building Committee, who shall select a good, healthy and suitable location for the erection of said institution.

SEC. 3 Be it further enacted, That the Building Committee shall use discretion and good judgment in selecting a location convenient to wood and water, and a sufficient quantity of land fit for cultivation and other conveniences suitable and necessary for a first class boarding school, and after such selection shall have been made the committee shall proceed at once to let the contract for building said institution to the lowest and best bidder.

SEC. 4. Be it further enacted, That the committee, when advertising the letting of the contract to build said institution, shall give dimensions, style of work and such other specifications as may be necessary to give a definite idea of the kind of structure contemplated in this Act.

SEC. 5. Be it further enacted, That the committee shall enter into a written contract with the contractor, to whom the contract for erecting the said institution may be awarded upon such terms and agreements best adapted to a speedy and satisfactory consummation of the provisions of this Act, with this restriction that no payment on said contract shall be made earlier than March, 1888, and paid by installments from that time on until completed.

SEC. 6. Be it further enacted, That as the installments become due agreeable to contract, the committee shall issue a certificate stating amount due the contractor, and the Auditor of Public Accounts shall issue a warrant for the payment of the same on the National Treasury.

SEC. 7. Be it further enacted, that when said institution is completed and received by the committee, they shall report the same to the School Superintendent and shall receive three dollars (\$3.00) per day each while in actual service, to be paid out of the National

Treasury, and the Auditor shall issue his warrant on the National Treasurer, upon the presentation of the School Superintendent's certificate certifying the number of days each committeeman served.

SEC. 8. Be it further enacted, That the sum of seven thousand five hundred dollars (\$7,500) be and the same are hereby appropriated out of any monies now in the hands of the National Treasurer or which may hereafter come into his hands, to carry into effect the provisions of this Act, and this Act take effect from and after its passage.

APPROVED, September 29, 1887.

W. M. GUY,  
Governor.

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**Resolution.**

WHEREAS, There is no law authorizing the School Superintendent to appoint a Trustee for the Institute in Pontotoc County, Chickasaw Nation, known as the Collin's Institute; therefore,

Be it resolved, by the Legislature of the Chickasaw Nation, That the School Superintendent be and he is hereby empowered to appoint a Local Trustee for Collin's Institute, Pontotoc County, Chickasaw Nation, whose pay and duties shall be the same as the other Local Trustees of the Academies of the Chickasaw Nation.

APPROVED, September 20, 1888.

WM. L. BYRD,  
Governor.

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**An Act Granting J. C. Kemp the Privilege to Establish a  
Ferryboat on Red River.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the privilege to establish a ferryboat on Red River, in

Panola County Chickasaw Nation, at a place known as the Old George Ferry, is hereby granted Joe C. Kemp, on the same terms and conditions of the charter granted Lem Reynolds by a former Legislature. The limit of said privilege shall be for the period of ten years from the date of the passage of this Act, and that this Act take effect from and after its passage.

APPROVED, November 12, 1888.

WM. L. BYRD,  
Governor.

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**An Act to Create a Committee to Try All Cases of Citizenship.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, that there shall be appointed three members from the Senate, and three members from the House of Representatives, to try all claims for citizenship that are brought before the Nation, whose rights to such are disputed, and all laws or parts of laws in conflict with this Act are hereby repealed.

SEC. 2. Be it further enacted, That the said committee shall have full power to appoint a Chairman, Clerk and Interpreter if necessary and shall have the right to compel the attendance of witnesses, and to perform any other duty that may be necessary to give all cases that come before them a fair and impartial investigation, and shall report their proceedings to the Legislature at least three days before its adjournment for their approval or disapproval.

SEC. 3. Be it further enacted, That after the Legislature has passed upon the actions of the committee, and either party is dissatisfied with their decision, they will have the right to appeal the case to the Supreme Court of the Chickasaw Nation for a final decision, and the decision of the Supreme Court shall be final in all such cases, and that this Act take effect from and after its passage.

APPROVED, November 13, 1888.

WM. L. BYRD,  
Governor.

**An Act to Build a New Academy in Panola County,  
Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That a committee of three competent persons, residents of Panola County, who shall be appointed by the Governor to be styled a "Building Committee," who shall select a good, healthy and suitable location not exceeding five miles distant from Bloomfield Academy, which shall be known as the Bloomfield Academy.

SEC. 2. Be it further enacted, That the Building Committee shall use discretion and good judgment in selecting a location convenient to wood and water, and a sufficient quantity of land fit for cultivation, and other conveniences suitable and necessary for a first-class boarding school, and after such selections shall have been made, the committee shall proceed at once to let the contract for building said Bloomfield Academy to the lowest and best bidder.

SEC. 3. Be it further enacted, That when the committee, when advertising the letting of the contract to build said Academy shall give dimensions, style of work, and such other specifications, as may be necessary to give a definite plan of the kind of structure contemplated in this Act.

SEC. 4. Be it further enacted, That the committee shall enter into a written contract with the contractor to whom the contract for erecting said Academy may be awarded, upon such terms and agreements best adapted to a speedy and satisfactory consummation of the provisions of this Act, with this restriction, that no payment on said contract shall be made earlier than 1889, and paid by installments from that time on until completed.

SEC. 5. Be it further enacted, That as the installments become due agreeable to contract, the committee shall issue a certificate stating the amount due the contractor, and the Auditor of Public Accounts shall issue a warrant for the payment of the same on the National Treasurer.

SEC. 6. Be it further enacted, That when said Academy is completed and received by the committee, they shall report the same to the School Superintendent, and shall receive three dollars per day each, while in actual service, to be paid out of the National Treasury, upon the presentation of the School Superintendent's certifying the number of days each committee served.

SEC. 7. Be it further enacted, That the sum of eight thousand dollars (\$8,000), or so much that is necessary be and the same is hereby appropriated to pay for said Academy when completed according to contract, that is in the hands of the National Treasurer or that may come in his hands, after said Academy is completed and received by the Building Committee.

SEC. 8. Be it further enacted, That when said Academy is completed and received by the Building Committee, the School Superintendent shall cause to be removed at the expense of the Nation, the children now at Bloomfield Academy to the new Academy, which shall be styled and known as "Bloomfield Academy," with the household, kitchen furniture and all effects that belong to said Academy, and upon a certificate from the Superintendent of Public Schools to the Auditor of Public Accounts shall issue his warrant on the National Treasurer, who shall pay the same out of any money in his hands, or that may come into his hands, and this Act shall repeal all Acts or parts of Acts coming in conflict with the provisions of this Act and that this Act take effect from and after its passage.

APPROVED, November 13, 1888.

WM. L. BYRD,  
Governor.

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WHEREAS, There are a great many people now living in the Chickasaw Nation that claim to be Choctaws, but have failed to furnish proof to substantiate the fact, and when questioned by the officers claim that their cases are before the Choctaw Court of Claims for investigation;

AND WHEREAS, The Chickasaw people are satisfied that a great many of such claims are fraudulent, if not all of them, and believe

that it is a plan or scheme to evade the Chickasaw permit law and occupy the lands unlawfully;

AND WHEREAS, There are many non-citizens improving farms in the Chickasaw Nation, that claim to be employed by Choctaws living in the Choctaw Nation, although a great many of such claims are doubted, and it is believed that in many cases that it is a scheme to occupy the public domain of the Chickasaw Nation for nothing, and destroy the timber, range, etc., and give that as an excuse, knowing the Choctaws have a right to the lands;

AND WHEREAS, This unlawful fencing up of the public domain is creating a great deal of dissatisfaction among the Chickasaw people, as in a few years more there will not be a vacant spot of land left for the rising generation, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be and he is hereby directed to issue his proclamation notifying all persons living in the Chickasaw Nation claiming citizenship of the Choctaw Nation, whose rights have been disputed to appear before the committee on citizenship at Tishmingo City, Chickasaw Nation at its next meeting with sufficient proof of their citizenship, or they will be removed beyond the limits of the Chickasaw Nation, and their improvements shall escheat to the Nation and be sold by the Sheriff or Constable of the county in which the claimant resided to the highest bidder for cash or National scrip, by first giving fifteen days' notice in at least three public places in the county where the sale is to take place, and all monies arising from this source shall be placed in the National Treasury for National purposes.

SEC. 2. Be it further enacted, That the Governor is hereby directed to give due notice either by publication or otherwise to all persons living in the Choctaw Nation, owning improvements in the Chickasaw Nation, to have the same recorded in the office of the County Clerks in the county in which the improvements are situated, within six months after the passage of this Act, and must produce a certificate from the National Secretary of the Choctaw Nation, with the seal attached, that he is a resident of the said Nation, and is entitled to

citizens's rights, before the County Clerk shall place his or their places, as the case may be, on record, and any person residing in the Choctaw Nation, and owning places in the Chickasaw Nation, failing or refusing to comply with the provisions of this Act, his or their improvements shall be dealt with, as provided for in the first section of this Act.

SEC. 3. Be it further enacted, That it shall be the duty of the Sheriffs and Constables, Permit Collectors and Permit Inspectors to report all persons claiming Choctaw citizenship, who having failed to prove their rights to such, and all Choctaws residing in the Choctaw Nation, and owning places in the Chickasaw Nation, that fail to comply with the provisions of this Act, to the Governor, who will have them dealt with as the law directs, and that this Act take effect and be in force from and after its passage.

APPROVED, November 13, 1888.

WM. L. BYRD,  
Governor.

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**An Act Authorizing and Directing the Governor to Enter Into a Contract With Halbert E. Paine for General Services, in the City of Washington.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be and he is hereby authorized and directed to enter into a contract with Halbert E. Paine for the performance of legal services, in the City of Washington, including the defense of the Nation against Eli Ayers, but not including the prosecution of the unsettled claims of the Nation against the United States, under Article four, of the Treaty of June 22, 1852. In making this contract, the Governor shall keep in view the interest of the Chickasaw Nation,

and shall not enter into a contract with said Halbert E. Paine for compensation for greater amount than the present contract and for the same period of time.

APPROVED, April 5, 1889.

WM. L. BYRD,  
Governor.

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**An Act to Prohibit Introducing of Steer Cattle in the Chickasaw Nation, Except During the Months of November and December.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That it shall not be lawful for any person or persons, citizens of this Nation, to introduce, or buy after being introduced, or cause to be introduced steer cattle except in the months of November and December and when introduced shall not be turned on the public range. Any person charged with violation of this Act, shall upon conviction in the Circuit Court having jurisdiction, be fined in a sum not less than five hundred dollars nor more than one thousand dollars, one-half of such fines shall go to the National Treasury for National purposes and the other half to the County Treasury, where the offense was committed.

SEC. 2. Be it further enacted, That the Sheriff of the county where the offense was committed shall be allowed ten per cent. for collecting fines arising under this Act, and shall turn over the balance to the respective Treasury, and this Act take effect from and after its passage.

APPROVED, April 6, 1889.

WM. L. BYRD,  
Governor.

WHEREAS, G. W. Harkins had copied at his own expense, one copy each of the Chickasaw Orphan roll, and Chickasaw Incompetent roll, which is officially certified to, being a true and correct [copy] by the Secretary of the Interior and Commissioner of Indian Affairs with the seal of the Department of the Interior attached; now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Chickasaw Nation do accept from G. W. Harkins for the sole use and benefit of the Nation, the Chickasaw Orphan and Chickasaw Incompetent rolls, and shall be placed in the National Secretary's office for safe keeping, and that this Act take effect from and after its passage.

APPROVED, April 4, 1889.

WM. L. BYRD,  
Governor.

**An Act to Authorize Ben Pikey and Others to Erect a Drift Line on  
the Canadian River in Pontotoc County.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That Ben Pikey, James Bond, Thos. Waldron, James Tuttle, and others, citizens of Pontotoc County, are hereby authorized to erect a barb wire drift line in the Canadian river up and down said river in the County of Pontotoc as far as may be necessary to protect themselves and their stock from the citizens of Oklahoma Territory.

SEC. 2. Be it further enacted, That said Ben Pikey and associates shall be required to erect and put up gates on all public roads that their drift line shall cross, and this Act take effect from and after its passage.

APPROVED, April 6, 1889.

WM. L. BYRD,  
Governor.

**Contingent Fund.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation. That the sum of five hundred dollars is appropriated annually to be used by the Governor as a contingent fund to pay Expressman, Private Secretary, stationery and other incidental expenses, which may occur in the office of Governor.

SEC. 2. Be it further enacted, That the Governor shall render an account to the National Treasurer annually of the amount used under this Act and turn over to the National Treasurer the balance, if any, taking his receipt therefor.

SEC. 3. Be it further enacted, That the Auditor of Public Accounts is hereby directed to issue his warrant on the National Treasurer in favor of the Governor for the amount under this Act and that this Act take effect from and after its passage.

APPROVED, April 9, 1889.

WM. L. BYRD,  
Governor.

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**An Act Authorizing and Directing the Chickasaw Governor,  
National Secretary, National Treasurer, and Auditor of  
Public Accounts to sign Requisitions upon the Treas-  
ury of the United States for Certain Monies Ap-  
propriated by an Act of Congress, Approved,  
March 2, 1889.**

WHEREAS, The Congress of the United States, by an Act approved March 2, 1889, appropriated the sum of eighty-four thousand eight hundred and sixty-two dollars and sixty-eight cents (\$84,862.68) to reimburse the general fund of the Chickasaw Nation for monies improperly disbursed from said fund, as ascertained by the Secretary

of the Interior, as required by Article four of the Treaty with the Chickasaws, dated June twenty-second, eighteen hundred and fifty-two: and, also by the same Act, appropriated the sum of ninety-nine thousand two hundred and eighty-dollars and forty-one cents (\$99,280.41) to reimburse the Chickasaw incompetent fund for monies improperly disbursed from said fund, as ascertained by the Secretary of the Interior, as required by Article four of the Treaty with the Chickasaws, dated June twenty-second, eighteen hundred and fifty-two: and also by the same Act, provided that said sums should be paid from time to time, upon requisition signed by the Chickasaw Governor, National Secretary, National Treasurer and Auditor of Public Accounts; now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Chickasaw Governor, National Secretary, National Treasurer, and Auditor of Public Accounts be and they are hereby authorized and directed to sign and deliver requisitions for said monies, as follows: A requisition in favor of Osborn Fisher, National Treasurer, for the sum of one hundred and nineteen thousand six hundred and ninety three dollars and two cents; (\$119,693.02); two requisitions in favor of Overton Love, each for the sum of twenty-three thousand and seventeen dollars and eighty-eight cents, (\$23,017.88), and a requisition in favor of Halbert E. Paine, for the sum of eighteen thousand four hundred and fourteen dollars and thirty cents (\$18,414.30).

APPROVED, April 5, 1889.

WM. L. BYRD,  
Governor.

**An Act To Repeal "An Act to Collect Royalty on Prairie Hay Shipped Out of the Chickasaw Nation," Approved September 28, 1880, and the Act Amendatory to an Act Passed and Approved September 28, A. D. 1880, to Collect Royalty on Prairie Hay Shipped Out of the Chickasaw Nation, Approved September 17, 1884.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act passed and approved September 28, 1880, providing for the shipping of prairie hay out of the limits of this Nation, and amended by an Act approved September 17, 1884, be and the same is hereby repealed.

SEC. 2. Be it further enacted, That from and after the passage of this Act, it shall be unlawful for any person or persons to cut, or cause to be cut, prairie hay to ship, or cause to be shipped, beyond the limits of this Nation, shall be deemed a misdemeanor, and upon conviction by the District Court of the Chickasaw Nation shall be fined the sum of five hundred dollars and lodged in the National Jail thirty days for each and every conviction, and all Acts or parts of Acts coming in conflict with the provisions of this Act be and the same is hereby repealed, and that this Act take effect from and after its passage.

APPROVED, April 6, 1889.

WM. L. BYRD,  
Governor.

**An Act to Authorize J. H. Franklin to Establish a Ferry at a Place on Red River Known as Bear's Ferry.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That J. H. Franklin be and he is hereby authorized to establish and keep up a ferry at Bear's Ferry on Red River for the accommodation of travelers, emigrants and the public generally, and to secure him against fraud, he is hereby authorized to fence in the land-

ing on this side of the river, and to put up a gate to be styled a ferry gate, and any person or persons wishing to cross said river shall be required to pay the rates of ferriage provided for in this Act at the aforementioned ferry gate, and every person paying their ferriage at the gate shall not be made to pay at the ferry, and any person or persons that refuse or fail to pay their ferriage may be stopped anywhere on this side of the river and be made to pay their ferriage; Provided, however, such stoppage shall be within the limits of the Chickasaw Nation.

SEC. 2. Be it further enacted, That the said J. H. Franklin shall at all times keep good and trusty and efficient boatmen at the said ferry for the use of the traveling public, and he shall be responsible to every person crossing on his ferry for any and all damages sustained by the negligence of his boatmen, or the inefficiency of his boat.

SEC. 3. Be it further enacted, That for the privileges in the first section of this Act, the said J. H. Franklin shall at all times keep the roads leading to the ferry for a reasonable distance in good traveling condition, and give bond and security biennially to the District Court of Panola County in the sum of five hundred dollars for the requirements specified in this Act, and conditional that the said bond and security shall be for the benefit of the party or parties injured either in person or property, resulting from a violation of this Act.

SEC. 4. Be it further enacted, That the following table of rates shall be the legal allowance, and it shall be kept posted at the ferry gate for the information of the public.

FERRY RATES.

Wagon and two horses or mules,	-	-	-	-	-	50 cts.
For all extra stock,	-	-	-	-	-	10 "
Sheep, goats and hogs,	-	-	-	-	-	2½ "
Man and horse,	-	-	-	-	-	25 "
Footman,	-	-	-	-	-	10 "

SEC. 5. Be it further enacted, That the rights and privileges herein granted to the said J. H. Franklin shall extend to and be operative for the period of ten years.

APPROVED, April 6, 1889.

WM. L. BYRD,  
Governor.

WHEREAS, By the Indian appropriation bill passed Congress on the 2nd day of March, 1889, authorizing the President to appoint three Commissioners to negotiate with the Cherokees and other Indians for the relinquishment of their lands lying west of the 96th degree west meridian;

AND WHEREAS, The President has appointed the Commissioners on March 30, 1889;

AND WHEREAS, The Choctaws have an undivided interest in the Choctaw and Chickasaw lease land lying between the 98th and 100th degrees west longitude, that was leased by them to the United States under the 9th Article of the Treaty of 1855;

AND WHEREAS, The United States has refused to locate any more Indians thereon;

AND WHEREAS, The United States can't tear off the trust and use it for any other purpose, except for the purpose set forth in the lease aforesaid; now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be and is hereby authorized and directed to appoint two Commissioners to act in conjunction with himself to meet a like Commission of the Choctaws and find out if they will dispose of their interest in the lease land lying between the 98th and 100th degrees west longitude; Provided, if the Choctaw Commissioners refuse to sell, then this Commission ends; Provided, further, if the Choctaw Commissioners agree to sell, then the Governor shall issue his writ of election by proclamation for a general election, by the people, to be held immediately from the issuing of the proclamation, to vote on sale or no sale. If a majority vote on selling the Chickasaw interest in the lease land, which returns of said election shall

be returned to the National Secretary, and shall be counted by the Governor and his Cabinet, then the Chickasaw Governor and the Commissioners shall meet the United States Commissioners appointed by the President, in conjunction with the Choctaw Commissioners and shall negotiate the sale of said lands, for additional compensation between the amount received on said lease land, and that said Commissioners shall not negotiate for less than one dollar and twenty-five cents per acre, the condition of said sale be that the negroes be removed beyond the limits of the Chickasaw Nation under the 3rd and 4th Articles of the Treaty of 1866.

SEC. 2. Be it further enacted, That the Civil Tenure Office Bill be and is hereby suspended in the appointing of the Commissioners provided for in this Act.

SEC. 3. Be it further enacted, That the sum of five hundred dollars be and the same is hereby appropriated out of any money in the Treasury not otherwise appropriated, to become immediately available, and that the Auditor of Public Accounts will issue his warrant on the National Treasurer in favor of the Governor, W. L. Byrd, for the same.

SEC. 4. Be it further enacted, That the compensation of the Governor and Commissioners shall be four dollars per day, and their actual expenses, during the time going to and returning home, and the time actually occupied by the Commissioners under the provision of this Act, and that this Act take effect from and after its passage.

APPROVED, April 5, 1889.

WM. L. BYRD.

Governor.

WHEREAS, Ruben Wright did make a contract with the Chickasaw delegates of 1866, Holmes Colbert, Winchester Colbert, R. H. Love, Edmond Pickens and Colbert Carter, that he would relinquish all claims and demands against the Chickasaw people :

AND WHEREAS, Said delegation did give him a written obligation to pay Ruben Wright five thousand dollars, which has never been

paid, and the Chickasaw people wishing to carry out the obligation of their delegation, which accounts they acknowledge to be just ;

AND WHEREAS, Ruben Wright agrees to take his pay out of the money, \$56,000, or their pending claims, and that said Ruben Wright will use his influence with Congress to make said payments to the Chickasaw people; now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That whenever said \$56,000, or other pending claims are paid to the Chickasaw People, they will pay Ruben Wright the sum of five thousand dollars to carry out the former contract, and that this Act take effect from and after its passage.

APPROVED, April 9, 1889.

WM. L. BYRD,  
Governor.

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**An Act to Authorize Samuel Paul, James Rennie, Joseph Myers, Samuel Garvin, C. J. Grant, G. W. Kimberlin, Overton Love, Osborn Fisher, Lem Reynolds, W. L. Byrd, R. L. Boyd, J. B. Sparks, B. W. Carter, T. A. McClure, and W. T. Shannon to Build a Toll Bridge Across the South Canadian River.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That Samuel Paul, James Rennie, Joseph Myers, Samuel Garvin, C. J. Grant, G. W. Kimberlin, Overton Love, Osborn Fisher, Lem Reynolds, W. L. Byrd, R. L. Boyd, J. B. Sparks, B. W. Carter, T. A. McClure and W. T. Shannon, be and they are hereby authorized to build and keep up a toll bridge across the South Canadian river, at or near the crossing of the Gulf, Colorado and Santa Fe and the Atchison,

Topeka and Santa Fe Railroad crossing on said river, if practicable, or at such a practicable point as they may select; Provided, however, That the place of building of the said bridge shall not exceed ten miles in length from the railroad crossing, up or down the Canadian river, which is about five miles from the town of Purcell, in Pontotoc County, Chickasaw Nation, and the said toll bridge shall be for the accommodation and convenience of all classes of travelers and their property; and to secure them against fraud they are hereby authorized to fence in the landing on this side of the river and to erect a toll-gate for the collection of dues, and every person (citizens excepted), with or without stock, merchandise or other property, shall be required to pay the toll rates herein specified, and any person or persons (citizens excepted) failing or refusing to pay the toll dues at the gate may be stopped anywhere within the limits of the Chickasaw Nation and be made to pay his, her or their toll dues, which shall be as follows:

TABLE OF TOLL RATES.

Wagon or other vehicle, 6 horses or mules,	-	-	-	\$1 50
Wagon or other vehicle, 4 horses or mules,	-	-	-	1 25
Wagon or other vehicle, 2 horses or mules,	-	-	-	75
Wagon or other vehicle, 1 horse or mule,	-	-	-	50
Man and horse,	-	-	-	25
Footman,	-	-	-	10
Wagon, with one yoke of steers,	-	-	-	75
For every additional yoke to wagon,	-	-	-	25
Loose horses and cattle per head,	-	-	-	10
Sheep, goats and hogs,	-	-	-	2½

SEC. 2. Be it further enacted, That the said Samuel Paul, James Rennie, Joseph Myers, Samuel Garvin, C. J. Grant, G. W. Kimberlin, Overton Love, Osborn Fisher, Lem Reynolds, W. L. Byrd, R. L. Boyd, J. B. Sparks, B. W. Carter, T. A. McClure and W. T. Shannon, their heirs and assigns, shall have the right to exclude any and all corporations, companies and persons from building any toll bridge within ten miles of the said bridge, and also to exclude all persons, corporations

and companies from establishing any kind of a ferry or other conveyance across the said river during the existence of the said toll bridge within the limits specified in this section; And, furthermore, they shall have the right to collect toll rates from all persons (citizens excepted) crossing the river other ways than by their bridge, just the same as if they had crossed on the bridge, if such crossing be within the limits of the said ten miles specified above.

SEC. 3. Be it further enacted, That for and in consideration of the privileges granted in this Act, the said Samuel Paul, James Rennie, Joseph Myers, Samuel Garvin, C. J. Grant, G. W. Kimberlin, Overton Love, Osborn Fisher, Lem Reynolds, W. L. Byrd, R. L. Boyd, J. B. Sparks, T. A. McClure and W. T. Shannon, their heirs and assigns, shall at all times keep the said toll bridge and the roads leading thereto in constant, safe and practicable repairs and security; and they shall give a bond to the District Court of Pontotoc County, Chickasaw Nation, in the sum of five thousand dollars for such damages or injuries as may be sustained in crossing said bridge, resulting from negligence of repairs, insecurity of passage, or any other cause amounting to insufficiency of said bridge as a good and practicable public thoroughfare; and every person injured or damaged from insecurity of the said bridge, shall have recourse on the owners thereof for such damages as he or they may have sustained, in the District Court of Pontotoc County, Chickasaw Nation, which are hereby declared to be collectable from the bond specified in this section.

APPROVED, April 5, 1889.

WM. L. BYRD,  
Governor.

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WHEREAS, The House of Representatives of the United States, at the second session of the 50th Congress, did pass in the Indian Appropriation bill \$240,164.58 to reimburse National and Incompetent Chickasaw fund, for monies improperly disbursed belonging to the Chickasaw people;

AND WHEREAS, The Senate of the United States did deduct from said appropriation made by the House of Representatives \$56,021.49 and ordered that amount to be referred to the Secretary of the Interior for consideration.

AND WHEREAS, It is necessary for the Chickasaw people to urge upon the Secretary of the Interior, during vacation term of Congress, to re-recommend said \$56,021.49 that was deducted, and recommend to Congress, at its next session to appropriate said amount, in conformity to the finding of the facts by the Court of Claims, and estimation made by the Secretary of Treasury, to Congress, for the payment of the same ; now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be and is hereby requested and directed to appoint a commissioner (without compensation) to proceed to Washington City, D. C., to urge upon the Secretary of the Interior to pass upon and re-allow the \$56,021.49 that was deducted by the Senate of the United States at its last session of Congress, and when said commissioner appointed, by death or sickness, fails to carry out his trust, then the Governor shall appoint his successor, whose duty shall be to carry out the provision of this Act, and this Act take effect from and after its passage.

APPROVED, April 8, 1889.

WM. L. BYRD,  
Governor.

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**An Act to Authorize Lem Reynolds to Establish A Ferry  
at the Warren Crossing on Red River.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That Lem Reynolds be and he is hereby authorized to establish and keep up a ferry at the Warren crossing, on Red River, for the accommodation of travelers, emigrants, drovers and the public generally ; and to secure him against fraud, he is hereby authorized to

fence in the landing on this side of the river, and to put up a gate to be styled a ferry gate ; and any person or persons wishing to cross said river shall be required to pay the rates of ferriage provided for in this Act, at the aforementioned ferry gate ; and every person paying their ferriage at the gate shall not be made to pay at the ferry ; and any person or persons that refuse or fail to pay their ferriage may be stopped anywhere on this side of the river, and be made to pay their ferriage ; Provided, however, such stoppage shall be within the limits of the Chickasaw Nation ; and the said Lem Reynolds, or his representative, shall have the right to collect the ferry rates from any and all persons, citizens excepted, fording the said river within one-half mile of the ferry, just the same as if he, she or they crossed on the ferry.

SEC. 2. Be it further enacted, That the said Lem Reynolds shall keep at all times good and trusty and efficient boatmen at said ferry, for the use of the traveling public, and he shall be responsible to every person crossing on his ferry, for any and all damages sustained by the negligence of his boatmen or the insufficiency of his boat ; Provided, however, persons crossing the river otherwise than on the ferry-boat, for the purpose of evading the payment of the ferry rates, then and in every such case, he shall not be held accountable for damages or injuries received either to persons or property.

SEC. 3. Be it further enacted, That for the privileges granted in the first section of this Act, the said Lem Reynolds shall, at all times, keep the roads leading to the ferry, for a reasonable distance, in good traveling condition, and give bond and security, biennially, to the District Court of Panola County, in the sum of five hundred dollars for the requirements specified in this Act, and conditioned that the said bond and security shall be for the benefit of the party or parties damaged, either in person or property, resulting from a violation of this Act.

SEC. 4. Be it further enacted, That the following table of rates shall be the legal allowance, and it shall be kept posted at the ferry gate for the information of the public :

Wagon and two horses or mules, or one yoke of oxen, -	\$1.00
For all extra stock, per head, - - - -	10
Sheep, goats and hogs, per head, - - - -	2½
Man and horse, - - - - -	25
Footman - - - - -	10
Wagon or buggy, without team - - - - -	50

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

### An Act in Relation to Divorce.

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the District Court of the Chickasaw Nation shall hear and determine all suits for the dissolution of marriages. The courts aforesaid are hereby invested with full power and authority to decree divorces from the bonds of matrimony, in the following cases, that is to say: In favor of the husband where the wife shall have been taken in adultery, or where she shall have voluntarily left his bed and board for the space of six months, with the intention of abandonment; also in favor of the wife for the same offenses.

SEC. 2. Be it further enacted, That a divorce from the bonds of matrimony may be decreed in the following cases: Where either the husband or wife is guilty of excesses, cruel treatment or outrages toward the other, if such ill treatment is of such a nature as to render their living together insupportable.

SEC. 3. Be it further enacted, That in all suits and proceedings from the bonds of matrimony, the defendant shall not be compelled to answer upon oath, nor the petition taken for confessed, for want of an answer, but the decree of the court shall be rendered upon full and satisfactory evidence, independent of the confession of either party, and upon the verdict of the jury offering the material facts alleged in the petition. The court pronouncing a decree of divorce

shall also decree and order a division of the estate of the parties, in such a way as may seem just and right, having due regard to the rights of each party and their children, if any; Provided, however, nothing herein contained shall be construed to compel either party to divest him or herself of the title to real estate.

SEC. 4. Be it further enacted, That a divorce from the bonds of matrimony shall not in anywise effect the legitimacy of the children thereof, and it shall be lawful for either party, after dissolution of the marriage to marry again.

SEC. 5. Be it further enacted, that either party may take depositions of witnesses, under the same rules and regulations as exist in other suits, and that either party may obtain an appeal to the Supreme Court from any decree, in the same manner as other suits.

SEC. 6. Be it further enacted, That on and after the day on which the divorce was brought, it shall not be lawful for the husband or wife to contract any debts on accounts of the community property, nor dispose of the lands belonging to the same, and any alienation by either after that time, shall be null and void, if it be proved to the satisfaction of the Judge and jury that such alienation was made with a fraudulent view of injuring the rights of the other.

SEC. 7. Be it further enacted, That should there be any outstanding debts against the parties, previous to the time that the dissolution is granted by the court, each party shall be equally bound to settle such debt or debts.

SEC. 8. Be it further enacted, that it shall be the duty of the presiding Judge, in cases of divorce, to assess the cost of the suit on the party that loses the suit, and the costs shall not be less than twenty-five dollars nor exceeding fifty dollars, at the discretion of the court.

SEC. 9. Be it further enacted, That the costs of all divorces shall be collected by the Sheriff or Constable, and be placed in the National Treasury for National purposes.

APPROVED, October 12, 1876.

B. F. OVERTON,  
Governor.

**An Act Changing the Time of Holding the District Courts  
in the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the time and place of holding the District Courts in the Chickasaw Nation heretofore be and the same is hereby changed so that the said courts shall hereafter be organized and held at the Capitol, in the city of Tishomingo, commencing on the first Mondays in the months of November and May in each year and continue until all cases on the docket are disposed of, but no term of said court shall last longer than thirty days.

SEC. 2. Be it further enacted, That the District Judge shall appoint a Clerk of the District Court, who shall hold his office for two years, and whose duties shall be the same as heretofore provided for by law, and who shall give bond in the sum of fifteen hundred dollars, with two or more good securities for the faithful performance of his duties, which bond shall be approved of by the District Judge and deposited in the National Secretary's office, and also take the oath of office as provided for in the Constitution.

SEC. 3. Be it further enacted, That the County Clerks of each County shall at least sixty days before the meeting of said court select in the manner now provided for by law twelve jurors from each of their respective counties and transmit the names of the jurors thus selected to the District Clerk, who shall issue subpoenas for the jurors thus selected by the County Clerks, and return the same to the Sheriff or Constable of their respective counties, who shall serve the subpoenas at least ten days before the meeting of the court, and make return of the same to the Clerk of the District Court at least five days before the meeting of the court, and twelve of said jurors shall constitute the Grand Jury to be drawn by lot by the Clerk as is now provided for.

SEC. 4. Be it further enacted, That the Sheriff or Constable of each county shall attend each term of the District Court, and act as officers of said court.

SEC. 5. Be it further enacted, That the District Judge shall appoint a clerk for the Grand Jury and Interpreter for said court, who shall receive the same, and mileage, as jurors.

SEC. 6. Be it further enacted, That the salary of the District Clerk shall be four hundred dollars per year, to be paid out of the National Treasury.

SEC. 7. Be it further enacted, That the Clerks of the several counties shall, on order of the District Judge, turn over to the District Clerk all the books, records and papers belonging to the District Court of their several counties.

SEC. 8. Be it further enacted, That the several Clerks of the different counties shall act as Clerks of the County and Probate Courts of their respective counties, and whose duties shall be the same as is now provided for by law, and shall receive the same pay.

SEC. 9. Be it further enacted, That at the next general election there shall be elected by the qualified electors of each county, a Clerk for the County and Probate Courts, who shall hold their office for two years and be governed by the same rules and regulations and receive the same pay as is now provided for by law.

SEC. 10. Be it further enacted, That all laws or parts of laws in conflict with this Act be and the same is hereby repealed, and this Act take effect and be in force from and after the 1st day of November, A. D. 1883.

APPROVED, October 17, 1883.

B. F. OVERTON,  
Governor.

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**An Act to Remove the County Court and Voting Precinct  
of Pickens County, Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the place of holding County and Probate Courts, and voting Precinct is hereby removed from Ardmore, to Glasses Creek at

or near the place known as Oakland, and that the Sheriff and one Constable shall select said place of Pickens County. All laws and parts of laws coming in conflict with this Act are hereby repealed, and that this Act take effect from and after its passage.

APPROVED, November 14, 1889.

WM. L. BYRD,  
Governor.

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**An Act Authorizing the National Treasurer to Use Certain Funds.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the National Treasurer is hereby authorized to pay warrants drawn by the Auditor for any indebtedness of the Chickasaw Nation, out of any funds in his hands or subject to his order, including the Misapplied fund, and the Incompetent fund excepted.

APPROVED, October 31, 1889.

WM. L. BYRD,  
Governor.

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**An Act to Repeal an Act Entitled, An Act to Establish Schools.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act to establish schools approved September thirtieth, eighteen hundred and eighty-seven, be and the same is hereby repealed, and that this Act take effect and be in force from and after its passage.

APPROVED, October 28, 1889.

WM. L. BYRD,  
Governor.

Be it resolved by the Legislature of the Chickasaw Nation. That the Speaker of the House of Representatives is hereby directed to appoint a suitable person who shall act as Draftsman for the Legislature, and the Draftsman appointed shall draft all bills when requested by members of the Legislature or any citizen of this Nation.

Be it further resolved, That the Draftsmen shall receive the sum of four dollars per day while in actual service and that all Acts, parts of Acts, or resolutions in conflict with this resolution, are hereby repealed, and this resolution take effect from and after its passage.

APPROVED, November 1, A. D. 1889.

WM. L. BYRD,  
Governor.

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#### Permit Law.

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That citizens of any State or Territory of the United States, wishing to hire or rent land or be otherwise employed in this Nation, shall be required to enter into contract with a citizen, and after contract has been agreed upon, the non-citizen shall place in the hands of the citizen a sufficient amount of money to pay permits, and that the Permit Collector shall receive no permit money from any other person, except from a citizen of this Nation, and for each and every violation, shall be fined in any sum not less than ten dollars for each and every offense, by the County Judge of the county where the offense was committed.

SEC. 2. Be it further enacted, That any citizen who shall employ any non-citizen, shall apply within fifteen days after entering into contract to the Permit Collector of the county where said non-citizen wishes to reside, for a permit for every male non-citizen over the age of eighteen years in his employ, and for each permit so obtained, the citizen shall pay to the Permit Collector issuing the same, the sum of five dollars, and the Permit Collector shall retain for each

permit issued, fifteen per cent. for his services, and shall report to the Auditor and Treasurer quarterly of all monies received by him for permits, and after deducting out his fee, shall pay the balance over to the Treasurer for National purposes.

SEC. 3. Be it further enacted, That every foreigner who shall come in this Nation for the purpose of farming or being otherwise employed, without the proper authority from the United States Government, shall be deemed an intruder, by virtue of Section 2134 of the Revised Statutes of Intercourse Law.

SEC. 4. Be it further enacted, That all licensed merchants and traders (non-citizens) shall, in addition to the tax paid on goods, be required to procure from the Permit Collector in [the county in] which they wish to trade, a permit. And all physicians (non-citizens) wishing to practice their profession, shall procure from the Governor of the Chickasaw Nation a permit, for which they shall each pay five dollars, conditioned upon the faithful observance of the Laws of this Nation; and the Governor shall dispose of the funds in the manner prescribed in section 2 of this Act.

SEC. 5. Be it further enacted, That no permit shall be granted for a longer time than twelve months, and in case of violation of any Law of this Nation, the offender shall be ordered out of the limits of the Chickasaw Nation, and any citizen who shall employ any non-citizen for a longer time than fifteen days, without procuring a permit for the same, shall be deemed guilty of a misdemeanor, and be subject to a fine of twenty-five dollars, before the County Court having jurisdiction; and all fines collected under this Act shall go into the County Treasury for county purposes.

SEC. 6. Be it further enacted, That any non-citizen having entered into contract with any citizen of this Nation, and obtained a permit under his employ, and shall leave the employ of said citizen shall forfeit his permit, and no other permit shall be granted any non-citizen forfeiting the same, by either Permit Collector of this Nation.

SEC. 7. Be it further enacted, That any person living in this Nation, under permit, shall not be allowed to bring into or hold more

than five head of milch cows and shall have no hogs outside of enclosure, but shall be allowed all the work horses, mules and cattle as may be necessary to work said farm and shall be allowed to feed surplus crop to beef cattle, under fence.

SEC. 8. Be it further enacted, That all Freedmen not owned by the Chickasaws and Choctaws, and residing in the Nation at the date of the Treaty of Fort Smith, shall be required to get permits under citizens of the Chickasaw Nation, as other non-citizens.

SEC. 9. Be it further enacted, That any non-citizen wishing to remain in this Nation for a shorter time than twelve months can do so by paying a monthly permit to the Permit Collector, of fifty cents per month for every month or part of a month, if he wishes to reside in this Nation as a mechanic [or] farm laborer; and that this Act is not to be construed to employ non-citizens as laborers to run stock in this Nation.

SEC. 10. Be it further enacted, That all monthly permits shall be collected as other permits, and that all Acts or parts of Acts in conflict with this Act are hereby repealed, and this Act take effect and be in force from and after its passage.

APPROVED, October 17, 1876.

B. F. OVERTON,  
Governor.

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#### A Resolution.

Be it resolved by the Legislature of the Chickasaw Nation, That the Attorney-General of the Chickasaw Nation is hereby authorized and directed to submit the Amendment to section seventh, general provisions of the Constitution to the Supreme Court of the Chickasaw Nation, and request the Court to pass upon the constitutionality of the amendment.

Be it further resolved, That the decision of the Supreme Court on the Amendment shall be made known by the Attorney-General to the Governor, who shall proclaim and order its enforcement immedi-

ately. Amended by the Senate to submit it to the Supreme Court in October, 1889.

APPROVED, September 10, 1889.

WM. L. BYRD,  
Governor.

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**An Act to Provide for the Revision and Codification of the  
Laws of the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That three persons learned in the Law and familiar with the conditions and wants of the Chickasaw people, to be styled Law Commissioners, shall be appointed by the Governor to revise and codify the Laws of the Chickasaw Nation.

SEC. 2. Be it further enacted, That the National Secretary shall furnish the said Law Commissioners with all the Laws of the Chickasaw Nation, and such books and papers from his office as may be needed and called for by them.

SEC. 3. Be it further enacted, That the Law Commissioners shall appoint some competent person to act as Secretary, and they shall revise and codify the Laws of the Chickasaw Nation, carefully arranging them in order and in proper shape, ready for the press, and when the same is fully completed and the report of said Commissioners received by the Governor, he, the Governor, shall contract for and have the same translated, printed and book bound as follows: Fifteen hundred (1500) in all—one thousand books in the English language, and five hundred in the Choctaw language; and when the same is completed and the work received by the Governor, he may, if in his judgment [he] thinks [it] expedient, convene the Legislature in extra session to accept or adopt the same, as the Laws, Constitution and Treaties of the Chickasaw Nation, and if not, the same shall rest until the next succeeding Legislature or next session for such purposes.

SEC. 4. Be it further enacted, That in order to carry out the purposes herein set forth for translating, printing and book binding, the sum of two thousand five hundred dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of the National Treasury, and subject to the proper and judicious disbursement of the Governor, who shall use every pains and care to get the work done, at as low figures as possible, having due regard to a speedy and well accomplished work, and only one-half of the necessary amount to be paid shall be payable until the work is completed and received both by the Governor and the Legislature, and upon presentation of the Governor's certificate, the Auditor shall issue his warrant for the same.

SEC. 5. Be it further enacted, That the Law Commissioners and their Secretary shall be entitled to four dollars each per day for their services out of the National Treasury, for the time actually engaged in the revision and codification of the Laws, and the Governor shall issue his certificate to the Auditor, who will draw his warrant on the Treasurer for the amounts due each one, and that this Act take effect and be in force from and after its passage.

APPROVED, November 8, 1888.

WM. L. BYRD,  
Governor.

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**An Act Authorizing and Directing the Governor to Enter Into  
a Certain Contract With Halbert E. Paine.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be and he is hereby authorized to enter into contract with Halbert E. Paine, for the prosecution of the claim of the Chickasaw Nation, for arrears of interests on the award of two hundred and forty thousand, one hundred and sixty-four dollars, and fifty-eight cents, made by the Secretary of the Interior, under Article

four of the Treaty of eighteen hundred and fifty-two. and for the recovery of the item of fifty-six thousand dollars of said award, referred back to the Secretary of the Interior for reconsideration, for ten per centum of the amount recovered. The contract to extend from its date to March 4th, 1893.

APPROVED, October 30, 1889.

WM. L. BYRD,  
Governor.

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**An Act for the Distribution of the Chickasaw Incompetent  
Fund and for Other Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor shall appoint three competent Commissioners to be known and styled, "Chickasaw Commissioners on Incompetent Fund," and before said Commissioners enter on their duties shall take the oath of office before some Judge of the Nation, that they will hear and determine all claims presented by the Incompetent claimants, and that they will decide on said claims, and that they will render a decision on the ground of right and justice. That the Commissioners shall elect one of their number Chief Commissioner, and two of the Commissioners shall be a quorum to transact business.

SEC. 2. Be it further enacted, That the Commissioners when they organize, shall appoint a Clerk, Bailiff, and an Interpreter for the Commissioners, to wait on the Commissioners during the sitting of the Commissioners.

SEC. 3. Be it further enacted, That the Commissioners are hereby empowered under this Act to administer oaths to witnesses and take depositions of all witnesses in the Incompetent claim only, and to swear in the Clerk, Bailiff and Interpreter for the Commissioners, and make such rules and regulations to expedite the business of the Commissioners.

SEC. 4. Be it further enacted, That the Clerk shall keep the books and papers of the Commissioner's Court, and keep a minute book

of all transactions. The Bailiff shall open court and preserve order, and to arrest all disorderly persons, and turn them over to the County Sheriff, to be dealt with according to Law. The duties of the Interpreter shall be to interpret for the Commissioners and claimant, who has claims to present for adjudication, and for their counsel in the case.

SEC. 5. Be it further enacted, That the Commissioners shall hold their first meeting on the first Monday in May, 1889, at Tishomingo, and hold during the month of May, and shall hold their second term at Stonewall, to commence first Monday in June, 1889, and hold during the month of June.

SEC. 6. Be it further enacted, That the Commissioners shall decide on every case that is presented for adjudication of the Incompetent fund, and every case or claim allowed, shall be endorsed on the application, and filed in the office by the Clerk. The Commissioners, shall make out a certificate, when any case is allowed, signed by the Commissioners and attested by the Clerk, under the seal of the Commissioners, to the Auditor of Public Accounts, who shall issue his warrant on the National Treasurer, who shall pay the same.

SEC. 7. Be it further enacted, That the National Secretary shall procure, at the expense of the Nation, all necessary papers, record books and minute book, pens, ink and lead pencils and a seal with the following inscription, "Chickasaw Commissioners on Incompetent Fund," for the use of the Commissioners.

SEC. 8. Be it further enacted, That all claimants will furnish their witness at their own cost for claims presented to the Commissioners for adjudication.

SEC. 9. Be it further enacted, That the compensation of the Commissioners, Clerks, Baliff and Interpreter shall be four dollars each per day during actual time employed in adjudicating Incompetent claims, and for their time coming and going home from the sitting of the Commissioners, that the Commissioners shall make out their account of number of days, separately for themselves, Clerk, Interpreter and Bailiff the number of days served for each month as provided in this Act, certify to the correctness of the same and attested by the Clerk to the Auditor of Public Accounts, who shall issue his warrant

on the National Treasurer, who shall pay the same out of any funds in the Treasury not otherwise appropriated.

SEC. 10. Be it further enacted, That the claimants shall pay all expenses of the Commissioners, Clerk, Interpreter and Bailiff and expenses incurred in the adjudication of the Incompetent claims.

SEC. 11. Be it further enacted, That the Governor shall issue his proclamation, notifying all the Chickasaws living both in the Choctaw and Chickasaw Nations, that the Commissioners Court will be held in the month of May, at Tishomingo, and the month of June, 1889, at Stonewall, and all claimants are notified to come forward and prove their claims at either of the above named places; and Provided, further, that should a vacancy occur in the death, resignation or otherwise of either of the Commissioners, the Governor is hereby authorized and directed to fill said vacancy by appointment; Provided, further, that the Tenure of Office Bill be and the same is hereby suspended under the provisions of this Act only.

SEC. 12. Be it further enacted, That if at the expiration of the time set forth in this Act, there be left unadjudicated claims, the Governor is hereby authorized to appoint the time of the next session of the Commissioners.

SEC. 13. Be it further enacted, That when the Commissioners have adjudicated all Incompetent claims, and there is a balance on hand, the Commissioners shall divide the balance pro rata with the adjudicated claimants, and this Act take effect from and after its passage.

APPROVED, April 6, 1889.

WM. L. BYRD,  
Governor.

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**An Act to Authorize a Commission to Confer With the Choctaws Relative to the (So-Called) Leased District, and for Other Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there shall be elected three competent persons, by joint

vote of the Legislature, as Commissioners on the part of the Chickasaw Nation to confer with a like Commission of the Choctaws, relative to the sale or final settlement of the Leased District, and also to settle and adjudicate any other matters existing between the Choctaws and Chickasaws in an unsettled condition.

SEC. 2. Be it further enacted, That said Commissioners on the part of the Chickasaw Nation, shall keep in view the interest of the Chickasaw Nation in the consideration of all matters which may come before them, and their action in all such cases shall be left open for the approval or disapproval of the Legislature before the same shall be binding on the part of the Chickasaw Nation.

SEC. 3. Be it further enacted, That said Commissioners shall be entitled to the sum of four dollars per day while actually engaged in such mission, and mileage at the rate of ten cents a mile—including both ways traveled; and said Commissioners shall have written instructions from the Governor of the Chickasaw Nation, and they shall keep in view a speedy consummation of all such business as may so require their attention, and upon the certificate of the Governor, (after said Commission have completed their work and made their report to him), to the National Auditor stating the time served and amount due each. The Auditor shall issue his warrant in favor of the party for the amount named in said certificate, and upon the presentation of the said warrant to the Treasurer he shall pay the same out of any monies in his hands, or which may come into his hands not otherwise appropriated, and this Act take effect from and after its passage.

APPROVED, November 6, 1889.

WM. L. BYRD,  
Governor.

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WHEREAS, It is of the highest importance to the Chickasaw Nation, in securing its rights in the lands west of the 98th degree of

west Longitude, that strong and vigorous assistance should be secured in presenting and pressing its claim ; therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Commissioners representing the Nation, under an Act entitled an Act authorizing the appointment of three Commissioners to treat with United States Commissioners in reference to the Leased District and for other purposes, are hereby authorized to make contracts for any amount not exceeding five per cent. as a conditional fee in acting and assisting in the procurement to the Chickasaw Nation, of the funds justly due to the Nation, on the relinquishment of its title to the so called Leased District.

SEC. 2. Be it further enacted, That the said Commissioners shall, if a sale of said Leased Lands is effected, make every reasonable effort to have advanced to the Chickasaws the sum of one hundred and fifty thousand dollars, immediately after the conclusion of said sale, which sum shall be paid per capita to the Chickasaw people, at such time as their Legislature shall elect to do so.

SEC. 3. Be it further enacted, That the attorneys employed under the provisions of this Act, shall assist the delegates in all things touching the interest of the Chickasaw people, and that this Act take effect and be in force from and after its passage.

APPROVED, November 15, 1889.

WM. L. BYRD,  
Governor.

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**An Act to Furnish the Commissioners to Meet the Choctaws  
With a Secretary.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Commissioners to meet the Choctaws be and they are hereby authorized and empowered to appoint a Secretary whose duty it shall be to keep a full and complete record and account of the whole proceedings and doings of said Committee, and to make their

report at the conclusion of their business, and to do and perform such other duties relative to said business as may be required of him by said committte, and for such services the said Secretary shall receive the sum of four dollars per day while engaged in said business, and ten cents a mile, including going and returning home, and the necessary amount to be paid under this Act be and the same is hereby appropriated out of any money in the hands of the Treasurer or which may come into his hands not otherwise appropriated to pay the same, and this Act take effect from and after its passage.

APPROVED, November 12, 1889.

WM. L. BYRD,  
Governor.

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**An Act in Relation to Citizens of the Chickasaw Nation  
Holding Office.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That any citizen of the Chickasaw Nation, while holding an office or position of any kind whatsoever under the Constitution and Laws of the Chickasaw Nation, whether under oath. commission, both or otherwise, is hereby made incapacitated from holding or accepting the commission or appointment of any kind of an office position or otherwise, or in any manner whatever, under the Constitution and Law of any other Nation, or the United States Government, or of any power other than the Chickasaw Government, and any person or persons so offending this Law, and shall accept, and hold a commission or an appointment to office of any kind whatsoever, under any other Nation or Government other than the Chickasaw Nation, and the fact being reported to the Governor of the Chickasaw Nation, or he be aware of the fact from his own personal observation, he ( the Governor ) shall suspend the said person from the office held under the Chickasaw Government, and shall appoint a competent person to fill the vacanc; so occasioned by such suspension.

SEC. 2. Be it further enacted, that the Government shall give public notice of this Law by publication or otherwise, throughout the Chickasaw Nation, and all such persons as aforesaid, who are now situated as is prohibited by this Act, are hereby required to situate themselves so as to come within the purview and provisions of this Act, within the period of two months from the passage of this Act, or they will and shall be dealt with as required by the first section of this Act, and this Act take effect and be in force from and after its passage.

APPROVED, November 7, 1889.

WM. L. BYRD,  
Governor.

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**An Act Authorizing the Superintendent of Schools to Sell  
the Old C. M. L. Academy and Bloom-  
field Seminary.**

SECTION 1. Be it enacted (by the Legislature of the Chickasaw Nation), That the Superintendent of Schools shall cause the old C. M. L. Academy to be sold, either by public or by private sale, for cash or National script, the entire thing, and also to collect for the benefit of the Nation the money on all material already sold, and place the money in the Treasury for the use of the Nation.

SEC. 2. Be it further enacted, That when said Bloomfield Seminary, now being constructed is completed, the Superintendent of schools is further authorized to use such building or material belonging to the old Bloomfield Academy, as may be necessary to fit up a comfortable building for hired help.

SEC. 3. Be it further enacted, That the remaining building and material and such other things not to be used for the benefit of the new Academy, shall be sold as provided for in the first section of this Act, and the money placed in the Treasury, and this Act take effect from and after its passage.

APPROVED, November 7, 1889,

WM. L. BYRD,  
Governor.

**An Act Authorizing C. B. Campbell, of the Chickasaw Nation,  
to Establish a Ferry Boat on Red River.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That C. B. Campbell be and he is hereby authorized and empowered to establish a ferryboat on the Red river, at or near the mouth of Mud Creek, said privilege to extend for the period of twenty (20) years from the passage hereof unless forfeited for some noncompliance with this Act.

SEC. 2. Be it further enacted, That said C. B. Campbell or his agent shall have and keep a good and safe ferry boat on Red River, at all times, and shall give to the District Court of the Chickasaw Nation, a good bond, as a security bond, and to stand against all injuries or damages to persons or property while crossing on said boat, emanating from the insufficiency of said boats or carelessness of his boatman, which bond may be put in suit for the benefit of the party or parties injured, and said ferry rates of toll shall not exceed the rates allowed to be charged by other such ferries; and said C. B. Campbell shall have the right to collect such tolls for one mile down said river from said ferry, and citizens of this Nation fording said river within the limits allotted to said ferry, shall not be made to pay toll rates, but the said C. B. Campbell shall not be responsible for any accidents or damages sustained by parties undertaking to ford said river.

SEC. 3. Be it further enacted, That said C. B. Campbell shall keep the roads leading to said ferry in good traveling condition for five miles from said ferry, and said ferry shall be kept up constantly in good repair for the benefit of the traveling public generally; and said C. B. Campbell shall establish said ferry and put the same in operation within the period of five years from date of the passage of this Act, or said privilege shall cease to exist; and said bond hereinbefore recited, shall be given for the sum of five hundred dollars and shall be approved by the District Court of the Chickasaw Nation and made payable to

the said District Judge, for the benefit of the party or parties injured or damaged as aforesaid, and this Act take effect from and after its passage.

APPROVED, November 12, 1889.

WM. L. BYRD,  
Governor.

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**An Act to Establish an Academy of Forty or Sixty Orphan  
Girls, Under the Care of the Presbyterian Church  
in the United States, (South).**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Superintendent of Public Instruction be and he is hereby authorized and directed to arrange the particulars of a contract with Rev. J. J. Reed, who is authorized by the Mission Secretary of the Presbyterian Church (south), to negotiate a contract for an Academy suitable for forty or sixty girls, under the care of his Mission Board, which contract shall be submitted to the Legislature at the next session for its approval or disapproval, or to contract with any other good and responsible person or church denomination, having in view the interest of the Chickasaw Nation.

SEC. 2. Be it further enacted, That to erect the necessary buildings, the sum of eight thousand five hundred dollars (\$8,500.00), or as much thereof as may be necessary, be and is hereby appropriated out of any funds that may be in the hands of the National Treasurer, or which may come into his hands not otherwise appropriated.

SEC. 3. Be it further enacted, That the Superintendent of Public Instruction and Board of Trustees shall act in behalf of the Chickasaw Nation, with authority to select the location within the limits of eight miles of the residence of Lewis Keel, in Tishomingo County, and to make a contract for erecting the buildings.

SEC. 4. Be it further enacted, That said Superintendent shall make suitable arrangements or contracts for the good and comfortable clothing of the children attending this school, and in all cases of admission to this school the orphan children shall have the preference, and no children under the age of eight, and over twenty shall be admitted at this school; in case there is not enough orphans to fill said school, then it may be filled by any other children of the proper age, and said school shall be styled the "Reed's Seminary," and said appropriation, for such purposes, is hereby made subject to the order of the Superintendent whenever the same may be needed to carry into effect the provisions of this Act, and this Act take effect and be in force from and after its passage.

APPROVED, November 13, 1889.

WM. L. BYRD,  
Governor.

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**An Act to Repeal an Act Entitled An Act to Prohibit  
Fencing up of the Public Domain.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act approved October eleventh, eighteen hundred and eighty-one, to prohibit fencing up the public domain be, and the same is hereby repealed.

SEC. 2. Be it further enacted, That should any citizen of this Nation fence, or cause to be fenced, in any manner any of the public domain for pasturage, shall be deemed guilty of a misdemeanor, and upon conviction by the proper court having jurisdiction shall be compelled to pay a fine not less than two hundred, nor more than five hundred dollars.

SEC. 3. Be it further enacted, That said fine is to be collected in the same way and manner as other fines, and when collected, to be placed in the National Treasury by the officer collecting the same, for public use.

SEC. 4. Be it further enacted, [That] should any person violating this Act, fail or refuse to take his or their fence down in thirty days after conviction, it shall be the duty of the Sheriff of the county in which such violation has taken place, to summons a posse of men to cut said wire and make it unfit for use.

SEC. 5. Be it further enacted, That the party owning said pasture shall pay the expenses of destroying said pasture at the rate of two dollars each per day while actually engaged in such work; should the offender be not able to pay said fine and cost, shall be placed in the National Jail during three months, and this Act take effect and be in force from and after its passage.

APPROVED, October 28, 1889.

WM. L. BYRD,  
Governor.

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**A Bill to Authorize the National Officers to Receive Certain  
Monies Standing to the Credit of the Incompetents  
of the Books of the Indian Office.**

WHEREAS, it appears that the Chickasaw Incompetents stand credited, on the books of the Indian Office, at Washington with the sum of two thousand dollars (\$2,000) principal, and with interest, which amounted July 1, 1889, to two thousand seven hundred, eighty-seven and 41-100 dollars (\$2,787.41); the aggregate of principal and interest being four thousand, seven hundred, eighty-seven and 41-100 dollars (\$4,787.41); now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor, National Secretary, National Auditor, National Treasurer and Attorney-General be, and they are hereby authorized and directed to receive said sum of two thousand dollars (\$2,000) principal, and all interest accrued thereon, from the proper officer of the United States, and to execute all necessary requisitions and

receipts therefore, and said monies when received, shall be paid into the Treasury of the Chickasaw Nation for the use and benefit of the incompetents entitled thereto, or their lawful representatives.

APPROVED, November 13, 1889.

WM. L. BYRD,  
Governor.

**An Act to Establish a Ferry on Red River.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That J. H. Rector, citizen of Pickens County, C. N. is hereby granted the right and privilege to establish and operate a ferry on Red River at or near the Jimtown crossing on Red River, a good and substantial ferry boat, sufficiently capable and competently managed to accommodate the traveling community and he shall keep the banks of the river at said ferry in a safe passable condition, from the water's edge to the top of the bank, and he shall be responsible for loss or damages sustained by any person while crossing on his boat, provided such loss or damage is occasioned by neglect of him, or any of his employes on the boat.

SEC. 2. Be it further enacted, That the said J. H. Rector shall be allowed to charge and collect the following rates of toll from all who may cross on said ferry, to-wit:

**FERRY RATES.**

For every wagon, buggy or vehicle drawn by two horses, mules or cattle,	- . - - - - - - - -	50
And for every additional span,	- - - - - - - -	25
For every vehicle drawn by one horse, or for man and horse,	-	25
For loose stock, such as horses, mules and cattle (per head),	-	5
And for sheep, goats and hogs (per head),	- - - - -	2½
For footman (per head)	- - - - -	10

SEC. 3. Be it further enacted, That the period of this privilege to run said ferry shall not extend over twenty-five years, and this Act shall be in force from and after its passage.

APPROVED, October 30, 1889.

WM. L. BYRD,  
Governor.

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**An Act Granting a Charter to Simon Kemp to Establish a  
Ferry at the Place Known as the Old Joel Kemp  
Place on Red River.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That Simon Kemp be, and he is authorized to establish and keep up a ferry at the Old Joel Kemp place on Red River for accommodation of travelers, emigrants, drovers, and the public generally; and to secure him against fraud, he is hereby authorized to fence in the landing on this side of the river, and to put a gate, to be styled a ferry gate, and any person or persons wishing to cross said river, shall be required to pay the rates of ferriage provided for in this Act, at the aforementioned ferry gate, and every person paying their ferriage at the gate shall not be made to pay at the ferry, and every person or persons that refuse or fail to pay their ferriage may be stopped anywhere on this side of the river, and be made pay their ferriage; Provided, however, such stoppage shall be within the limits of the Chickasaw Nation, and said Simon Kemp or his representative, shall have the right to collect the ferry rates from any and all persons, citizens excepted, fording the said river within one mile of the ferry, just the same as if he, she or they crossed on the ferry.

SEC. 2. Be it further enacted, That the said Simon Kemp shall keep at all times good and trusty and efficient boatmen at the said ferry, for the use of the traveling public, and he shall be responsible to every person crossing on his ferry, for any and all damages sustained by the negligence of his boatmen or the insufficiency of his boat; Pro-

vided, however, persons crossing the river otherwise than on the ferry boat, for the purpose of evading the payment of the ferry rates, then and [in] every such case, he shall not be held accountable for damages or injuries received, either to persons or property.

SEC. 3. Be it further enacted, That for the privileges granted in the first section of this Act the said Simon Kemp shall, at all times keep the roads leading to the ferry for a reasonable distance, in good traveling condition, and give bond and security biennially, to the District Court of the Chickasaw Nation in the sum of five hundred dollars, for the requirements specified in this Act, and conditioned that the said bond and security shall be for the benefit of the party or parties damaged, either in person or property, resulting from a violation of this Act.

SEC. 4. Be it further enacted, That the following table of rates shall be the legal allowance and it shall be kept posted at the ferry gate for the information of the public :

FERRY RATES.

Wagon and two horses or mules or oxen,	- - -	50 cts.
For each additional span,	- - - -	25 "
For all extra stock per head,	- - - -	10 "
Sheep, goats and hogs,	- - - -	2½ "
Man and horse,	- - - -	25 "
Footman,	- - - -	10 "
Wagon or buggy with one horse,	- - -	35 "

APPROVED, November 6, 1889.

WM. L. BYRD,  
Governor.

**An Act to Create a Committee to Try All Cases of  
Citizenship.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there shall be elected by joint ballot of the Legislature

four persons to try all cases or claims for citizenship that are brought before the Nation, whose rights to such are disputed.

SEC. 2. Be it further enacted, That the said persons so elected shall be under oath as other officers, and shall have full power to appoint a Chairman, Clerk, Interpreter and Sargeants ( if necessary ) and said persons so elected by joint ballot of the Legislature, shall be known as the Citizenship Committee, and said Committee shall have power to compel the attendance of witnesses by summons or otherwise, and to perform any other duty that may be necessary to give all cases that come before them a fair and impartial investigation, and shall report their proceedings to the Governor, to be by him laid before the Legislature, and after said Committee makes their report, then their term of office will expire.

SEC. 3. Be it further enacted, That after the Legislature has passed upon the action of the Committee, and either party feeling dissatisfied with the action of the Committee, shall have the right to appeal the case to the Supreme Court of the Chickasaw Nation for a final decision, and the decision of the Supreme Court shall be final in all such cases.

SEC. 4. Be it further enacted, That the Committee shall hold its session at Tishomingo City, in the Capitol Building, commencing on the second Monday in December, and not to hold exceeding three months.

SEC. 5. Be it further enacted, That the said Committee shall have power to appoint five Sargents, one from each county, to summons all persons and witnesses coming under this Act, from their respective counties, and one to wait upon the Committee, and each member of the Committee, Clerk, Interpreter and Sergeants, shall each receive the sum of four dollars per day while actually engaged in such work.

SEC. 6. Be it further enacted, That the Chairman shall have power to administer all necessary oaths that may be necessary to carry into effect the provisions of this Act, and the Attorney-General of the Chickasaw Nation, shall represent the Nation before said Committee and all witnesses summoned before the Committee in behalf of the

Nation shall receive the same pay, and in like manner as witnesses summoned before the District Court of the Chickasaw Nation.

SEC. 7. Be it further enacted, That the Chairman of the Committee shall issue certificates, attested by the Clerk of the Committee, to all persons entitled to pay under this Act, (except witnesses as aforesaid) from the National Treasury of this Nation, and upon presentation of the same to the Auditor, he (Auditor) shall issue his warrant on the National Treasurer, in favor of the person named in said certificate and for the amount therein named, and the Treasurer shall pay the same out of any funds in his hands, not otherwise appropriated, or which may come into his hands hereafter, and that the sum of ten dollars is hereby appropriated to furnish wood for the use and benefit of the said Citizenship Committee.

SEC. 8. Be it further enacted, That all claimants for citizenship shall appear before the Committee within three months after notification of the same, or they shall be debarred from trying to establish their rights hereafter, except those that can produce sufficient evidence or lawful reason for not appearing before the Committee, and all persons as aforesaid shall be reported to the Governor and through him to the Indian Agent for their removal, and the Governor shall notify all persons coming under this Act, at least fifteen days before the meeting of said Committee, by publication or otherwise.

APPROVED, November 14, 1889.

WM. L. BYRD,  
Governor.

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**An Act Repealing All Laws Relating to the Lebanon Orphan Home, and for Re-Establishing the Same.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That all laws heretofore enacted relating to the Lebanon Orphan Home be, and the same are hereby repealed.

SEC. 2. Be it further enacted, That the said Lebanon Orphan Home be and the same is hereby re-established, and shall be known as the "Chickasaw Orphan Home and Manual Labor School."

SEC. 3. Be it further enacted, That the sum of eight thousand five hundred dollars be and the same is hereby appropriated to equip, maintain and conduct said school in each of the years, commencing on the first Monday in October, 1887, and ending on the first Monday in October, 1888, and then commencing on the first Monday in October, 1888, and ending on first Monday in October, 1889, and commencing on first Monday in October, 1889, and ending first of October, 1893.

SEC. 4. Be it further enacted, That the Governor of the Chickasaw Nation, ex-officio, the Superintendent of Public Schools, and a Trustee, to be appointed by the said Superintendent, shall constitute a board of education for said school.

SEC. 5. Be it further enacted, That said school shall consist of sixty Chickasaw orphan children between the ages of seven and sixteen years; thirty males and thirty females, who shall be selected and assigned to said school by the Superintendent of Public Schools.

SEC. 6. Be it further enacted, That said male children shall be taught the principles and practice of agriculture and horticulture, and that said female children shall be taught housework, cooking, washing, ironing, plain and fancy sewing, crochet work, quilting and knitting, and all shall receive first-class instruction in all branches of a finished English education, and their labor shall not exceed two hours per day, one hour in morning, one in evening, four hours on Saturday.

SEC. 7. Be it further enacted, That said Board of Education of said school shall employ competent men and women to teach said children in the foregoing departments, who shall be under the direction of a principal teacher, who shall be a man of family and christian standing, to be appointed by said Board of Education, and all to be paid out of the appropriation heretofore made at the following stipulated salaries per year, to-wit :

Principal teacher	- - - - -	\$ 1500 00
Practical farmer	- - - - -	360 00
“ Seamstress	- - - - -	300 00
“ Laundress	- - - - -	300 00
“ Cook	- - - - -	300 00

Said salaries to be paid as hereinafter provided, and at the end of each six months, in each of said years.

SEC. 8. Be it further enacted, That said Board of Education of said school, shall proceed immediately to equip and furnish said school with the following articles, to-wit:

One well-broke team of work mares	- - - - -	\$ 225 00
One set of double harness	- - - - -	22 00
One wagon	- - - - -	75 00
One harrow	- - - - -	12 00
One stirring plow	- - - - -	10 00
Two double shovel plows	- - - - -	10 00
Two dozen hoes	- - - - -	12 00
One “ spades	- - - - -	8 00
“ “ axes and helves	- - - - -	12 00
One cooking apparatus and fixtures	- - - - -	65 00
Sufficient dining service	- - - - -	100 00
Six dozen chairs	- - - - -	24 00
Fifteen bedsteads	- - - - -	75 00
Fifteen mattresses	- - - - -	45 00
Ten fresh milch cows and calves	- - - - -	150 00
Ten brood sows	- - - - -	30 00
One boar	- - - - -	3 00
One thousand bushels corn	- - - - -	300 00
Three hundred and fifty bushels cotton seed	- - - - -	28 00
Twenty tons of hay	- - - - -	100 00

And the Superintendent of Public Schools shall take vouchers of payment for the same, and shall draw his order to the National Auditor, who shall certify the same to the National Treasurer, who shall pay the same out of the appropriation herein before made.

SEC. 9. Be it further enacted, That the Principal of said Lebanon Institute, shall purchase all supplies and shall make a quan-

tity itemized statement under oath before the Superintendent of Schools and Auditor of Public Accounts.

SEC. 10. Be it further enacted, That said Principal of Lebanon Institute shall keep a detailed account of all expenditures and the exact account of all provisions purchased by him for said school and make a complete report of the same to the Legislature at its regular sessions, yearly, and at the regular session of the Legislature in the year 1893, shall make a complete report of all things provided and on hand at said school.

SEC. 11. Be it further enacted, That the School Superintendent shall furnish to each pupil all necessary text books. Barnes series, slates, pencils, tablets, lead pencils, and for the school room, necessary black board, surface globes, wall maps, charts and sufficient apparatus to instruct properly in Philosophy, Chemistry, Geology, Physiology and Botany.

SEC. 12. Be it further enacted, That the Principal teacher of said school shall keep a well bound book in which he shall record the names, age of pupils, names of guardians and their residence, also a book in which shall be entered a detailed statement of all supplies received and how disbursed, the kinds and amount of produce raised on the farm of said school, also the increase of stock and shall have the horse and cattle stock and increase branded C. O. H., and shall account for same and make a full and complete report of all to the said Board of Education of said school to be by them sent to the regular sessions of said Legislatures.

SEC. 13. Be it further enacted, That the Principal teacher of said school shall make rules and regulations to govern the same and submit them to the Board of Education of said school before taking effect.

SEC. 14. Be it further enacted, That the Trustee of said school to be appointed as herein before provided shall visit the said school at least once every month and spend at least one day and make a report of each said visits to the Superintendent of Public Schools for which he shall receive the sum of one hundred and twenty dollars per annum to

be paid in manner herein prescribed for other expenses of said school, and that this Act take effect and be in force from and after its passage.

The above became a law by limitation, September 22, 1887.

[Attest:] M. V. CHEADLE.

National Secretary, C. N.

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**An Act to Authorize a Certain Contract With Halbert E. Paine.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be, and he hereby is authorized and directed to enter into a contract with Halbert E. Paine, extending to March 3, 1893, for the prosecution before the Fairfield Commission, at Kansas City, or elsewhere, and before other tribunals, and also before Congress, of the claim of the Chickasaws and Choctaws for compensation for the Leased District, between the 98th and 100th meridians of west longitude, for a compensation equal in amount to ten per centum on the amount recovered by the Chickasaw Nation, and also two hundred dollars payable at date of the contract.

APPROVED, February 14, 1890.

WM. L. BYRD,  
Governor.

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**An Act Providing for the Final Disposition of the Interest of the Chickasaws in the So-Called Leased District, Lying West of the 98th Degree of West Longitude.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the delegates elected under the Act of the Legislature of the Chickasaw Nation, approved November 14, 1889, and the Commissioners elected to confer with the Choctaws under the Act of the

Legislature of the Chickasaw Nation, approved November 6th, A. D. 1889, be and they are hereby empowered and authorized, on the part of the Chickasaw Nation, jointly or separately, to negotiate and make arrangements with the proper authorized authorities of the United States, for the final sale or absolute relinquishment of all right, claim, and interest of the Chickasaw Nation in and to the lands lying west of the 98th degree of west longitude, better known in the Chickasaw Nation as the "Leased District," and said Delegates and Commissioners, on the part of the Chickasaw Nation, or either of them, shall complete said negotiation at an early day as possible, and refer the same back to the Legislature of the Chickasaw Nation, for its ratification, as required by Act of Congress, March 2, A. D. 1889.

SEC. 2. Be it further enacted, That in case of vacancy, occasioned by the death, resignation or otherwise of either of the aforesaid Delegates or Commissioners, the Governor shall fill the same by appointment, and this Act take effect and be in full force from and after its passage.

APPROVED, February 14, 1890.

WM. L. BYRD,  
Governor.

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**An Act Authorizing the Employment of Good and Efficient  
Counsel on the Part of the Chickasaw Nation in  
the Title in and to Greer County.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation; That the Governor of the Chickasaw Nation be, and he is hereby authorized, empowered and directed, for and in behalf of the Chickasaw Nation, to take such steps and employ such counsel as may be necessary to represent the Chickasaws in the claim of the Chickasaws to Greer County; and that for such purposes the said Governor is hereby given full and efficient power and authority to contract for and employ such legal counsel on such terms and conditions as in his best judgment the said claim of the Chickasaws to the said Greer

County may require. And this Act to take effect and be in force from and after its passage.

APPROVED, July 1st, 1890.

WM. L. BYRD,  
Governor.

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**An Act to Restrict the Grade of Scholarship Prescribed for  
Children Attending the C. M. L and Bloomfield  
Academies.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the grade of scholarship required of children to attend the C. M. L. and Bloomfield Academies heretofore, by the Law authorizing the establishment of said schools, be, and the same is hereby, restricted and reduced, so that children who are not so far advanced may attend said schools subject to the direction and good judgment of the Superintendent of Public Instruction, when applications are made to him for certificates of admission to either of said schools; but the Superintendent shall select, so far as possible, those children who are the farthest advanced, so as to keep said school filled with the best material possible. And this Act repeals all laws, or parts of laws, conflicting herewith, and takes effect from and after its passage.

APPROVED, September 12, 1890.

WM. L. BYRD,  
Governor.

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**An Act Granting M. V. Cheadle a Charter to a Certain Mill  
Site on Blue Creek, Chickasaw Nation, and  
for Other Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That a charter be, and is hereby, granted to M. V. Cheadle,

his heirs and assigns, for a certain period of (20) twenty years to the water falls on Blue Creek at or near the premises of M. V. Cheadle, commonly known as the "Falls."

SEC. 2. Be it further enacted, That the said M. V. Cheadle is hereby vested with the right and authority to contract with non-citizens, or any capitalist, to put up at said place on Blue Creek machinery of any kind, such as grist and saw mill, cotton gin and flouring mill for the benefit and accommodation of the public, and shall charge reasonable rates of toll; and the said M. V. Cheadle shall have the right to saw up timber of any kind and to sell the same.

SEC. 3. Be it further enacted, That the said M. V. Cheadle shall see that all non-citizens working in and around said business, under the employ thereof, or therewith connected in any way, shall pay their permits promptly, and fully comply with the Laws of the Chickasaw Nation as all other non-citizens in the Nation; and this Act to take effect from and after its passage.

APPROVED, September 27, 1890.

WM. M. BYRD, .  
Governor.

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**An Act Granting James Thompson and Overton Harney a  
Charter to Establish a Ferry and Ferry Boats on Red  
River at What Is Known as "Thompson's  
Crossing."**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That a charter be, and is hereby, granted to James Thompson and Overton Harney to establish and maintain a ferry and ferry boat on Red River at what is known as Thompson's Crossing on said Red River.

SEC. 2. Be it further enacted, That said charter and ferry shall extend up and down each one mile, and one-half mile from the place on Red River known as Thompson's Crossing, and shall be operative for the period of (20) twenty years from the passage of this Act.

SEC. 3. Be it further enacted, That the said James Thompson and Overton Harney shall not be allowed to sell such charter and charter rights to any person unless such person be a citizen of this Nation; and they shall keep at such ferry good and substantial boats and boatmen at all times for the benefit of the traveling public, and shall keep the roads leading to and from said ferry in good and safe condition for at least one mile and a half from said ferry, and shall not charge any more for ferriage than is charged by other similar ferries on said Red River, and they shall be responsible for damages sustained by persons crossing at said ferry arising from insufficiency of the boats, or negligence of the boatmen; and they shall have all ferry rights for one mile and a half up and down said river from the point now known as Thompson's Crossing. And this Act take effect from and after its passage.

APPROVED, September 18, 1890.

WM. L. BYRD,  
Governor.

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**An Act Authorizing the District Judge to Try Cases Upon the  
Third Term of the District Court Without Both Parties Agree to Put the Case Off.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That any and all cases that come up before the District Court for trial, and upon application of either party in controversy, the District Judge may put the case off for one term, and upon application from the other party, he may put the case off one more term; but upon the third term the case shall be tried without both parties agree to put it off; and this Act take effect from and after its passage.

APPROVED, September 18, 1890.

WM. L. BYRD,  
Governor.

**An Act to Prohibit Persons from Developing and Operat-  
ing Coal Mines, or any other Mineral, in  
this Nation Without Authority  
of Law.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That it shall be unlawful for any person or persons to mine coal, petroleum, asphaltum, natural gas, or any other mineral in this Nation, without first complying with the first and second sections of an Act authorizing mining companies in the Chickasaw Nation.

SEC. 2. Be it further enacted, That every person, company or companies violating the first section of this Act shall be deemed guilty of a high misdemeanor, and upon conviction before the District Court of this Nation, the offender shall be fined in the sum of not less than five thousand dollars, nor more than ten thousand dollars, at the discretion of the District Court; and in addition to said fine, the offender shall be imprisoned in the National jail with hard labor for a period of not less than twelve months.

SEC. 3. Be it further enacted, That all fines imposed under the provisions of this Act shall be collected as other fines are collected, and when collected one-half shall go to the informer, and the other half shall be placed in the National Treasury for National purposes. And this Act take effect from and after its passage.

APPROVED, October 2, 1890.

WM. L. BYRD,  
Governor.

Committee Room, October 2, 1890.

To the Honorable Members of the Senate and House of Representatives, of the Chickasaw Legislature, now assembled:

GENTLEMEN: We, the Committee appointed to examine and compare the new printed Laws of the Chickasaw Nation, now in the National Secretary's office, with the old Laws of the Chickasaw Nation, having completed our work, we beg leave to submit the following report, to-wit:

(Page 33.) An Act defining the duties of Sheriff. Sec. 15, 2nd line, after the word "writ," the words "or others," has been omitted.

(Page 89.) Fraudulent Claims. Ho-You-Po-Nubby and others. Sec. 2nd, 4th line, the word "land," should read "hands."

(Page 100.) An Act establishing a first-class boarding school at Waupanucka. Sec. 5th, 2d line should read, "Committee," instead of "School Board."

(Page 126.) An Act to prohibit the collection of National Revenue or other Tax without authority. Sec. 4th, 2nd line should read, "Thereafter," instead of "Hereafter."

(Page 128.) An Act providing for the settlement and adjustment of the Eastern boundary line. 2nd line, the figures should be "1855," instead of "1885."

(Page 130.) An Act to prohibit the disposal of Timber within the limits of the Chickasaw Nation. Sec. 1st, 7th line, after the word "person," the word "or" has been omitted; 16th line, the word "cast" should read "cost."

(Page 138.) An act in relation to County Officers. The word "Sonstable" should read "Constable."

(Page 175.) An Act to remove Johnson Keel's School from its present location. Sec. 1st, 4th line, should read "Caney," instead of "Camey."

(Page 180.) An Act in relation to stock being driven through the Chickasaw Nation, 1st, 21st line, after the word "Day" the word "In" is omitted. Sec. 4th, 3rd line, after the word "Cherokee" the word "Town" is omitted.

(Page 188.) An Act to Incorporate Mining Companies in the Chickasaw Nation, Sec. 6th, 2nd line, after the word "Company," the words "or companies" has been omitted.

(Page 215.) An Act to Authorize J. H. Franklin to establish a ferry at a place on Red River known as Bear's ferry, Sec. 1st, 15th line, after the word "Nation" the balance to be stricken out.

(Page 253.) An Act providing for the final disposition of the interest of the Chickasaws in so called "Leased District" lying in west of the 98th degree of west longitude, the figures at the end of the

second section should read "February 14th, 1890" instead of "February 14, 1889".

(Page 278.) Treaty concluded May 24th, 1834, Art. (X) 21st line, should read "Ishta-ha-ta-pa" instead of "Ishta-ho-la-pa"; 24th line should read "Ish-tim-o-lutka" instead of "Ish-tim-o-but-ka".

(Page 283.) 2nd line after the words thirty-four, the name should read "I. N. H. Eatan" instead of "J. N. H. Eatan".

(Page 285.) 3rd line "John H. Eatan" should read "I. N. H. Eatan".

(Page 289.) 2nd line should read "G. W. Haskins" instead of "G. W. Harkins".

(Page 299.) Art. 11, 4th line should read "below" instead of "between." Art. IV, 4th line, the word "by" should be omitted.

(Page 314.) Treaty of 1866, Art. III, 2nd line, should read "\$300,000" instead of "\$3,000,000".

(Page 343.) 2nd line should read "sixty" instead of "fifty".

With the foregoing exceptions, we find the laws complete in every particular. Hoping that our work has been such as to meet with your approval, we respectfully ask to be discharged from further work—this committee.

Respectfully,

CHILLIE ALEXANDER,  
Chairman of the Committee.

Passed the House October 3rd, 1890.

BEN PIKEY,  
Speaker of House.

[ ATTEST : ] GEORGE COLBERT,  
Clerk of House.

Passed the Senate October 3rd, 1890.

ROBERT NEWBERRY,  
President Pro Tem.

[ Attest : ] BEN KEMP,  
Secretary.

APPROVED, October 3rd, 1890.

WM. L. BYRD,  
Governor.

Whereas, The business of the District Court of the Chickasaw Nation has accumulated to such an extent that it is impossible to ever clear the docket of said Court at any one term of said Court; and,

Whereas, The time allowed said Court to hold is wholly insufficient, to get rid of the great mass of business already before said Court; and,

Whereas, The business of said Court increases from one term of said Court to the next, that unless more time is allowed and the docket for once cleared up, the Court will always be behind, and overrun with its business; and,

Whereas, If at the coming term of said Court the same was allowed to hold sixty days, if necessary, or until the docket was cleared up, or not to exceed sixty days, then ever thereafterwards one month would be long enough for said Court to set at any one session, and could in said time clear up and keep cleared up the docket, and always keep up with all the increasing business of said Court.

Now, therefore, be it enacted by the Legislature of the Chickasaw Nation, That the coming November term of the District Court of the Chickasaw Nation be, and the same is hereby, authorized and empowered to hold sixty days (if necessary) or until the docket of said Court is cleared up. (However, said term shall not hold over sixty days.)

SEC. 2. Be it further enacted, That ever thereafterwards, the one month's time allowed shall be sufficient as is already provided for, and for the coming November term, the District Judge shall appoint an Assistant District Clerk, a person of experience and well qualified as such, whose duty it shall be to assist the regular District Clerk in the discharge of the duties belonging to said office; for which services said Clerk (so appointed) shall receive three dollars per day out of the National Treasury, for which the District Judge shall issue in favor of said Clerk a certificate showing the amount due said Clerk; upon the presentation of which to the National Auditor he shall issue his warrant on the Treasurer for the same, who shall pay the same out of any available funds in his hands, or which may come into his hands, which amount is hereby appropriated; and this Act take effect from the first

Monday in November, 1890, and be in force until the adjournment of said term of the District Court of the Chickasaw Nation.

APPROVED, October 2, 1890.

WM. L. BYRD,  
Governor.

WHEREAS, The question of permitted non-citizens intruders, both white and negroes, has been brought to the attention of the Committee of Congress: and,

WHEREAS, This class of population very greatly exceeds the Chickasaw people by many thousand that it becomes necessary to preserve the government of the Chickasaw Nation that a census should be taken of the Chickasaw people, adopted citizens, by marriage, under treaty stipulations, and all non-citizens and negroes, the former slaves of the Chickasaw people, and all negroes from the States now residing in the Chickasaw Nation.

SECTION. 1. Now, therefore, be it enacted by the Legislature of the Chickasaw Nation, That the Governor is hereby directed to appoint and commission four competent Commissioners in Pickens County, two in Panola County, two in Tishomingo County, and three in Pontotoc County, whose duty shall be to take a complete census of all Chickasaws, age and sex; also the former slaves of the Chickasaws and their bodily descendents, and other freemen living in this Nation; and all non-citizens, white of the United States living under permits, intruders and Choctaws; and before entering on their duties shall take the oath of office, that they will faithfully and impartially discharge their duties as provided for in this Act.

SEC. 2. Be it further enacted, That the Census Commissioners shall take the census and report to the Governor before the first day of September 1890. That when the Census Commissioners have taken the census of this Nation, they shall meet at Tishomingo, Capital of the Nation, and compare their rolls; and if any person or persons be registered more than once, shall correct the same, and make out a complete roll, and file the same in the National Secretary's office, for the use of the Nation.

SEC. 3. Be it further enacted, That the Census Commissioners shall be entitled to ten cents for each name taken and registered to be certified to by the Commissioner taking the same, after the roll has been compared and corrected, to the Governor, who shall order the same to be paid, and the National Auditor shall issue his warrant on the National Treasurer, who shall pay the same out of any money in the Treasury not otherwise appropriated.

SEC. 4. Be it further enacted, That the National Secretary shall furnish the necessary print, blank rolls and stationery, that's necessary for the taking of said census, and that the sum of one hundred dollars is hereby appropriated, or so much thereof as may be necessary to procure said blanks and stationery, and upon his certificate of the amount used to the Auditor of Public Accounts, shall issue his warrant on the National Treasurer, who shall pay the same.

SEC. 5. Be it further enacted, That there shall be one roll for the Chickasaws, one roll for the negroes and their bodily descendents that formerly belonged to the Chickasaw people, one roll for permitted non-citizens, one roll for intruders and one roll for State negroes.

SEC. 6. Be it further enacted, That when any person or persons shall refuse to give his or her name, or that of his or her family, to the Census Commissioners (they shall take their name or names) and report the same to the Governor in writing, who shall lay the same before the next Legislature for their information and action thereon. And this Act take effect from and after its passage.

APPROVED, July 2, 1890.

WM. L. BYRD,  
Governor.

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TISHOMINGO, INDIAN TERRITORY, October 1890.

HON. WM. L. BYRD,

Governor Chickasaw Nation,

Tishomingo, Indian Territory.

SIR:—We, the Commissioners to whom authority was given by the Legislature of the Chickasaw Nation to meet a like Commission from the Choctaw Nation to confer on financial differences between

the two Nations, and to confer with a special committee on the part of the United States Government in regard to territory west of ninety-eight degrees west longitude, or the land belonging to the Choctaws and Chickasaws, known as the "Leased Lands," respectfully submit the following report, etc.

We met the Choctaws on several different occasions, at Atoka, Choctaw Nation, to enter into the work of our mission, but the Choctaws not being ready and were unwilling to proceed till they were, our meetings then proved fruitless so far as regards the adjustment of matters between the Choctaws and Chickasaws. Our joint action relative to the "Leased Land" matter, we would say: The special Committee on part of the United States Government failed to meet us at Atoka, as was expected, and informed Governor Smallwood, of the Choctaw Nation, that they would not come to negotiate for lands already belonging to the Government, meaning the lands west of the ninety-eighth degree west longitude, but would come and negotiate for their land west of the ninety-sixth degree west longitude if the Choctaws and Chickasaws desired to do so.

This information, of course, created some surprise with the Commissioners, as this was the first intimation that the Government ever claimed absolute title to said lands.

Our joint Commission was called together with the Chairman, and the matter was thoroughly discussed; after which it was agreed by the joint Commission that each Commission inform its Chief Executive of the situation of affairs which was promptly done, and resulted in special session of the Legislature of both Nations; and the passage of an Act giving additional powers to the Commissioners; and the Chickasaw Delegates in Washington, to act in conjunction with each other in the defense of our title to the aforesaid lands. The Chairman of our Commission proceeded to Washington at once and met the special Committee of the U. S. Government and Choctaw and Chickasaw Delegates. The special Committee held that by cession made by the Choctaws and Chickasaws in the Treaty of 1866, amounted to entire relinquishment on the part of the Choctaws and Chickasaws, and that the title was in the U. S. Government absolutely. This was the beginning of a hard battle, but feeling confident that our cause was

just, we resolved to fight it through to the bitter end. We engaged able, experienced attorneys on treaties. etc. and with them and the valuable aid of General Paine, our Chickasaw Attorney, we succeeded in establishing our title to the "Leased Lands" and had the matter of the sale of said lands to the United States Government referred to a Committee to frame a bill providing for the purchase and payment of the same at an early day as possible. We would also state that the report of our per diem and mileage will show on the certificate given by the Chairman ; all of which we respectfully submit.

Chairman on part of Chickasaws,  
 B. C. BURNEY,  
 Delegate,  
 J. D. COLLINS,

[ ATTEST : ] B. W. CARTER,  
 Secretary Committee.

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**An Act to Authorize R. L. Boyd, to Contract with Capitalists for a term of Years to Carry on, Conduct and Manage his Mill and Machinery now Situated on Pennington Creek, Near the Town of Tishomingo.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That R. L. Boyd be, and he is hereby, authorized and empowered to contract with capitalists for a period of fifteen years from date hereof, to carry on, operate, manage and conduct his mill and machinery, situated on Pennington Creek, near the town of Tishomingo, and that all such capitalists and persons (non-citizens) shall comply in all respects with the Laws of the Chickasaw Nation ; otherwise they shall be regarded and treated as intruders, and this Act take effect from and after its passage.

APPROVED, October 1, 1890.

WM. L. BYRD,  
 Governor.

**An Act in Relation to a Change in Certain Schools of the Chickasaw Nation, and for Other Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the School Superintendent of the Chickasaw Nation be, and he is hereby, vested with full power and authority to have the girls taken from the Waupanucka Academy, and placed at the Collins Institute, right away, soon as the necessary arrangements shall be made, and that said school (Collins Institute) hereafter be run and conducted upon the same plan as that of the C. M. L. Academy and Bloomfield Seminary, except the same grades of scholarship shall not be required.

SEC. 2. Be it further enacted, That the Superintendent shall sell or cause to be sold for the benefit of the Nation, the farm belonging to Collins Institute, and also all other National property thereat, not needed in the further operations of said school; and the number of pupils hereafter to attend the Collins Institute shall not be less than thirty, nor exceeding forty.

SEC. 3. Be it further enacted, That the Superintendent shall cause the boys to be taken from the Collins Institute and placed at the Waupanucka Academy, and the late Law confirming the Chickasaw children living in the Choctaw Nation to attending the Waupanucka Academy, be, and the same is hereby repealed, and hereafter said children in the Choctaw Nation will be allowed to attend any of the schools in this Nation, after procuring from the School Superintendent of this Nation, certificates so to do, but not allowed to attend any of the schools in the States.

SEC. 4. Be it further enacted, That any and all costs and expenses incurred in carrying out the provisions of this Act shall be borne by this Nation upon the certificate of the Superintendent to the Auditor for the same, and this Act take effect from and after its passage.

APPROVED, September 6th, 1890.

WM. L. BYRD,  
Governor.

**Resolution.**

SECTION 1. Be it resolved by the Legislature of the Chickasaw Nation, That the President of the Senate and the Speaker of the House appoint three members each from the Senate and House, and one additional person well qualified from the outside, or not connected with the Legislature as a member, whose duty it shall be to investigate and examine the new Code of Chickasaw Laws just presented and now in the hands of the National Secretary and make a full and complete report of all defects and errors contained in said new Code of Laws this term of the Legislature, for its action thereon.

SEC. 2. Be it further resolved, That one member appointed from the outside shall be sworn as other officers to faithfully perform his duties and shall receive four dollars per day while in actual service, to be paid the same as though he were a member of the Legislature, and that this Resolution take effect from and after its passage.

The above became a law by limitation September 17th, 1890.

[ ATTEST. ] M. V. CHEADLE,  
National Secretary.

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**An Act Re-establishing the Places of Holding County Court  
and Elections of the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the place of holding County Court and elections of Panola County, is hereby re-established at the place known as Rock Springs; and the place of holding County Court and elections of Pickens County is re-established at the place known as Oakland; and the place of holding County Court and elections of Tishomingo County is re-established at the place known as Tishomingo; and the place of holding County Court and elections of Pontotoc County is re-established at the place known as Stonewall.

SEC. 2. Be it further enacted, That this Act take effect and be in force from and after its passage.

APPROVED, October 3, 1890.

WM. L. BYRD,  
Governor.

WHEREAS, The general contract of the Chickasaw Nation and Halbert E. Paine, of Washington City, D. C., expires April 2nd, 1891, and whereas, said contract expires at a time when there is no authority to renew the same; and whereas, the Chickasaws should retain able counsel at Washington City, D. C., now, therefore, an Act to authorize the renewal of the contract of the Chickasaw Nation and Halbert E. Paine of Washington City, D. C., for general legal services.

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be, and he is hereby, authorized, empowered and directed for and in behalf of the Chickasaw Nation to renew the present contract of the Chickasaw Nation, and H. E. Paine of Washington City, D. C., for general legal services upon such terms and conditions as might seem for the betterment of the welfare and interest of the Chickasaw people, and this Act take effect from and after its passage.

APPROVED, September 18, 1890.

WM. L. BYRD,  
Governor.

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**An Act, Providing for Additional Constables in Panola and Tishomingo County, of the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there shall be appointed and commissioned by the Governor one additional Constable in Panola County, and one in Tishomingo County, and one in Pontotoc County, who shall hold said office until the next general election, (unless removed), and thereafter they shall be elected by the people the same as provided for in case of regular Constables.

SEC. 2. Be it further enacted, That said Constables shall give bond and take the oath of office in like manner as the regular Constable, and their duties and pay shall be the same as other Sheriffs and Constables. and this Act take effect from and after its passage.

APPROVED, September 4, 1890.

WM. L. BYRD,  
Governor.

**An Act to Extend the Time Allowed the Census Takers for  
the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the time allowed the Census Takers to complete the census taking of the Chickasaw Nation by a former Act, be, and the same is hereby, extended to the first day of next November, 1890, unless the Census Takers should before said time get through and report the fact to the Governor as required by the former Act.

SEC. 2. Be it further enacted, That the Census Takers are authorized to proceed and complete the census taking as heretofore authorized by Law, and that this Act take effect from and after its passage.

SEC. 3. Be it further enacted, That the Census Enumerators shall make out a complete certified list of Intruders and the postoffice addresses of all non-citizens within their county without permits.

APPROVED, September 4, 1890.

WM. L. BYRD,  
Governor.

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**An Act, Providing for the Equipment of the Militia of  
the Chickasaw Nation, and to Pay all Necessary Ex-  
penses Incurred in the Removal of all Intruders  
From the Chickasaw Nation, and for Other  
Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the full and necessary amount of money to organize and equip the Militia of the Chickasaw Nation, and to pay all necessary expenses incurred in removing all Intruders from the Chickasaw Nation, and the legal enforcement of the Laws of the said Chickasaw Nation, and for securing other necessary legislation, (if necessary) and orders, be, and the same is hereby appropriated out of any money in the National Treasury not otherwise appropriated, or which may come into the hands of the National Treasurer, not otherwise appropriated. And the Governor is hereby directed to use every effort to carry out the

intent and meaning of this Act, and upon his certificate or order, the National Auditor shall issue his warrant on the National Treasurer, who shall pay the same out of any such available funds. And this Act take effect from and after its passage.

APPROVED, July 2, 1890.

WM. L. BYRD,  
Governor.

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**An Act to Amend an Act in Relation to United States Citizens Procuring License to Marry Citizens of This Nation.**

**SECTION 1.** Be it enacted by the Legislature of the Chickasaw Nation, That an Act in relation to United States citizens procuring license to marry citizens of the Chickasaw Nation, be amended thus:

**SEC. 2.** Be it further enacted, That every United States citizen who has heretofore become a citizen of the Chickasaw Nation, or who may hereafter become such by inter-marriage and be left a widow or widower by the decease of the Chickasaw wife or husband, such surviving widow or widower shall continue to enjoy the rights of citizenship, unless he or she shall marry another United States citizen, man or woman, as the case may be, having no right of Chickasaw citizenship by blood, in that case all his or her rights as citizens shall cease, and shall forfeit all rights of citizenship in this Nation.

**SEC. 3.** Be it further enacted, That whenever any citizen of this Nation, whether by birth or by adoption, or by inter-marriage, shall become a citizen of any other Nation, or of the United States, or any other government, all his or her rights to citizenship of this Nation shall cease, and he or she shall forfeit all rights to lands and moneys belonging to the Chickasaw people.

**SEC. 4.** Be it further enacted, That the right and privileges herein conferred upon United States citizens by inter-marriage with a Chickasaw Indian shall not extend to the right of sale, or interest in the vested funds belonging to the Chickasaws, neither the right to

vote nor hold any office in this Nation. All parts of Acts coming in conflict with this Act, are hereby repealed, and that this Act take effect from and after its passage.

APPROVED, October 1st, 1890.

WM. L. BYRD.  
Governor.

WHEREAS, The Leased Land lying between the ninety-eighth and one hundredth degrees of west longitude is now before Congress for additional compensation to the Chickasaw and Choctaw Nations, in accordance with an Act of Congress of March 2, 1889; and,

WHEREAS, It is necessary that an additional fee be made to secure additional counsel and efficient help to make a speedy sale, and secure pay for the same, which will greatly benefit the Chickasaw people financially, the amount being greater than their present invested funds; Now, therefore,

SECTION 1. Be it enacted, by the Legislature of the Chickasaw Nation, That the sum of ten per cent. additional to the fifteen per cent. now already appropriated, making the fee of the Chickasaws equal to that of the Choctaws, being (twenty-five per cent) on all that may be collected for additional compensation for said Leased Land.

SEC. 2. Be it further enacted, That Overton Love, the present National Delegate be, and is hereby, authorized and directed to proceed at once to Washington City, and use the ten per cent. appropriated in the first section of this Act to secure efficient counsel and help to close the sale of said Leased Lands, and get Congress to appropriate money to pay for the same.

SEC. 3. Be it further enacted, That the sum of one thousand dollars be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, to pay the expenses of Overton Love on his mission to Washington under the second section of this Act, and to represent the Chickasaw people in everything that touches their interest or welfare before the Departments or Congress

of the United States; and that the Auditor of Public Accounts will issue his warrant on the National Treasurer, who shall pay the same. And that this Act take effect from and after its passage.

APPROVED, July 2, 1890.

WM. L. BYRD,  
Governor.

WHEREAS, a proposed amendment of the Constitution of the Chickasaw Nation was adopted by the Chickasaw Legislature on the 14th day of November, 1888, and again on the 8th day of April, 1889, in the following words, namely :

“ Proposed Amended In The Constitution of the Chickasaw Nation.

Be it Resolved, by both branches of the Legislature of the Chickasaw Nation, that the seventh section of the general provision of the Constitution of the Chickasaw Nation be amended so as to read, ‘ That every person, who having married a Chickasaw Indian, or who has been adopted by the Legislative authorities of said Nation, shall be entitled to all the rights, privileges and immunities guaranteed to them only by the thirty-eighth article of the Treaty of 1866, with the Choctaw and Chickasaw Indians; ’ and,

WHEREAS, The validity of this constitutional amendment has been questioned on the alleged ground that the Legislature by which it was adopted on the 8th day of April, 1889, was not the Legislature next succeeding that by which it was adopted on the 14th day of November, 1888;

Now, Therefore, in order to remove any possible pretext for questioning the validity of said amendment.

Be it resolved, by both branches of the Legislature of the Chickasaw Nation, That the seventh section of the general provisions of the Constitution of the Chickasaw Nation be amended so as to read : That every person who having married a Chickasaw Indian, or who has been adopted by the Legislative authorities of said Nation, shall be entitled to all the rights, privileges and immunities guaranteed to them only by the thirty-eighth article of the Treaty of 1866, with the Choctaw and Chickasaw Indians.

APPROVED, July 2nd, 1890.

WM. L. BYRD,  
Governor.

To the President of the United States of America :

HIS EXCELLENCY: The Senate and House of Representatives of the Chickasaw Legislature, most humbly memorialize thee, and sheweth that for a long time the Chickasaw Nation (the home of the Chickasaws, and by them held most dear), has been overrun by white people citizens of the United States, and from time to time such people have violated the Laws of said Chickasaw Nation, and in all respects fail and refuse to obey the same, and this class of intruders is becoming greater daily, until it does seem that if some speedy and prompt relief in this particular is not afforded the Chickasaws, their Nation will soon become the home of the white people and not the home of the Chickasaw Indians. Notwithstanding the Chickasaws have applied every civil method to rid the country of this unlawful intrusion by such white people in the Chickasaw Nation, the Chickasaws have appealed from time to time to United States Indian Agent, and to the Honorable, the Secretary of the Interior Department of the United States, and so far we are pained to say the relief prayed for has not been furnished. We fully recognize (and with pleasure) that we are wards of the United States Government, and under its care and guaranteed protection as stated in the forty-third Article of the Treaty of 1866, by and between the Choctaws and Chickasaws and the United States. We understand that the Constitution of the United States recognizes all Treaties made by the United States as the supreme law of the land, any law to the contrary notwithstanding; hence we must acknowledge that we have only Treaty stipulations and the strong will of the United States for right and justice to the Indian to rely on; and having been faithful to the United States in what we have promised to do, it is natural in return we expect the same; and having used every effort on our part to attract the generous attention of the United States to look upon the manner in which the weak Chickasaw people have been, and are being intruded upon by such people who are among us, against our laws and our express wishes, utilizing our country, land and range, and at the same time trampling alike upon our laws and our rights, to our great injustice, enriching themselves from our common wealth, and our appeals having so far passed seeming unnoticed by the United States Government officials, to whom our

grievances have been made known, and our requests and demands to remove these people who are much annoyance and trouble to us, have simply amounted to nothing so far, until at length the Chickasaws feel themselves in great distress of the fear of being overrun and their country soon to pass from their hands and leave them where there is no more a country like this to be found in the west for the poor Indian to emigrate to as in olden times. We are wholly unable to estimate the number of intruders now in our country, but to say the least they are very numerous, and still they come; and not knowing of any other appeal to make, we feel ourselves justifiable in applying to the head of the Great and Powerful Government from which we expect to find and get the relief so plainly promised by the grand United States Government in the year of 1866. Therefore, we, the Senate and House of Representatives of the Chickasaw Legislature, pray that your Excellency cause some steps and action to be taken to remove from the Chickasaw Nation all persons who are unlawfully within the same, for which the Chickasaw people will ever in duty pray.

APPROVED, July 2nd, 1890.

WM. L. BYRD,  
Governor.

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**An Act to Provide for the Pay of Jurors and Witnesses.**

SECTION 1. Be it enacted, by the Legislature of the Chickasaw Nation, That each juror and witness attending the Courts of this Nation shall receive the sum of twodollars per day, and five cents per mile in going to and from the Court, to be paid upon certificate of the Clerk of the Court; and that this Act take effect from and after its passage.

The Senate amended by adding, the certificate to be endorsed by the Judge.

APPROVED, April 2, 1891.

WM. L. BYRD,  
Governor.

WHEREAS, It appears that there has been some grave obstruction brought by the Secretary of the Interior as a reason or pretense why the money so appropriated by Congress, March 3, 1891, to compensate the Choctaw and Chickasaw Nations of Indians for their right, title and interest in and to the lands occupied under executive order by the Cheyenne and Arrapahoe Indians should not be paid to the said Choctaw and Chickasaw Nations ; and,

WHEREAS, It appears that on account of said Secretary's objections to the said Choctaw and Chickasaw Nations receiving said money might be the cause of said Nations losing the whole amount so appropriated, which would also operate as a measure to keep the said Nations from ever realizing anything from the entire leased district and would also annihilate said Nations claim in and to said lease district as a whole ; and,

WHEREAS, Some proper steps should be taken at once in the part of the Chickasaw Nation to establish thoroughly the rights and claim of the Chickasaws to the country now sold before the Secretary of the Interior, and to get said Secretary to dispense with such objections as he may have, or shall offer to the said money being paid as appropriated ; and,

WHEREAS, The amount now, and that expected in the future. is sufficient to cause the Chickasaws to use every possible effort to secure and fully establish their right and interest in and to said country : now, therefore,

Be it enacted, by the Legislature of the Chickasaw Nation, That the Governor of said Nation be, and he is hereby, authorized, empowered and directed to take immediate steps to push and establish said claim of the Chickasaws before the Secretary of the Interior, or any United States Court, or power trying to keep said money from being paid to the Chickasaw Nation, and to pledge not exceeding one and one-half (1 and  $\frac{1}{2}$ ) per cent. of said sum so received ; and the Governor shall make such contract for legal services and talent as may be found necessary and expedient to collect said money ; and in no case exceed one and one half per cent. of the amount so recovered : and the National Auditor shall issue his warrant or warrants in favor of the Governor for

said amount of one and one-half per cent. and the National Treasurer shall pay the same out of the said monies so recovered. And this Act take effect from and after its passage.

APPROVED, April 1, 1891.

WM. L. BYRD,  
Governor.

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**An Act, Granting a Charter to Robert L. Boyd in Behalf of the Children, Tommie and Callie Boyd, Minor Heirs of T. C. S. Boyd, Deceased, to the Oil Springs, Known as the Tom Boyd Oil Springs, Situated in Tishomingo County, Chickasaw Nation, for a Period of Ten Years From the Passage of This Act.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That a charter for the period of ten years from date hereof be, and the same is hereby granted to Robert L. Boyd for and in behalf of the two children, Tommie and Callie Boyd, minor heirs of T. C. S. Boyd, deceased, to the Oil Springs, known as the Tom Boyd Oil Springs, situated in Tishomingo County, Chickasaw Nation.

SEC. 2. Be it further enacted, That said Robert L. Boyd as the agent of said children, Tommie and Callie Boyd, the minor heirs of T. C. S. Boyd, deceased, shall have power and authority to contract with some suitable and able person or persons, company or companies, to establish at said Oil Springs a watering place for people, and summer resort.

SEC. 3. Be it further enacted, That the said Robert L. Boyd as said agent shall have authority to build and establish, or have the same done under contract, any building, conveniences necessary to make said Oil Springs a profitable enterprise for said children and at the expiration of said ten years, he shall surrender the same over to said children, they being of full age sufficient to take and receive in charge their own business.

SEC. 4. Be it further enacted, That under this Act the said Robert L. Boyd shall have the right and privilege to charge any and all persons visiting said Springs and receiving benefits therefrom reas-

onable prices, whenever he shall have improved said Springs so as to make it a resort and enticing sufficient to cause the people to seek benefits therefrom. And this Act take effect from and after its passage.

APPROVED, March 30, 1891.

WM. L. BYRD,  
Governor.

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**An Act Authorizing an Exchange of Depot Grounds on the  
Gulf, Colorado and Santa Fe Railroad.**

WHEREAS, It appears that some citizens of the Chickasaw Nation and the head men or managers of the Gulf, Colorado & Santa Fe Railroad, running through the Chickasaw Nation, are desirous and wanting to make an exchange of railroad depot, viz, from Washita to Davis, for various reasons complained of,

Now, therefore, be it enacted by the Legislature of the Chickasaw Nation, That permission and authority be, and is hereby, given to the Gulf, Colorado and Santa Fe Railroad Company to abandon the place now in use for depot purposes known as Washita Station, and allow the same to revert to the Chickasaw Nation, as formerly, and sign and file papers to that effect in the executive office of the Chickasaw Nation, and to establish said depot at the place now known as Davis, and the depot so established at Davis shall stand instead of and in lieu of the said Washita station so vacated, relinquished and abandoned; and the said railroad company shall have the same depot rights at Davis as it had at the said Washita station, and this Act, if accepted by said railroad company, or head men or managers thereof, and complied with, shall take effect and be in force from and after its acceptance. and compliance.

APPROVED, March 30, 1891.

WM. L. BYRD,  
Governor.

**An Act Adopting the Chickasaw Laws Printed in the  
Choctaw Language.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Chickasaw Laws lately printed in the Choctaw language, and now in the hands of the National Secretary of the Chickasaw Nation, be, and the same are hereby, accepted and adopted as the Laws of the Chickasaw Nation, in like manner as those (Laws) so printed in the English language. And this Act take effect from and after its passage.

APPROVED, March 30, 1891.

WM. L. BYRD,  
Governor.

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**An Act Providing Fuel for the Different Neighborhood  
Schools of the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of twenty-five dollars (25) be, and the same is hereby appropriated, out of the National Treasury annually to each of the different neighborhood schools of the Chickasaw Nation, to provide and furnish for said schools fuel, and the same shall be paid at the time, and in like manner as the board account of said schools, at the expiration of the fiscal school year. And this Act take effect from and after its passage.

SEC. 2. That the Trustees of the different neighborhood schools shall contract with some suitable person to furnish fuel at their respective neighborhood schools in accordance with the first section of this Act.

APPROVED, March 31, 1891.

WM. L. BYRD,  
Governor.

**An Act, Making Appropriation to Pay the Chickasaw Militia.**

SECTION 1. Be it enacted, by the Legislature of the Chickasaw Nation, That the necessary sum of money to defray the expenses of and pay off the militia to be collected in the near future, be, and the same is hereby appropriated out of the National Treasury, out of any money therein, or which may hereafter come into said Treasury, not otherwise appropriated, to defray the expenses of, and to pay off the militia of the Chickasaw Nation now to be called in the near future, to put down lawlessness and assist the removal of the intruders now in the Chickasaw Nation, and said sum so appropriated shall be immediately available when needed, and the Governor shall issue his certificate to the Auditor, upon which the Auditor shall issue his warrant as directed by the Governor; and upon the presentation of said warrant the Treasurer shall pay the same. And this Act take effect from and after its passage.

APPROVED, March 30, 1891.

WM. L. BYRD,  
Governor.

**An Act to Comply With the Requirements of the Act of Congress,  
Approved March 3rd, 1891, Making an Appropriation to Com-  
pensate the Choctaws and Chickasaws for Their Interest in  
the Lands Lying South of the Canadian River, Now  
Occupied Under Executive Order, by the Commanche  
and Arrapahoe Indians.**

WHEREAS, An Act of Congress was approved by the President of the United States on the 3rd day of March, 1891, containing the following provisions: "And the sum of two million, nine hundred and ninety-one thousand, four hundred and fifty dollars, be, and the same is hereby appropriated out of money in the Treasury not otherwise appropriated to pay the Choctaw and Chickasaw Nations of Indians for all of the rights, title and interest, and claim, which said Nations of Indians may have in and to certain lands now occupied by the

Cheyenne and Arrapahoe Indians, under Executive order, said lands lying south of the Canadian River and now occupied by the said Cheyenne and Arrapahoe Indians, said lands having been ceded in trust by Article three of the Treaty between the United States and said Choctaw and Chickasaw Nations of Indians, which was contracted April 28th, 1866, and proclaimed on the tenth day of August of the same year, and whereof there remains after deducting allotments, as provided by said agreement, a residue ascertained by a survey to contain two million, three hundred and ninety-three thousand, one hundred and seventy acres; three-fourths of this appropriation to be paid to such person or persons as are or shall be duly authorized by the Laws of said Choctaw Nation to receive the same, at such time and in such sums as directed and required by the Legislative authority of the said Choctaw Nation, and one-fourth of this appropriation to be paid to such person or persons as are or shall be duly authorized by the Laws of said Chickasaw Nation to receive the same at such time and in such sums as directed and required by the Legislative authority of the said Chickasaw Nation. This appropriation to be immediately available, and to become operative upon the execution by the duly appointed Delegates of said respective Nations specially authorized thereto by Law, of releases and conveyances, to the United States of all the right, title and interest, and claim of said respective Nations of Indians in and to said Lands, (not including Greer County, which is now in dispute) in manner and form satisfactory to the President of the United States; and said releases and conveyances when fully executed and delivered shall operate to extinguish all claims of every kind and character of said Choctaw and Chickasaw Nations of Indians in and to the tract of country to which said releases and conveyances shall apply."

Now, therefore, be it enacted by the Legislature of the Chickasaw Nation, That Benjamin F. Byrd, Treasurer of the Chickasaw Nation, be, and he is hereby authorized to receive on behalf of the Chickasaw Nation the sum of seven hundred and forty-seven thousand, eight hundred and sixty-two dollars and fifty cents, being one-fourth part of the amount appropriated in said Act of Congress to compensate the Choctaw and Chickasaw Nations for their interest in the lands

lying south of the Canadian River, and now occupied under Executive order by the Cheyenne and Arrapahoe Indians, and said sum of seven hundred and forty-seven thousand, eight hundred and sixty-two dollars and fifty cents is required to be paid to said Benjamin F. Byrd, when he shall present to the Secretary of the Treasury his requisition in writing therefor accompanied by a certified transcript of this Act.

SEC. 2. Be it further enacted, That Benjamin C. Burney and Overton Love be, and they are hereby appointed Delegates of the Chickasaw Nation, and are authorized and directed as such Delegates to execute a release and conveyance to the United States of all right, title, interest and claim of the Chickasaw Nation in and to said land lying south of the Canadian River, and now occupied under Executive order by the said Cheyenne and Arrapahoe Indians, and shall cause said release and conveyance executed as aforesaid to be delivered to the President of the United States, and in case of the death, resignation, or any other inability of either of said Delegates to act as herein provided, the Governor shall appoint and commission a proper person, or persons to act as a Delegate or Delegates for and in behalf of the Chickasaw Nation, as provided in this Act.

APPROVED, April 1st, 1891.

WM. L. BYRD,  
Governor.

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**An Act, Appropriating Twenty-five Per Cent. of the Money Derived From the Final Sale and Relinquishment of the Interest of the Chickasaws in and to That Part of the So Called "Leased District," Occupied Under Executive Order, by the Cheyenne and Arrapahoe Indians, South of the Canadian River, to Pay Attorneys Fees as Per Former Act of the Chickasaw Legislature.**

WHEREAS, The Congress of the United States appropriated the sum of \$747,862.50 for the interest of the Chickasaws in and to that part of the so-called "Leased District" occupied under executive order by the Cheyenne and Arrapahoe Indians, south of the Canadian River; and,

WHEREAS, By former legislation on the part of the Chickasaw Nation there was from time to time set apart and allowed twenty-five per cent. of the amount recovered by the Chickasaws for the final sale and relinquishment of the interest of the said Chickasaws in and to the said "Leased District" to pay attorneys fees, and for legal services rendered in negotiating said sale, and relinquishment, and for collecting the compensation therefor; Now, therefore,

SECTION 1. Be it enacted, by the Legislature of the Chickasaw Nation, That 25 per cent. of said sum of \$747,862.50 so recovered be, and the same is hereby appropriated to pay all attorneys fees and for legal services rendered on the part of attorneys in negotiating the final sale and relinquishment of all that part of the Leased District, occupied by the Cheyenne and Arrapahoe Indians, under Executive order of the United States.

SEC. 2. Be it further enacted, That the Governor of the Chickasaw Nation be, and is hereby empowered, authorized and directed to receive into his charge and care said twenty-five per cent. of said sum so recovered, and to disburse the same according to such contracts as he, the Delegate and Commissioners on the part of the Chickasaw Nation, have made and entered into with the different attorneys so employed by them in arranging such sale and relinquishment as aforesaid, and getting the appropriation to be made therefor.

SEC. 3. Be it further enacted, That upon the certificate or certificates of the Governor to the Auditor of Public Accounts of the Chickasaw Nation, he (the Auditor) shall issue in favor of the Governor his warrant or warrants on the National Treasurer for said sum of twenty-five per cent. aforesaid; and upon the presentation of said warrant or warrants by the Governor to the said National Treasurer of the Chickasaw Nation, he, the Treasurer, shall pay the same out of said sums so appropriated by Congress for the Chickasaws for their interest in and to that part of the said Leased District described herein before. And this Act take effect from and after its passage.

APPROVED, March 20, 1891.

WM. L. BYRD,  
Governor.

**An Act to Comply With the Requirements of the Act of Congress  
Approved March 3rd, 1891, Appropriating the Sum of  
Fifty-six Thousand and Twenty-one Dollars and Fifty-  
nine Cents for Reimbursement of the General Fund  
of the Chickasaw Nation.**

WHEREAS, The Congress of the United States, by an Act, approved March 3, 1891, appropriated for reimbursement of the General Fund of the Chickasaw Nation, for moneys improperly disbursed from said fund, as ascertained by the Secretary of the Interior, as required by Article V of the Treaty with the Chickasaws, dated June 22, 1852, fifty-six thousand and twenty-one dollars and fifty-nine cents, being amount paid to assignee of W. M. Gwin, and omitted from the Appropriation Act of March 2nd, 1889, for reconsideration by the Secretary of the Interior, provided that this shall be a permanent and continuous appropriation, not subject to lapse, or to be covered into the Treasury, and said sum shall be paid from time to time, under requisitions signed by the Chickasaw Governor, National Secretary, National Treasurer and Auditor of Public Accounts; Now, therefor,

Be it enacted by the Legislature of the Chickasaw Nation, That the Governor, National Secretary, National Treasurer and Auditor of Public Accounts of the Chickasaw Nation be, and they are hereby authorized and directed to sign requisitions on the Treasurer of the United States for the amount so appropriated as follows, viz. A requisition for the sum of thirty-six thousand, four hundred, thirteen dollars and ninety-seven cents, in favor of Benjamin F. Byrd, Treasurer of the Chickasaw Nation; a requisition for the sum of seven thousand and two dollars and sixty-nine cents, in favor of Overton Love; a requisition for the sum of seven thousand and two dollars and sixty-nine cents, in favor of Reginald Fendall; and a requisition for the sum of five thousand, six hundred and two dollars and fourteen cents, in favor of Halbert E. Paine; and to deliver without delay said several requisitions to the person in whose favor they shall be respectively drawn.

APPROVED, March 20, 1891.

WM. L. BYRD,  
Governor.

**An Act in Relation to the Registration of the Chickasaw  
People, and Payment of an Annuity.**

SECTION 1. Be it enacted, by the Legislature of the Chickasaw Nation, That the Governor be, and he is hereby authorized, and directed to appoint, in each county of this Nation, a Captain, and also to appoint as many Captains in the Choctaw Nation as may seem necessary and expedient, and it shall be the duty of all of said Captains, so appointed, to proceed, and take a complete census of persons within their respective counties and portions of counties, which may be allotted to them, who are legally entitled to participate in the Chickasaw moneys and draw annuities; and the said Captains shall register the names of all persons so taken in a well bound book to be procured by them, and shall be very careful and register only those entitled to draw annuities as a Chickasaw. Said Captains shall, before entering on their duties take an oath that they will discharge faithfully their duties as Captains and to register none but those duly entitled thereto.

SECTION 2. Be it further enacted, That said Captains shall complete their census-taking at as early a day as possible; and when the same is completed, each Captain shall report the fact to the Governor, and when the Governor shall have received a report from all of said Captains, he shall call them together when and where they shall compare their rolls or registrations with each other, and make all necessary corrections, if any there be needed, and after the rolls have been made complete and correct, then sufficient notice shall be given the people so registered, after which there shall be paid to the said people an annuity in such form and manner as the Captains and Governor shall deem best and proper to expedite such payment correctly; and said annuities shall be paid out of and from the money lately derived from the sale of the interest of the Chickasaws in and to the "Leased District."

SEC. 3. Be it further enacted, That before said annuity is paid to the said people out of said money, there shall be deducted therefrom a sufficient amount to pay said Captains ten cents per capita for all persons registered by them who are entitled to receive said annuity, and to pay all other actual expenses incurred, and shall procure well-

bound books and stationery necessary to complete said census-taking and registration; then after said expenses have been deducted, from said money that shall be and is available for annuity purposes the remaining balance, shall be paid to the people so registered per capita.

SEC. 4. Be it further enacted, That the money contemplated to pay such annuity and expenses connected therewith be, and the same is hereby appropriated for such purposes, and the National Auditor shall issue his warrant for the same; and the Treasurer shall pay such warrant with the money contemplated by this Act, or by giving his check or checks for the same on the United States Sub-Treasury.

And this Act take effect from and after its passage.

APPROVED, March 30, 1891.

WM. L. BYRD,  
Governor.

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**An Act to Repeal an Act Entitled "An Act Creating a  
Delegation to Washington, D. C."**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act entitled, "An Act creating a Delegation to Washington City, D. C.," passed and approved June 17th, 1892, W. L. Byrd, Governor, be and the same is hereby repealed.

SEC. 2. Be it further enacted, That the Governor be, and he is hereby directed to notify the Commissioner of Indian Affairs at Washington, D. C., of the passage of this Act without delay. And that this Act take effect and be in force from and after its passage.

APPROVED, September 12, 1892.

JONAS WOLFE,  
Governor.

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**An Act for the Relief of Forbes Moseley for Furnishing Fuel  
for the Frank Wells Neighborhood School in Pontotoc  
County, Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of twenty-five dollars be, and the same is hereby,

appropriated, out of any money now in the National Treasury of the Chickasaw Nation, not otherwise appropriated, to pay Forbes Moseley for fuel furnished the Frank Wells Neighborhood School, in Pontotoc County, Chickasaw Nation, during the scholastic year 1890 and 1891; and the Auditor of Public Accounts of the Chickasaw Nation is hereby directed to issue his warrant on the Treasurer of the Chickasaw Nation for the same.

APPROVED, September 15, 1892.

JONAS WOLFE,  
Governor.

WHEREAS, The new jail, recently built at the Capitol, and house or the Jailor's dwelling also is so far from any well or spring that it makes it very inconvenient for the Jailor or family to keep the prisoners supplied with fresh water as the Law directs, and,

WHEREAS, The Legislature and different Courts of the Nation have to depend solely on the wells of private citizens for water for their use while in session, which is quite an ill-convenience; and,

WHEREAS, It is known that plenty of water can be found by digging for it, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of one hundred and fifty dollars, or so much as will be necessary be, and the same is hereby appropriated out of any money now in the hands of the National Treasurer, not otherwise appropriated, to pay for sinking a well at or near the Capitol building.

SEC. 2. Be it further enacted, That the National Jailor be and he is hereby authorized to contract with some suitable person to sink and wall a good well at or near the Capitol building, said well to be not less than five feet in width and walled with good substantial rocks, and when completed and the National Jailor is satisfied that the well will afford plenty of water for all necessary purposes, he shall certify the fact to the Governor, who will order the Auditor of Public Accounts of the Chickasaw Nation to draw a warrant on the Treasurer for the amount specified in the certificate of the National Jailor, which shall not exceed one hundred and fifty dollars in amount and

the National Treasurer shall pay the same out of any money not otherwise appropriated.

SEC. 3. Be it further enacted, That this Act take effect and be in force from and after its passage.

(Amended by the Senate.)

SECTION 1st. After the word "necessary of the amount of one hundred and fifty dollars" and well to be completed, raising the wall two feet above level of the ground, boxed hip-roof shedded, all completed for use.

APPROVED, September 16, 1892.

JONAS WOLFE,  
Governor.

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**An Act in Relation to Draftsman for the Law Committee.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, that some good and competent person, to be elected by both branches of the Legislature of the Chickasaw Nation to act as Draftsman during the session of the Legislature, whose duty shall be to draft any and all laws called for by the Governor or any member of the Legislature and he shall receive for his services four dollars per day while in-actual service.

SEC. 2. Be it further enacted, That the Act giving the Speaker of the House of Representatives the power to appoint a Draftsman for the Law Committee, be, and the same is hereby repealed.

APPROVED, September 19, 1892.

JONAS WOLFE,  
Governor.

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**An Act to Prohibit Non-Citizens Boarding Indian Children  
in the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, it shall be unlawful for any non-citizen to board Indian children attending any neighborhood school, in the limits of the Nation.

**SEC. 2.** Be it further enacted, That it shall be the duty of the School Superintendent to instruct all Local Trustees to carry out the first section of this Act.

**SEC. 3.** Be it further enacted, That should any non-citizen violate the first section of this Act they shall not be allowed any pay, and that this Act take effect from and after its passage.

APPROVED, September 22, 1892.

JONAS WOLFE,  
Governor.

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**An Act to Authorize the Sale of the Late Militia Camp  
Equipage, Guns, Ammunition, Etc.**

**SECTION 1.** Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be, and he is hereby authorized, and directed to sell forthwith the late militia camp equipage, guns, pistols, ammunition and all National property belonging to or connected with the militia stock of supplies and fixtures; and the said sale shall be for money or National script, and shall be at public outcry or auction; and the money or script derived from such sale shall be placed in the National Treasury for National purposes. And this Act take effect from and after its passage.

APPROVED, September 22, 1892.

JONAS WOLFE,  
Governor.

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**WHEREAS,** T. A. McClure did build and furnish the Neighborhood School House at Paul's Valley, I. T., about the last of March, 1891, said building known as the McClure School House; and

**WHEREAS,** The furnishing of said school house consisted of the following items of account, to-wit: for lumber, nails, shingles and carpenter, \$165.00, benches and two privies, \$15.00, one stove, pipe and flues, total amount of costs \$195.00, which should be reimbursed said T. A. McClure, now, therefore,

**SECTION 1.** Be it enacted by the Legislature of the Chickasaw Nation, That the sum of one hundred and ninety-five dollars be, and

the same is hereby appropriated out of the National Treasury to pay T. A. McClure the above shown account for building and furnishing the Neighborhood School House, Paul's Valley, Indian Territory, known as the McClure Neighborhood School House; and the National Auditor is hereby directed to issue his warrant on the Treasurer for the same, and the Treasurer shall pay the same out of any funds in his hands, or which may come into his hands, not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, September 23, 1892.

JONAS WOLFE,  
Governor.

**Relief Bill in Favor of S. M. Mead.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of one hundred and twenty dollars be, and the same is hereby appropriated out of any money now in the hands of the National Treasurer of the Chickasaw Nation, or which may hereafter come into his hands to reimburse S. M. Mead in building a National School House in Panola County, known as Mead's School House.

APPROVED, September 26, 1892.

JONAS WOLFE,  
Governor.

**An Act to Repeal an Act Entitled "An Act to Authorize the Employment of Counsel to Represent the Chickasaw Nation Before the U. S. Court on the Subject of Civil and Criminal Jurisdiction Over Inter-Married White Men With Chickasaw Indians, and Residing in the Chickasaw Nation," Approved February 20, 1890; and Also an Act Entitled "An Act to Authorize Suit to Be Instituted in the U. S. Court in Civil Cases Where the Chickasaw Nation is a Party," Approved October 1st, 1890.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act entitled "An Act to authorize the employment

of counsel to represent the Chickasaw Nation before the U. S. Court on the subject of civil and criminal jurisdiction over inter-married white men with Chickasaw Indians, and residing in the Chickasaw Nation," approved February 20, 1890; and also an Act entitled "An Act to authorize suit to be instituted in the U. S. Court in civil cases wherein the Chickasaw Nation is a party," approved October 1st, 1890, be, and the same is hereby repealed. And that this Act take effect and be in force from and after its passage.

APPROVED, September 28th, 1892.

JONAS WOLFE,  
Governor.

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**Relief Bill.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of one hundred and thirty-five dollars be, and the same is hereby appropriated out of any funds in the National Treasury not otherwise appropriated for the relief of Joe Cawdell for paying the board and tuition of Jay Cawdell at Fort Smith School for nine months as is shown by attached certificate, and that the additional sum of one hundred and fifty dollars be, and the same is hereby appropriated out of any funds out of the National Treasury not otherwise appropriated for the relief of the aforesaid Joe Cawdell for paying board and tuition for the aforesaid Jay Cawdell at Fort Smith School for ten months session, closing 1890, which said amount of one hundred and fifty dollars was omitted and left off of the appropriation bill at the last regular session of the Legislature in 1890. And that this Act take effect from and after its passage.

APPROVED, September 28, 1892.

JONAS WOLFE,  
Governor.

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WHEREAS. The School Committee is allowed by Law an Interpreter, who is to be appointed or elected from persons not connected with the Legislature, which is wholly unnecessary expense to the Nation of four dollars per day; and Whereas, the Interpreter for the

House of Representatives could and should Act as the Interpreter for said School Committee, now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That hereafter the Interpreter of the House of Representatives shall act as the Interpreter for the School Committee, who shall not be allowed any additional pay for the same, other than the four dollars per day which is allowed him as Interpreter for the House of Representatives, and the Law authorizing said Committee to appoint an Interpreter for said Committee be, and the same is hereby repealed so far as relates to the appointment or election of said Interpreter. And this Act take effect from and after the adjournment sine die of the present session of the Legislature.

APPROVED, September 28, 1892.

JONAS WOLFE,  
Governor.

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**An Act Appropriating Twelve Dollars and Fifty Cents to Procure  
a County Seal for Pontotoc County and Panola County.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of twelve dollars and fifty cents be, and the same is hereby appropriated out of the National Treasury to procure a County Seal for Pontotoc and Panola Counties of this Nation.

SEC. 2. Be it further enacted, That said sum shall be drawn by the National Secretary, who shall proceed at once and procure said seal for said Counties suitable for said County purposes, and similar to the old seals used by said Counties heretofore; and the Auditor shall issue his warrant in favor of the National Secretary for said sum, and the National Treasurer shall pay the same out of any funds in his hands, or which may come into his hands, not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, October 11, 1892.

JONAS WOLFE,  
Governor.

**An Act in Relation to Wire Fences Around Farms.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That any citizen of this Nation fencing in his field or farm with wire shall be required to make said wire fence hog proof and failing so to do, he shall not be allowed to injure or hurt any hog or other stock for getting in said field or farm; and in case such person so failing to make his fence hog proof and should there be any hogs or other stock getting into said field, or farm, and should said person owning said farm injure or cause to be injured or hurt any such hog or hogs therein, or other stock, such person so offending shall be made to pay full damage to the owner of said stock so injured or hurt inside of said farm or field by the County Judge of the County wherein the offense is committed, which damages shall amount to twice the value of the stock so injured and damaged; and all farms or fields heretofore fenced with wire which are not already hog proof are hereby required so to be made; and any person having such fences not in accordance with this Act are hereby given six months to make the same hog proof as by this Act required, and failing said time of six months so to do, the County Judge of his County shall impose a fine on said person or persons so failing of one hundred dollars every six months until this Law is complied with, and collect the same as other fines for the use of said County. And this Act take effect from and after its passage.

APPROVED, October 11, 1892.

JONAS WOLFE,  
Governor.

**An Act to Suspend the Neighborhood Schools of the Chickasaw Nation, and the Law Allowing Chickasaw Children to Attend Schools in the States; Said Suspension to Take Effect at the Expiration of the Second Quarter of the Present Fiscal Year, Ending June 30, 1893, and Said Suspension to Continue until September, 1894.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the present Law of the Chickasaw Nation authorizing

the establishing of and carrying on of the present neighborhood schools, and the Laws authorizing and allowing Chickasaw children to attend schools outside the limits of this Nation, or in the States, and allowing therefor fifteen dollars per month for same, be, and the same are hereby suspended from further operation and expense to the Chickasaw Nation; said suspension to take effect at the expiration of the second quarter of the present fiscal year, ending June 30, 1893, or on the 30th day of January, A. D. 1893, and that said suspension shall continue and become effective until September, A. D. 1894, making said suspension exist for about one year and one half year from January 30, 1893 to September 1st, 1894.

SEC. 2. Be it further enacted, That the Superintendent of Public Instruction for the Chickasaw Nation is hereby directed to give due public notice to all concerned, both in the Chickasaw Nation and in the States, and also in the different Nations, of the passage of this Act, and cause them to take due notice and make preparation to suspend said neighborhood school teaching and state scholar teaching on January 15, 1893, and to stand so suspended up to September, 1894. And this Act take effect and be in force from and after January 30, 1893, and continue in force until September 4, A. D. 1894. Amended in the House by inserting right after the word "States" in the fourth line of Sec. 2nd the words "and also in the Different Nations."

APPROVED, October 11, 1892.

JONAS WOLFE,  
Governor.

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### **An Act in Regard to Bonds Forfeited.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That all citizens of this Nation giving bonds for their appearance at the District Court and fails to appear and answer to the charge for which they are under bond, it shall be the duty of the Judge of the District Court to order them called from the Court House; on them failing to answer he shall cause the Sheriff or Constable to make proclamation for them to appear and answer or their bonds will be forfeited, and like manner the securities shall be called, demanding

them to bring the body of the defendant to answer their charge or their bonds will be forfeited; and if all fail to appear and answer them, the District Judge shall order judgment rendered against them for the full amount of the bond, and such judgment shall satisfy the Judge that such absence was caused by serious illness of himself or family; such excuse shall be rendered under oath; and if the Judge shall be satisfied, then his bond shall not be forfeited. And all laws or parts of laws in conflict with this Act are hereby repealed; and this Act take effect from and after its passage.

(Amended by the Senate.)

Be it further enacted, That all money collected on forfeited bonds under the provisions of this Act be placed in the National Treasury for National purposes.

APPROVED, October 11, 1892.

JONAS WOLFE,  
Governor.

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**An Act Relating to the Issuing of License to Practice Law  
in the Chickasaw Nation.**

WHEREAS, Many of the citizens of this Nation who do not wish to leave their homes when summoned to serve as jurymen at any of the terms of the Chickasaw Court, and in order to exempt themselves from such jury duties, they apply to the Supreme Court of this Nation and obtain a license as a lawyer merely to exempt them from jury duty, when at the same time they do not intend to practice law before the courts, and at the same time again they are not qualified to practice and should not have such law license.

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the power to issue license to plead or practice law in this Nation be, and is hereby transferred from the Supreme Court of the Chickasaw Nation to the District Court of said Nation, and all persons wishing to practice law before the Courts of this Nation hereafter shall apply to the District Judge of the Chickasaw Nation for such law license, and upon said application the said District Judge shall appoint a Committee of three good practicing attorneys of the

Chickasaw bar to examine said applicant on all points of law, the treaties and constitution of the Chickasaw Nation, and all kinds of legal procedure had in the Chickasaw Courts, how to sue and defend suits and how to conduct criminal prosecution and defend the same as practiced by the courts of this Nation, and upon a satisfactory examination said Committee shall give to said applicant a certificate of examination, showing that said applicant has stood a good examination, and made at least sixty per cent. on the same; whereupon said District Judge shall issue to said applicant a license to plead and practice law before all of the Courts of the said Chickasaw Nation under the seal of the District Court attested by the Clerk of the same, which license shall be of record in said Court, and the applicant shall pay at the time over to said District Judge the sum of fifteen dollars to be by him immediately placed in the hands of the National Treasurer, taking his receipt therefor, which money shall be used for National purposes. And this Act take effect from and after its passage.

APPROVED, October 12, 1892.

JONAS WOLFE,  
Governor.

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**An Act Re-establishing the Old Permit Law of the Chickasaw Nation, Passed and Approved October 17, 1876, as Found in Print at Pages 229, 230 and 231, in the Present Statutes of the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the old Permit Law of the Chickasaw Nation, passed and approved October 17, 1876, as found in print at page 229, 230 and 231, in the present Statutes of the Chickasaw Nation be, and the same is hereby re-established, and put in full force and effect, and all other Permit Laws passed heretofore in relation to permits be, and the same are hereby, repealed, and hereafter the Law re-established by this Act shall be the Permit Law of the Chickasaw Nation and shall be enforced as such; and all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby repealed. And this Act take effect and be in full force from and after its passage.

SEC. 2. Be it further enacted, That the National Secretary shall furnish the Permit Collector with printed uniform blank permit books, with stubbs attached, and shall take their receipt for the same, and shall keep a complete record of all books and permit blanks furnished said Permit Collectors, and at the end of every quarter compare his record and receipts with those of the Permit Collectors and their settlement; which said National Secretary shall cause to show on his record books such comparison and settlement and all blank permits so furnished said Permit Collectors shall be endorsed on the book thereof by the Governor, with the great seal of the Chickasaw Nation thereon, and such Permit Collectors shall use no other blanks except those furnished by the National Secretary as by this Act required.

(House Amendment.)

Amended in the House by inserting in the Bill the following words: That the Permit Collectors shall ride over their respective counties to collect permits.

APPROVED, October 13, 1892.

JONAS WOLFE,  
Governor.

**An Act Repealing an Act Entitled "An Act Authorizing the National Agent to Contract for the Sawing of Walnut Logs on the Washita and Red Rivers, and Collecting Royalty Therefor, Found at Page 165, Present Chickasaw Statutes, Passed and Approved October 31st, 1884.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That an Act entitled "An Act authorizing the National Agent to contract for the sawing of walnut logs, on the Washita and Red Rivers, and collecting royalty therefor, found at page 165, present statutes of the Chickasaw Nation, and passed and approved October 31st, 1884.

SEC. 2. Be and the same is hereby repealed; and this Act take effect from and after its passage.

JONAS WOLFE,  
Governor.

WHEREAS, There is not a sufficient amount of money on hands to pay off the amount of National indebtedness at the present time : and Whereas, it will be just and right to the people interested to make a pro rata payment by issuing number one and number two warrants the number one being payable before the number two warrants, and Whereas, the members of the present session of the Legislature should hold number one warrants in order that they get the first money received for their salaries, now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the National Auditor shall make a pro rata payment of all the National indebtedness by giving number one and number two warrants to persons to whom the Chickasaw Nation is indebted, except members of the present session of the Legislature, who shall be entitled to only number one warrants on their salaries, and shall be paid as fast as money comes into the National Treasury ; and after all number one warrants on the salaries of members or expenses of the present session of the Legislature are paid, then the number one and two warrants on the General indebtedness shall be paid, and this Act is not to be so construed so as to interfere with the academies of this Nation, which is already provided for by contract with the Chickasaw Nation ; and the National Treasurer and National Auditor shall carry out this Act in their respective offices so as to pay first the expenses of the present session of the Legislature by giving to persons holding such class of indebtedness number one warrants after which on all other indebtedness by giving number one and two warrants, the number one being entitled to first payment, and number two to be paid last. And this Act take effect from and after its passage.

APPROVED, October 15, 1892.

JONAS WOLFE,  
Governor.

WHEREAS, The present contract of the Chickasaw Nation with Halbert E. Paine, is now soon to expire before the next annual session of the Legislature, and Whereas, it is a good policy on the part of the Chickasaw Nation to keep said Halbert E. Paine of Washington City, D. C. employed as the attorney for said Nation ; and Whereas,

said Halbert E. Paine is now better acquainted with the business of the Nation than any person said Nation could employ; and Whereas, said Halbert E. Paine has always been the friend and counselor for said Nation for many years, and has always stood up to the interest of the Chickasaws, and has proved himself to be both honest and reliable and has done much good and valuable services for said Chickasaws under contract heretofore, now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor of said Chickasaw Nation be, and he is hereby authorized, empowered and directed to renew the present contract (now soon to expire) with Halbert E. Paine for the term of two years from the date of the expiration of the present contract, now soon to expire. And this Act take effect and be in force from and after its passage.

APPROVED, February 20, 1893.

JONAS WOLFE,  
Governor.

WHEREAS, John Connelly, a one-half Chickasaw Indian by blood, as shown by the hereto attached affidavit, and who did exercise the privileges of an elector in this Nation some time ago; and Whereas, at a previous election at the contest between Wm. L. Byrd, and Wm. M. Guy for Governor, the vote of J. W. Connelly was erased and stricken off the poll books and was not counted. thereby debarring him from his privilege as a Chickasaw by blood, and that said J. W. Connelly now wishes to be again recognized according to his lawful rights, now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That J. W. Connelly be, and he is hereby recognized as a citizen of the Chickasaw Nation, and entitled to all the rights and privileges as such, and this Act take effect from and after its passage.

APPROVED, June 23, 1893.

JONAS WOLFE,  
Governor.

**An Act Making Appropriations to Pay the Different County Officers and Their Posses or Deputies for Canvassing the Chickasaw Nation and Cutting Down and Destroying Unlawful Wire Fences.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of two dollars per day each be, and the same is hereby appropriated out of the Treasury to pay off the different Sheriffs and Constables of the different counties of the Chickasaw Nation, for canvassing said Nation and cutting down and destroying all unlawful wire fences, and also two dollars and one half per diem for the actual necessary wagons and teams needed to haul their baggage and supplies as per proclamation of the Governor of May 25, 1893; and also an amount of money is hereby appropriated to buy and pay for all necessary supplies and fixtures needed in said expedition; and after said work and expenses are incurred and completed upon the Governor's certificate to the Auditor of each person so engaged, giving his time and amount, the Auditor shall issue his warrant for the same, and also in favor of the person or persons furnishing said squad of men with the necessary supplies and fixtures giving the amount of said expenses, the Auditor shall issue his warrant in their favor as in the case of the men rendering services, and all of said necessary expenses be and is hereby appropriated for said purposes, and the warrants to be issued in all cases upon the certificate of the Governor aforesaid, and the Governor shall contract with some suitable person or persons to furnish and equip said squad of officers, with their help, as the case may be, and this Act take effect from and after its passage.

Amended in the House by inserting, That the different Sheriffs and Constables shall have the right to deputize five men from their respective counties to assist them in said work. Amended further by excluding the Sheriffs from the provisions of the Bill. Amended further by inserting: That the different Constables and their deputies shall each and all receive the sum of two dollars per diem while engaged in such work.

APPROVED, June 24, 1893.

JONAS WOLFE.

Governor.

**An Act to Cover Back Into the Leased District Money the Remaining  
(4) Four Per Cent. Appropriated for Attorneys, and Coming  
Under the H. E. Paine Contract for the Final Sale and  
Relinquishment of the Cheyenne and Arrapahoe Lands,  
Being a Portion of the Leased District.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the four per cent. remaining under the H. E. Paine contract with the Chickasaw Nation, which was appropriated for attorney fees for the prosecution of the final sale and relinquishment of the Cheyenne and Arrapahoe Lands, being a portion of the Leased District, be and the same is hereby covered back into the Leased District money to be used according to existing Laws of the Chickasaw Nation, and the Auditor and Treasurer of the Chickasaw Nation shall issue their warrants and checks on and for said four per cent. accordingly. And this Act take effect from and after its passage.

APPROVED, June 27, 1893.

JONAS WOLFE  
Governor.

**An Act to Provide for the Registration of Chickasaws That Are  
Entitled to Chickasaw Annuity, That Are Now Living  
in the Choctaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be, and he is hereby authorized and directed to appoint two Captains in the Choctaw Nation, if not already appointed, to register all Chickasaws that are entitled to Chickasaw Annuity now living in the Choctaw Nation.

SEC. 2. Be it further enacted, That said Captains shall be governed by the same Laws that the Captains in the Chickasaw Nation are governed by in registering Chickasaws that are entitled to the Leased District Fund.

SEC. 3. Be it further enacted, That said Captains shall each receive the sum of one hundred and fifty dollars for such services to be paid out of the National Treasury, and upon a certificate from the Governor, when presented to the Auditor, the Auditor shall issue his

warrant in favor of said Captains upon the National Treasurer, and the National Treasurer shall pay the same out of any moneys now in his hands not otherwise appropriated.

SEC. 4. Be it further enacted, That that part of the old Law, approved March 30, 1891, and entitled "An Act in relation to the registration of Chickasaw people, and payment of an Annuity," that provides for Annuity Captains to take census of the Chickasaws living in the Choctaw Nation, be, and the same is hereby repealed, and this Act take effect from and after its passage.

APPROVED, June 26, 1893.

JONAS WOLFE,  
Governor.

**An Act Granting H. H. McLain, a Citizen of the Chickasaw Nation,  
the Privilege to Erect a Gin and Grist Mill in Pickens County,  
Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That H. H. McLain of Pickens County, Chickasaw Nation be, and the same is hereby granted the privilege to erect a gin and grist mill and operate the same at or near the town of Woodford, in Pickens County, Chickasaw Nation, on Henry House Creek, two or three miles north east of Woodford, I. T. for the period of five years, with the privilege of renewal, provided he complies with all the Laws of the Chickasaw Nation.

SEC. 2. Be it further enacted that H. H. McLain shall not charge more than one-sixth for grinding corn, and the one-fourteenth for ginning cotton.

SEC. 3. Be it further enacted, That the said H. H. McLain shall procure permits for his hands that he may need to operate his business as provided for in this Act. And this Act take effect from and after its passage.

APPROVED, September 12, 1893.

JONAS WOLFE,  
Governor.

WHEREAS, At the beginning of the Waupanucka School, September, 1892, said school building was destitute of the necessary furniture, and Whereas, the school was compelled to have said furniture and fixtures for the comfort and ease of the pupils; and Whereas, the Trustee of said Institute, the Hon. P. S. Mosley, knowing the situation, did authorize, empower and direct the contractor of said Institute, W. H. Jackson, to make the necessary purchases, and submit his report of the same to the Honorable Legislature for payment, to-wit: 10 iron bedsteads, 11 extension-top tables, 2 teachers' desks, 2 teachers' chairs, 30 folding automatic desks for school, wire for yard fence, glass and putty for building; expenses and freights for hauling, grand total amount of cost, \$505.49; and Whereas, said contractor did make the necessary arrangements and procured the above articles upon the faith of the National credit, the Nation having contracted to furnish said building with all needful furniture and fixtures of said kind; and Whereas, the creditors have now been out of their money, due nearly one year, and are writing for the same frequently; now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of five hundred and five dollars and forty-nine cents (\$505.49) be, and the same is hereby appropriated out of the National Treasury in favor of W. H. Jackson, contractor of the Waupanucka Academy, to pay for the furniture and fixtures furnished said school as per above and foregoing scheduled account; and the Auditor of Public Accounts shall issue his warrant for same on the National Treasurer, who shall pay the same out of any funds in his hands or which may come into his hands, not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, September 15, 1893.

JONAS WOLFE,  
Governor.

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**An Act Creating a Special Agent for the Chickasaw Nation, and  
Defining his Duties.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the present session of the Legislature shall elect some

competent citizen as a Special National Agent for the Chickasaw Nation, and whose term of office shall continue for two years from the date of his election, and who shall execute a bond in the sum of ten thousand dollars, payable to the Governor, and approved by him, and deposited with the National Secretary, said bond when forfeited can be put in suit by the District Attorney for the benefit of the Nation, the same as all other bonds given by officers of this Nation.

SEC. 2. Be it further enacted, That it shall be the duty of said Special National Agent to take charge of the license trader source of local revenue, and shall canvass the Nation, and collect all revenues derived from said source and issue license therefor, and shall have power and authority to call on all such traders for the inspection of their bill of invoices, so as to satisfy himself of the actual amount of capital they may have invested in said business, and collect one per cent. on the same.

SEC. 3. Be it further enacted, That said Special National Agent, shall have power and authority to tax all local lawyers and attorneys for the privilege of residing in this Nation and carrying on business therein, and cause them to pay a tax of sixteen dollars and fifty cents per annum, and to issue to such persons license to follow said business, and no license shall issue for a longer time than twelve months from date of same; and to tax all transient persons (not citizens of this Nation, and doing business in this Nation) at the rate of one per cent. on capital invested; and to tax on the other business being carried on in this Nation, not already provided for.

SEC. 4. Be it further enacted, That said Special National Agent shall report to the Auditor of Public Accounts once in every six months in each year of all money received by virtue of said office, and after deducting his commission (which shall be one-half of the one per cent. charged by the Nation) pay over the balance to the National Treasurer for National purposes.

SEC. 5. Be it further enacted, That all non-citizens failing or refusing to comply with any of the provisions of this Act shall be deemed intruders, and shall be reported to the Governor, and by him to the United States Indian Agent, and him requested to remove such person or persons forthwith beyond the limits of this Nation, and

immediately after the passage of this Act, the Governor shall furnish the United State Indian Agent with a certified copy of this Act, and ask said United States Indian Agent to assist in its enforcement, and the National Secretary shall send a certified copy to some paper or papers published in the Indian Territory for publication ; and all parts of laws in conflict with this Act be, and the same are hereby repealed. And this Act take effect and be in force from and after its passage.

APPROVED, September 16, 1893.

JONAS WOLFE,  
Governor.

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**An Act for the Relief of Allen Latta.**

WHEREAS, During the year of 1890, said Allen Latta was Jailor of the Chickasaw Nation, and under the Law he was required to hold said office until his successor was elected and qualified, and after his term expired, he rendered such services on the next year's term of two and one-half months, for which he received no pay, and for which the Chickasaw Nation owes him for said term \$45.83, now, therefore,

Be it enacted, by the Legislature of the Chickasaw Nation, That the sum of forty-five dollars and eighty-three cents be, and is hereby appropriated to pay, Allen Latta for services rendered as National Jailor during the year 1890, and the Auditor shall issue his warrant for same on the National Treasurer, who shall pay the same out of any funds in his hands, or which may come into his hands not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, September 23, 1893.

JONAS WOLFE,  
Governor.

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**An Act to Establish a Ferry on Washita River.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That L. V. Colbert be, and is hereby granted the right and privilege to establish and operate a ferry on the Washita River, at the

Mannsville crossing, a good and substantial ferry boat, sufficiently capable and competently managed to accommodate the traveling community, and he shall keep the banks of the river at said ferry in a safe passable condition from the water's edge to the top of the bank, and he shall be responsible for the loss or damages sustained by any person while crossing on his boat, provided such loss or damage is occasioned by neglect of him or any of his employes or the boat.

SEC. 2. Be it further enacted, That the said L. V. Colbert shall be allowed to charge and collect the following rates of toll, to-wit: for every wagon, buggy or vehicle drawn by two horses, mules or cattle, fifty cents, and for every additional span twenty-five cents, for every vehicle drawn by one horse, or for man and horse, twenty-five cents, for loose stock, such as horses, mules and cattle, per head, five cents, and for sheep, goats and hogs her head, two and one-half cents, for footmen per head, ten cents.

SEC. 3. Be it further enacted, That the period of this privilege to run said ferry shall not extend over five years, and this Act shall be in full force after its passage.

APPROVED, September 19, 1893.

JONAS WOLFE,  
Governor.

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**An Act to Collect Prairie Hay Shipped Out of the Chickasaw  
Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That any citizen of this Nation wishing to ship prairie hay beyond the limits of this Nation may do so by paying a royalty of fifty cents per ton to the National Agent for the use and benefit of the Nation.

SEC. 2. Be it further enacted, That any citizen shipping or hauling prairie hay, or causing the same to be shipped or hauled out of the Nation, without first paying the royalty shall be fined five dollars for every ton so shipped, by the County Court of the County where the offense is committed; the informant shall receive one-half the fine when collected, and the other half shall be placed in the National

Treasury for National purposes ; but if the offender be not able to pay the fine, then he or she shall be lodged in the National jail for six months.

SEC. 3. Be it further enacted, That it shall be the duty of the Sheriffs and Constables of the several Counties to see that this Law is rightly enforced.

SEC. 4. Be it further enacted, That any citizen who shall colleague with any non-citizen to violate this Law by entering into partnership with any non-citizen to violate this Law in any manner whatsoever, and any citizen so offending shall, on conviction before the County Court where the offense is committed, be fined in any sum not less than twenty-five dollars nor more than fifty dollars, at the discretion of the Court.

SEC. 5. Be it further enacted, That all laws or parts of laws coming in conflict with this Act are hereby repealed ; and this Act take effect and be in force from and after its passage.

Amended by the House by inserting the following :

That parties wishing to cut hay under the provisions of this Act may do so by cutting off the public domain.

APPROVED, September 26, 1893.

JONAS WOLFE,  
Governor.

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**An Act to Educate Twelve Chickasaw Boys in the States,  
and Providing Pay Therefor.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the School Superintendent be, and is hereby authorized, empowered and directed to select some suitable college, or colleges within the limits of the United States, of the best reputation, and highest order, for the education of the twelve Chickasaw boys, of sufficient age and proficiency.

SEC. 2. Be it further enacted, That the said Superintendent shall contract with such college or colleges as he may select for a term of five years from September, 1893, for the education of said boys, not to exceed the appropriation hereby made, and to furnish said boys with

good first-class wholesome food, tuition and instruction, good, well furnished rooms, lights, fuel and everything necessary for the comfort and ease of said boys, and also make arrangements by which the boys can select and procure their own clothing and wearing apparel to suit their tastes and choice, so as not to exceed the provisions herein made for them respectively.

SEC. 3. Be it further enacted, That the School Superintendent shall also make arrangements for medical attention, which shall not be paid from the amount herein allowed to each boy, but such arrangements shall be of such effect so as to be presented on itemized accounts to the Legislature at every regular or annual session for payment of the same; and the Legislature reserves the right to determine whether or not such medical accounts are excessive or exorbitant, and the same shall be certified to by the boy or boys attended and endorsed by the Superintendent.

SEC. 4. Be it further enacted, That the School Superintendent shall immediately after the passage of this Act notify the boys herein provided for of the passage of this Act, and set a time to meet with them all and arrange for their departure, and shall try to have them placed in said college or colleges not later than the tenth of November, 1893, and may place them all in one college, or as many as might be best and desirous, and the said Superintendent shall be required to visit said boys at least twice during each year, and when the examinations of the public schools at home do not prevent he must make one of his visits to the said boys at the closing or examination of their school.

SEC. 5. Be it further enacted, That the sum of three hundred dollars each, per annum shall be allowed for said boys, and for the first year, there shall be allowed an extra seventy-five dollars each as expenses in taking them to college, including transportation and other actual and necessary expenses, and the appropriation for the seventy-five dollars expense money shall only apply to the first and last years.

SEC. 6. Be it further enacted, That the School Superintendent shall make a full and complete report of the boys mentioned in this Act, of their advancement, condition and health, and of the amount of money used from the amount herein allowed, and amounts (if any)

standing to the credit of each boy, and such credit (if any) shall be counted in on amount for the succeeding years to the Governor and through him to the Legislature at the expiration of each year.

SEC. 7. Be it further enacted, That the School Superintendent shall be allowed his traveling and actual expenses in taking said boys to college and visiting and looking after them as by this Act required, which amount shall be at the rate of five hundred dollars per annum or so much thereof as may be necessary and he shall keep his account of expenses, and render report of same as mentioned in the preceding section of this Act; and any credits that may be left on any year shall be counted in on the succeeding years, and he shall keep a fair and separate record of all expenditures and proceedings provided for in this Act, and enter therein the progress of said boys during each year, and said boys shall be required to remain at college the whole term of five years, unless they should graduate sooner, but should they have at any time sufficient vacation and can pay their own expenses, nothing in this section shall be so construed as to prevent them from visiting home or elsewhere for such vacation, but will be allowed no such visiting at the expense of the Chickasaw Nation.

SEC. 8. Be it further enacted, That in case of the death or deaths of any of said boys, the Superintendent shall notify his or their people of the same immediately after having received such information, and should such parent or relative desire to have the corpse brought home for burial, and there should be any of the money belonging to said boy or boys remaining to his credit, such credit may be used so far as it goes for said year for such purposes, otherwise the boy may be interred at the said college at the expense of the Nation.

SEC. 9. Be it further enacted, That in case of any death or deaths of said boys the Superintendent, if any boys sufficiently advanced can be found in this Nation, may fill said vacancy by putting in a boy or boys for such places for the unexpired time; and upon the same provisions as are herein made for those mentioned in this Act.

SEC. 10. Be it further enacted, That when any of said boys reach graduation in any profession and desire to come home, if before the expiration of the five years, the Superintendent shall bring him

home, otherwise he may be allowed to remain the unexpired time of five years, and enter and procure some other profession.

SEC. 11. Be it further enacted, That the boys to go into the States under this Act are herein named, to-wit: 1, Lem Burris, 2, George Burris, 3, Willie Ward, 4, Joe Goforth, 5, Frank Bourland, 6, Dock Thompson, 7, T. B. McLish, 8, Joe Maytubby, 9, Sam Davis, 10, Andrew Courtney, 11, Mose Chigley, 12, M. C. Murray, and all the necessary appropriation to carry into effect this Act be, and the same is hereby made annually, and made subject to the order of the Superintendent of Public Instruction at the beginning of each year respectively; and upon the order of the Superintendent the Auditor shall issue his warrant for amounts called for, but not to exceed amount allowed for one year, and the Superintendent shall draw and make his payment twice a year; that is to say, one-half the fifteenth of February, and the balance the 30th of June in each year, to the college or colleges, but may draw the money from time to time to furnish the said boys as may be needed and to keep them in comfortable condition, and good style. And this Act take effect from and after its passage.

APPROVED, September 27, 1893.

JONAS WOLFE,  
Governor.

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**An Act to Amend the Permit Law, Passed and Approved October 17, 1876.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the ninth section of the Permit Law passed and approved October 17, 1876, beginning at the first line of said section and ending at the fifth line at the word "farm laborers," and beginning at the first line of section ten of said Permit Law, and ending in the second line at the word "Permit," be and the same are hereby repealed; and this Act take effect from and after its passage.

APPROVED, September 28, 1893.

JONAS WOLFE,  
Governor.

**An Act to Appropriate Five Hundred Dollars to Assist in Removing the Intruders From the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of five hundred dollars, or so much therefor as may be necessary, to remove said intruders be, and the same is hereby appropriated to assist in removing said intruders.

SEC. 2. Be it further enacted, That the Governor is hereby authorized to call on the Auditor for his warrants for said purpose and the Treasurer to pay the same out of any money not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, September 30, 1893.

JONAS WOLFE,  
Governor.

**An Act for the Relief of Frank Darrows.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of fifty-six dollars and forty cents (\$56.40) be, and is hereby appropriated for the relief of Frank Darrows, this being amount due him for board of scholars at Bethel Neighborhood School, and which was allowed by the School Committee of September, 1892, from failure of the Clerk to put on appropriation bill, and was not paid.

SEC. 2. Be it further enacted, That the Auditor issue his warrant for the same, and the Treasurer pay the same out of any money not already appropriated, and this Act take effect from and after its passage.

APPROVED, September 30, 1893.

JONAS WOLFE,  
Governor.

**An Act in Relation to the Pay of Members of the Legislature.**

WHEREAS, The people of the Chickasaw Nation elect members of the Legislature and send them to the seat of government to do business for the Nation, and the whole people intrusted, and Whereas some

members at times have come here at the opening of the Legislature, and had their name put on the roll, then get excused to go home, and there remain until the Legislature is about ready to adjourn, then come back and draw full pay with those who have been here at work all the time, and Whereas, it is a fraud on the Nation, and should not be allowed, and that such members who would do such a thing as that ought not to be paid only for the days he actually rendered service, now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That whenever a member of the Legislature wishes to go home, or is needed at home, on account of home affairs, he must obtain a leave of absence for a specified number of days from the Speaker of the House or President of the Senate, owing to the House he belongs to, and whichever House grants the leave of absence must make a record of same, and the time such person is to return, and such leave of absence shall not extend over six days at a time, and at the expiration of his time, if he is not back in his seat, his time for pay shall cease, and he shall not be allowed pay during his absence but when he does return and commences service then his pay shall go along with such service to the end of the session, provided he remains during the time, and hereafter no member will be allowed to remain at home and draw full pay as member, unless under a leave of absence as provided by this Act; and each House of the Legislature shall pay strict attention to this Act and see that its provisions are complied with, and any member leaving without such leave of absence from his House shall not be allowed any pay at all only for the days he actually served (Sundays excepted.) And this Act take effect from and after its passage. Amended by the Senate, by excusing members for actual sickness of members and their families.

APPROVED, October 6, 1893.

JONAS WOLFE,  
Governor.

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**An Act to Prohibit Hunting with Hounds.**

WHEREAS, United States citizens renting land within the limits of the Chickasaw Nation are in the habit of hunting over the country

with hounds, and in many cases they steal hogs from the Natives of this country, and Whereas, such hunting is of no material use to any person or persons, and does in the meantime much harm and injury to the people of the Nation, and also has a tendency to make people's hogs go wild and uncontrolable, now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That hunting with hounds within the limits of this Nation by non-citizens be, and the same is hereby prohibited, and any such non-citizen violating this Act shall be deemed intruders, and their permits (if they have one) shall be deemed by this Act forfeited, and upon the fact being reported by any citizen of the Nation to the Governor he, (the Governor) shall report such offenders to the United States Indian Agent, and urge him to remove the said offenders out of this Nation. And no other permits thereafter shall ever be granted any such person; and immediately after the passage of this Act the Governor shall have the same published in some Territory newspapers, and shall see that this Act is duly observed throughout this Nation; and this Act take effect from and after its passage.

APPROVED, October 9, 1893.

JONAS WOLFE,  
Governor.

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**An Act to Create a Citizenship Committee for the Chickasaw Nation, and Defining Its Duties and Powers.**

WHEREAS, The question of Chickasaw citizenship has become a matter of much importance within the limits of the Chickasaw Nation, and Whereas, some definite action in relation thereto should be taken, that will insure some final results, and especially in regard to two great families of claimants known as the Colbert, Moore, and Alabama families, and such other families, whose rights heretofore have not been passed upon by some Chickasaw authority; now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the present session of the Legislature shall elect four citizens of this Nation who are well versed in the Laws, Constitutions and Treaties of said Nation, and persons of mature age, and of good reputa-

tion, as business men, as a Citizenship Committee, which Committee shall have the right to elect one Sergeant-at-Arms. and one Clerk, and one Interpreter, all of whom shall constitute the Citizenship Committee, and the Attorney-General of said Chickasaw Nation shall co-operate with said Committee, and defend the rights of the Chickasaw Nation, and to see that no person is admitted to citizenship fraudulently, and said Attorney-General shall be with said Committee at all times during its setting, and be upon the same footing as members thereof relative to compensation.

SEC. 2. Be it further enacted, That the said Committee, their Clerk, Interpreter and Sergeant-at-Arms, shall, before entering upon their duties take the oath of office prescribed in the Constitution of the Chickasaw Nation, and shall hold in session not longer than sixty days, and each member of said Committee, their Clerk, Interpreter and Sergeant-at-Arms shall receive the sum of four dollars per diem while actually engaged on said Committee business, and said Committee shall sit at Tishomingo on the first Monday in December, 1893, and proceed to the discharge of their duties under this Act; and said Committee shall have power to summons all witnesses in behalf of the Chickasaw Nation, and shall pay the same two dollars per day, and ten cents per mile traveled one way only, and all claimants shall furnish their own witnesses and pay the same at their own expense, and all cases brought before said Committee shall be decided one way or the other before said Committee concludes the work; and no case shall be left undecided. All affidavits and depositions will be acceptable, corroborating testimony, but the evidence of good, reliable Chickasaws by blood will be necessary to justify the Committee to confer Chickasaw rights upon any claimant, or claimants, and any claimant unable to furnish such evidence shall be decided against in every such case.

SEC. 3. Be it further enacted, That this Act shall only apply to the Colbert, Moore family of claimants, and the so-called Alabamas family of claimants and such other claimants whose rights or claims of citizenship have not been heretofore decided upon by some Chickasaw authority; and after said Committee shall have completed their work under this Act, or the time herein allowed has expired, on the last days thereof said Committee shall bring to a close its labor, by

passing on all claims before it undecided, with whatever evidence there be, and make out a full and complete itemized report of their proceedings, and decisions with costs or expenses in full accrued under this Act, and refer the same to the Legislature, which may be a special session, or at the next regular term, being optionary with the Governor. Said report shall show those claimants rejected and those allowed, and all those rejected or decided against by said Committee shall stand rejected forever hereafter; and all of those allowed by said Committee and reported to the Legislature accompanied with the evidence in each case shall be approved by the Legislature before the same shall be of any validity in Law, and if rejected by the Legislature, then in that case they shall stand rejected forever hereafter.

SEC. 4. Be it further enacted, That no persons will be eligible to serve on said Committee in either capacity (save the Attorney-General) who is holding any other office at the time, unless the former office is first resigned; and at the adjournment of said Committee the Chairman thereof (who shall be elected by said Committee at the time of organization) shall issue to each member of said Committee, the Clerk, Interpreter, Sergeant-at-Arms and Attorney-General a certificate of their time, with amount due each, attested by the Clerk thereof, upon the presentation of which the Auditor shall issue his warrant therefor, and the National Treasurer shall pay the same out of any funds in his hands, or which may come into his hands not otherwise appropriated; and all their expenses of said Committee for witnesses as by this Act required, the same shall be appropriated by the succeeding Legislature as per report of said Committee; and the necessary amount to pay off the Committee, Attorney, Sergeant, Clerk and Interpreter, be and the same is hereby appropriated out of the National Treasury, and immediately after the passage of this Act, the Governor shall send a certified copy or copies of these Acts to as many as three different newspapers within this Nation, and have the same published from the contingent fund for his office in every issue of said paper, up to the first Monday in December, 1893, after which all claimants who fail to come forward before said Committee and establish or have their rights tried and decided on, shall stand debarred forever thereafter (any excuses to the contrary notwithstanding),

and all claimants may be represented by counsel, or themselves in either case, said Committee shall give them a fair and impartial trial and hearing according to the nature of their evidence, and any claimant which may be allowed by said Committee and approved by the Legislature will not be entitled to any back annuities, but will participate in all future rights of Chickasaw citizenship according to the existing Laws of said Chickasaw Nation, and all persons claiming Chickasaw citizenship by inter-marriage whose rights now stand notoriously disputed, and whose marriages were not strictly in compliance with the Laws of said Chickasaw Nation at the time of said marriage, should be decided against in all such cases, provided this section shall not be deemed to prevent the parties from re-marrying in compliance with Chickasaw Laws, and thereby entitle themselves to full citizenship under the Laws of said Chickasaw Nation; and their issue previous to the last named marriage will not be in any way affected, either parent being of Chickasaw blood in making their report to the Legislature shall classify their cases in the manner in which they shall exist; that is to say, those by inter-marriage, those by adoption, those by blood, and hereafter all marriages of citizens of this Nation with United States citizens not in compliance with the Laws of this Nation will not confer citizenship upon the United States citizen: and this Act take effect from and after its passage.

Amended by the House by inserting the following: The present session of the Legislature shall elect four competent persons, also by striking out the Attorney-General shall receive four dollars per diem, amended further that the Committee shall have jurisdiction only in the cases of the Colbert, Moore and Alabama families, and the parties who have been before like Committees and never received a decision.

APPROVED, October 14, 1893.

JONAS WOLFE,  
Governor.

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**Joint Resolution.**

WHEREAS, It is thought proper and lawful that the existing vacancies in the House of Representatives and Senate of the Chickasaw

Legislature, be filled by special election had in the different counties of this Nation from which such vacancies occur, and Whereas, some little time will be required in order that the Executive power of said Nation may lawfully authorize said election by means of issuing such writs of election as the Laws and Constitutions of said Nation require and provide for in such cases, and Whereas, to give such time, it is wholly unnecessary and improper that the present Legislative body should adjourn, but rather take a recess until Monday at 9 o'clock a. m. January 22nd, 1894, then to reassemble and proceed to business as an organized body in Legislation assembled.

Now, therefore, be it resolved, by both branches of the Chickasaw Legislature, That the present session do now take a recess until Monday, 9 o'clock, a. m. January 22, 1894, then to reassemble and proceed to such business as may lawfully, come before said Legislative body, and this joint resolution take effect and be in force from and after its passage by both branches of the present Chickasaw Legislature.

APPROVED, January 16, 1894.

JONAS WOLFE,  
Governor.

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**An Act Authorizing the Appointment of Delegates to Visit  
Washington City, D. C.**

WHEREAS, There have been Delegates sent to Washington from Oklahoma and the Indian Territory by conventions for the purpose of advocating Statehood, and allotment for the five civilized Tribes, against the express wishes of the Chickasaw people, and the Governor of the Chickasaw Nation has convened the Legislature in extra session for the purpose of making provisions to have our Nation properly represented before the present session of Congress, now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be, and he is hereby authorized, and requested to appoint and commission two competent persons as Delegates to visit Washington City, and remain through the present session of Congress with full and efficient power to represent the Chickasaw people in all things touching their interest and welfare, under any

Treaties existing between the United States and the Chickasaw Nation.

SEC. 2. Be it further enacted, That the said Delegates are hereby authorized and directed to protest against any and all Statehood or Territorial form of government in open violation of all Treaty obligations which may be introduced into the United States Congress for the purpose of extending the same over the Indian Territory against the express wishes of the Chickasaw people.

SEC. 3. Be it further enacted, That the said delegates shall each receive two thousand dollars in full for their expenses in going to and returning from Washington, D. C., and their stay there as required by the first section of this Act, and the Auditor of Public Accounts is hereby authorized and directed to issue his warrant on the Treasurer for the same amount for each of the Delegates herein appointed.

SEC. 4. Be it further enacted, That the said Delegates shall make a true report of their official Acts, verified upon oath to the next regular session of the Chickasaw Legislature, in September, 1894, when their commission shall expire, and should either of said Delegates return from Washington without lawful excuse, before the present session of Congress, he or either of them so returning shall refund to the Chickasaw Nation all money received by them for their services, and expenses, except the actual fare and necessary expenses of going to and returning from Washington, and in case either of said Delegates should refuse or fail to refund the said money they shall be prosecuted as the law provides for in cases of obtaining money under false pretenses. And this Act shall take effect from and after its passage.

APPROVED, January 27, 1894.

JONAS WOLFE,  
Governor.

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**An Act Relieving Delegates Appointed Under an Act of January 27, 1894, Authorizing the Appointing of a Delegate.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the report of Josiah Brown and Palmer S. Mosely, as the

Delegates to Washington, D. C. submitted September 13, 1894, be and the same is hereby received and accepted, and that said Delegates be, and they are hereby exonerated and relieved from further duties as Delegates, and are hereby relieved of all liabilities and requirements of the provisions of said Act of January 27, 1894 authorizing the appointment of a Delegate.

APPROVED, September 13, 1894.

P. S. MOSELY,  
Governor.

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**An Act Authorizing and Empowering the Governor to Contract With and Employ Some Competent and Well Informed Attorney to Draft Certain Bills, and for Other Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor of the Chickasaw Nation, be, and is hereby authorized, empowered and solicited to contract with and employ one competent and well-informed attorney to draft a bill to empower and provide that the Chickasaw authorities take charge of and fully control all town sites located and built on railroads running through the Chickasaw Nation, and other town sites and public corporations or improvements, as may be provided under the provisions of said bill, and that said bill be drafted and presented to the present session of the Legislature for action thereon.

APPROVED, September 14, 1894.

P. S. MOSELY,  
Governor.

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**A Bill to extend an Act Entitled "An Act Granting the Methodist Episcopal Church South, the right to Establish a Church and School Building in the Chickasaw Nation, Etc."**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act entitled "An Act granting the Methodist Epis-

copal Church South the right to establish a church and school building in the Chickasaw Nation for a term of years" approved Oct. 1st, 1884, be, and the same is hereby extended in full force and effect upon the same terms and conditions as the original Act for a period of ten years from the date of the approval of this Act. And this Act be in force from and after its passage.

APPROVED, September 21, 1894.

P. S. MOSELY,  
Governor.

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**An Act Authorizing and Directing the National Treasurer of the Chickasaw Nation to Set Aside and Reserve From the Interest Due From the United States, Derived From the Trust Fund Now Held by the United States for Certain Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Treasurer of the Chickasaw Nation be, and he is hereby authorized and directed to retain in his hands as Treasurer a sufficient amount of the money derived by the Chickasaw Nation from the United States as interest on the trust fund now held by the United States for the Chickasaw Nation, said money being paid semi-annually by said United States to the Chickasaw Nation. Said fund, or so much thereof as may become necessary is to be held by said Treasurer to pay the necessary expenses attending the maintenance and proper management of the Chickasaw National Schools and State scholars.

SEC. 2. And this Act take effect from and after its passage.

APPROVED, September 21, 1894.

P. S. MOSELY,  
Governor.

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**An Act for the Relief of A. Rennie and Others.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of one hundred and five dollars and forty-four cents (\$105.44) be and the same is hereby appropriated to pay the

State National Bank of Denison, Texas, and A. Rennie and Wm. Rennie, the same being their expense in procuring testimony against the Munson claim now being prosecuted against the Chickasaw Government at Washington.

SEC. 2. Be it further enacted, That the Auditor of Public Accounts is hereby authorized to issue his warrant on the National Treasurer for the amount named in this Act; and this Act take effect and be in force from and after its passage.

APPROVED, September 22, 1894.

P. S. MOSELY,  
Governor.

WHEREAS, It is believed that the relation of the Chickasaw Nation with the Government of the United States is growing more important, and Legislation is being introduced into the Congress of the United States, looking to the impairment, and often to the annihilation and destruction of our Government; and

WHEREAS, The Chickasaw Nation is, and will be, entitled to a large sum of money for what is known as the balance of the "Lease District" should the Government of the United States divert the lands from the purposes ceded by said Nation; and

WHEREAS, Many other matters may arise affecting the rights and interest of the Chickasaw Nation, either before the Department of the United States, the Courts and the Congress; and

WHEREAS, It is deemed wise to have an efficient Attorney at Law who is familiar with our affairs to represent us in any and all matters pertaining to our Government; therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor of said Nation is hereby authorized and empowered to employ and contract with Samuel W. Peel an Attorney at Law, residing at Bentonville, Arkansas, and practicing Law at Washington City, District of Columbia, as our Attorney at and for the period of two years; and that we agree to pay him the sum of twenty-five hundred dollars per annum, payable quarterly for his services. provided the said Samuel W. Peel will agree to give all needful attention to our business, and faithfully and honestly represent and protect

our every interest in all matters with the Government of the United States, either before the Executive, heads of Departments, the Courts, or before the Congress without additional charge, whether the same be for our interest in lands, money or otherwise, except as to our claim against the United States for arrears of interest, and that he represent us as aforesaid to the best of his ability.

All Acts and parts of Acts in conflict with this Act are hereby repealed.

APPROVED, September 25, 1894.

P. S. MOSELY,  
Governor.

WHEREAS, The Chickasaw Nation of Indians, in the Indian Territory, claims that the United States is indebted to them as arrears of interest at five per centum per annum, on the sum of one hundred and eighty-four thousand, one hundred and forty-three dollars and nine cents, trust fund, from December 31, 1840, to June 30, 1889, and on the sum of fifty-six thousand twenty-one dollars and fifty-nine cents from the said 31st day of December, 1840, to June 30th, 1890; and

WHEREAS, The Congress of the United States, during the second session of the Fifty-Second Congress, after full and free discussion rejected and refused to pay the same, and the said Government of the United States does still refuse to pay the same or any part thereof; and

WHEREAS, It is believed that if said claim is ever collected at all, it will be after long and continuous prosecution of the same through the Courts of the United States to a final judgment in the Court of last resort; therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That in order that said claim may be diligently and speedily prosecuted to final judgment and collection, that the Governor of the Chickasaw Nation is hereby authorized and empowered to contract with and employ Samuel W. Peel, of Bentonville, Arkansas, an attorney at law, now practicing in the City of Washington, District of Columbia, and to pay him a sum equal to ten per cent. upon whatever

amount that may be fully recovered on said claim for the Chickasaw Nation; Provided the said Samuel W. Peel shall and will agree to prosecute said claim before any of the departments of the United States, the Committees of Congress, or before and through any of the Courts of the United States with as much dispatch as the circumstances will permit at his own expense, and to make no charge against the Nation for expenses or professional services unless recovery in favor of the Nation is had; then only for ten per cent. on the amount recovered.

SEC. 2. All Acts or parts of Acts in conflict with this Act are hereby repealed.

APPROVED, Sept. 25, 1894.

P. S. MOSELY,  
Governor.

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**An Act for the Relief of the Heirs of Bond Underwood,  
deceased, Late of Pontotoc County.**

WHEREAS, during the year of 1888, Jim Frazier was Sheriff of Pontotoc County, C. N.; charges of wilful neglect of duty or misdemeanor in office was preferred against him, upon which his Excellency W. M. Guy, Governor of the Chickasaw Nation, duly suspended said Jim Frazier from the office of Sheriff, and appointed and commissioned Bond Underwood in his stead; and said Bond Underwood duly served out the unexpired time of said year, which time amounted to the sum of three hundred and thirty-three dollars and thirty-three and one third cents (\$333. 33 $\frac{1}{3}$ ) which amount was never paid, but instead the said Jim Frazier drew the full year's salary for said office of Sheriff. The said Bond Underwood died leaving no one interested to see that his pay was collected for the benefit of his estate, until Walton Columbus who is now the lawful husband of one of the daughters of said Bond Underwood, and there being two other children, all of whom are needy of said money, and should by right have the same. said Walton Columbus has presented said account to the Legislature heretofore, and requested an appropriation, but from some unjust and unknown cause to the heirs interested the said Legislature failed to

make any appropriation for the relief of said heirs of Bond Underwood, and therefore said heirs by their representative Walton Columbus, praying for such needful relief, now therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of three hundred and thirty-three dollars and thirty three and one-third cents (\$333.33 $\frac{1}{3}$ ) be appropriated out and from the National Treasury in favor of the heirs at law of Bond Underwood for services rendered in Pontotoc County, Chickasaw Nation during the year 1888, as Sheriff under appointment and commission of Governor W. M. Guy, and the Auditor of Public Accounts is hereby directed to draw his warrant in favor of Walton Columbus for the benefit of said heirs for said amount herein appropriated, and the National Treasurer shall pay the same out of any funds in his hands, or which may hereafter come into his hands, not otherwise appropriated.

And this Act take effect and be in force from and after its passage.

APPROVED, September 28, 1894.

P. S. MOSELY,  
Governor.

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**An Act to Amend an Act, Entitled "An Act Creating a Special Agent for the Chickasaw Nation, and Defining His Duties."**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That an Act entitled "An Act Creating a Special Agent for the Chickasaw Nation, and defining his duties," passed and approved September, 1893, Jonas Wolfe, Governor, be and the same is hereby amended by reducing said pay or commission allowed said Special Agent to fifteen per cent. of the amount of his collections, and causing said Special Agent to report and turn over such money so collected once every three months, or quarterly, and this Act take effect from and after its passage.

APPROVED, September 28, 1894.

P. S. MOSELY,  
Governor.

**An Act to Amend an Act, Entitled "An Act to Educate Twelve Chickasaw Boys in the States, and Providing Pay Therefor," Passed and Approved September 27, 1893. Jonas Wolfe, Governor, C. N.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act entitled "An Act to educate twelve Chickasaw boys in the States, and providing pay therefor," and passed and approved September 27th, 1893, Jonas Wolfe, Governor, C. N., be and the same is hereby amended so that hereafter the expenses allowed the School Superintendent shall be only two hundred and fifty dollars annually, instead of five hundred dollars, and instead of the Superintendent of Schools being required to visit said boys twice during each year, he shall only be required hereafter to make one visit to said boys annually, which shall be at the close of their school; Provided the same does not interfere with the time set by him for the examination of the Academies of this Nation; and in this event his visit to said boys shall be made at his own pleasure. And this Act take effect from and after its passage.

APPROVED, Sept. 28, 1894.

P. S. MOSELY,  
Governor.

**An Act to Prohibit National Officers from Speculating in National Warrants, Jury and Witness Tickets, or any Other Evidence of Chickasaw Indebtedness, not Authorized by Law, and Providing Punishment Therefor.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act it shall be unlawful for any National Officer of this Nation to speculate in National warrants, jury and witness tickets, or any other evidence of National indebtedness, not heretofore authorized by law, in the manner of using the Nation's money to buy up said script, or National indebtedness; but this section shall not be construed to prevent persons with their own individual money from buying up at discount or otherwise

such script or evidences of National indebtedness, but applies to cases where National Officers are in possession of moneys due and belonging to the Nation with which they buy up said script at heavy discount and pay the National money therefor, and thereby buying up the National debts with the Nation's money and realizing for themselves the profits and gain unlawfully.

SEC. 2. Be it further enacted, That any Officer of this Nation being found guilty of violating this Act in any form or manner shall when known to be true by any person, said person shall at once report said Officer to the Governor upon which the Governor shall at once order and set a day for trial before him, having the witnesses and Officer accused on said day present. The Governor shall try the said Officer; and if he finds him guilty he shall at once suspend the Officer, and make an appointment to fill his place until the accused be remanded to the District Court for further indictment by the Grand Jury, and tried by the Court. If convicted he shall be fined not less than five hundred or more than two thousand dollars, and imprisoned six months in the National jail; but should the Grand Jury fail to see just cause to indict, or should he be indicted, tried and come clear, then it shall be the duty of the Governor, upon a report from the Grand Jury or Judge of the Court, of the disposition of the case—the Governor shall promptly remove his suspension, and re-instate said Officer to the office, and relieve the temporary officer by giving him certificate of his time and amount due for same, which shall be allowed and paid at the next Legislature ensuing. And this Act take effect from and after its passage.

APPROVED, September 28, 1894.

P. S. MOSELY,  
Governor.

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**An Act to Prohibit the Judges of the Chickasaw Nation From  
Appointing Bailiffs at the Different Terms of the Courts,  
and Compelling the Commissioned Officers to Dis-  
charge All Needful Duties.**

SECTION 1. Be it enacted, by the Legislature of the Chickasaw Nation, That hereafter no Judge of this Nation shall be authorized or

allowed to appoint for any purpose whatever Bailiffs or Deputy Sheriffs, or Constables; and hereafter the commissioned Sheriffs and Constables shall be compelled to discharge and perform all duties heretofore performed by such Bailiffs; and any Judge violating this Act shall be guilty of a misdemeanor, and shall be dealt with accordingly. And all laws or parts of laws in conflict with this Act be, and the same are hereby repealed; and this Act take effect from and after its passage.

APPROVED, Sept. 29, 1894.

P. S. MOSELY,  
Governor.

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**Senate and House Resolution Praying the Pardon of Stephen Bussell,  
a Chickasaw Indian, now Under a Life Sentence.**

TO HIS EXCELLENCY, GROVER CLEVELAND, President of the United States of America.

Be it resolved, by the Senate and House of Representatives, of the Legislature of the Chickasaw Nation, in Legislature assembled, at Tishomingo City, the Capitol of said Chickasaw Nation, September 22nd, 1894, That we most respectfully represent that we truly believe that Stephen Bussell, who is now serving a life time sentence in the penitentiary within the State of Ohio, upon and for being an accomplice in the murders of Christian and Luttrell, late of Pickens County, Chickasaw Nation, and for which was tried and convicted in the United States Court at Fort Smith, Arkansas, sometime since, is purely and truly innocent of having taken any part whatever in said murders, although he unfortunately happened to be with and in company with his uncle, Alexander Juzan, who did the shooting and committed the awful murders, for which he was himself killed resisting arrest. We further represent that many of us live right in the section of country where said murders were committed, and from all the surrounding circumstances and other proof, which we hope will reach your inspection, sincerely believe and feel assured that the accused, Stephen Bussell, is being unjustly deprived of his liberty and the enjoyment of his dear home and many friends, and aged mother and young wife and child.

WHEREFORE, We believe that his pardon and release from said imprisonment will truly and most gratifyingly meet with the highest approbation of the people generally throughout this section of country, and by this resolution, we do in advance offer thee our prayers, and thankfulness, coupled with the hope that you will take up said Bussell's case, and examine what we have to offer to justify the request of pardon we so earnestly make of thee feeling as we shall assured that your action will be truly upon the lines of strict justice, and sympathy to the accused for whose relief we pray.

Resolved further, That this resolution of respect and gratefulness be forwarded to his Excellency, Grover Cleveland, to be considered together with the other papers and evidences offered, and this resolution take effect when passed by both Houses of the Legislature and is approved of by the Governor of the Nation, and authenticated by the great seal of the Chickasaw Nation being affixed hereon.

APPROVED, September 28, 1894.

P. S. MOSELY,  
Governor.

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### **An Act to Repeal an Act Entitled "Contingent Fund."**

WHEREAS, said contingent fund heretofore has been misapplied, the Executive and National Secretary being accustomed to divide the same, and appropriated the value thereof to their own use and no account of same has ever been rendered to the Legislature; and

WHEREAS, there is annually appropriated by law two hundred and twenty dollars to supply the Nation with stationery, and subject to disbursement by the National Secretary which should be sufficient to furnish stationery for the Nation, not including printing, there being no printing of importance authorized except permit blanks and a few publications of special Acts of the Legislature, and

WHEREAS, owing to the great indebtedness of the Nation all possible economy should be used as a strict policy to be pursued and all possible intrenchments made, now, therefore.

Be it enacted by Legislature of the Chickasaw Nation, That the Act entitled "Contingent Fund," found at page 213 Chickasaw stat-

utes, and passed and approved April 9, 1889, be, and the same is hereby repealed; and this Act take effect and be in force from and after its passage.

APPROVED, September 29, 1894.

P. S. MOSELY,  
Governor.

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**A Bill to Pay Certain Attorneys for Services Rendered in  
the Charles McSwaine Murder Case.**

SEC. 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of four hundred and fifty dollars be, and the same is hereby appropriated out of any moneys not otherwise appropriated, which may now be in the National Treasury, or which may come into the Treasury for the payment of Hazelwood and Smith and Standifer and Ettstein for services rendered by them in the Charley McSwaine murder case.

SEC. 2. The Auditor of Public Accounts is hereby authorized to issue his warrant payable to said parties for said sum, and to audit the same, and that this Law take effect and be in force from and after its passage.

APPROVED, September 29, 1894.

P. S. MOSELY,  
Governor.

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**An Act Making Arthur Nesbit an Heir at Law of H. F.  
and Mary Baker.**

SECTION 1. Be it enacted, by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, that the child known as Arthur Nesbet, son of the late Dr. Geo. Nesbet, and his wife, Sophia Nesbit, deceased, having been adopted by the said H. F. and Mary Baker, be, and he is hereby, legally adopted an heir at law of the said H. F. and Mary Baker, and shall be entitled to all the rights, privileges and immunities as are of their own bodily heirs and in case

the said H. F. and Mary Baker die intestate the aforesaid Arthur Nesbit shall be considered as one of the heirs of the said H. F. and Mary Baker, and he shall be entitled to have an equal right with their other bodily heirs, if any, in the estate of the said H. F. and Mary Baker. Recommended by, and the passage of solicited by H. F. and Mary Baker.

APPROVED, Sept., 1894.

P. S. MOSELY,  
Governor.

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**An Act Authorizing the Election of Delegates to Washington D. C. in the Interest of the Chickasaw Nation.**

WHEREAS, there have been Delegates appointed from Oklahoma, and by non-citizens elsewhere, to visit Washington to work in the interest of Statehood for the five civilized tribes, and for the allotment of the lands belonging to said tribes, and this in direct opposition to the express wishes of the Chickasaw people, and the Governor of the Chickasaw Nation has convened the Legislature in extra session for the purpose of making provisions to have our Nation properly represented before the present session of Congress, now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Senate and House of Representatives, shall meet in Joint Session, and elect two competent and well-informed citizens of the Chickasaw Nation as Delegates to be commissioned by the Governor to visit Washington City, and remain through the present session of Congress, with full and complete power to represent the Chickasaw people in all things touching their interest and welfare.

SEC. 2. Be it further enacted, That the said Delegates are authorized and directed to protest against any and all statehood or territorial form of government, in open violation of all treaty obligations.

SEC. 3. Be it further enacted, That said delegates shall make a true report in writing at the next regular session of the Legislature, in September, 1895, at which time their said commission shall expire.

SEC. 4. Be it further enacted, That the said Delegates shall receive the sum of two thousand dollars (\$2,000) in full for their services

in going to and returning from Washington, and during their stay, as is required by section 1st of this Act; and the Auditor of Public Accounts is hereby authorized and directed to issue his warrants on the Treasurer for said amount to each of the Delegates so elected under this Act; and the Treasurer of the Chickasaw Nation is directed to pay said warrants, when so drawn, out of the first available funds in his hands.

SEC. 5. Be it further enacted, That no Act of the Delegates herein provided for shall be binding upon the Chickasaw Nation until they are ratified by a two-thirds majority of both branches of the Legislature.

APPROVED, December 20, 1894.

P. S. MOSELY,  
Governor.

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**A Bill to Prohibit the Disposal of Timber, Rock and Gravel Within the Limits of the Chickasaw Nation; and to Provide for the Payment of a Royalty Thereon, and Creating the Office of Timber Agent, and Defining His Duties, and Prescribing the Penalty for the Violation Thereof.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act, it shall be unlawful for any citizen of this Nation to sell, barter, give or otherwise dispose of any timber, gravel, or rock, now growing or which may hereafter grow on lands within this Nation (except for private use about his home) without first complying with the terms of this Act which follow.

SEC. 2. That whenever a citizen of this Nation desires to dispose of timber of the kind hereinafter innumeraed, (except for private use about his home) in any manner, he or she shall get permission first from the Timber Agent of this Nation so to do; and it is hereby made unlawful for him or her to remove or permit to be removed any timber of the kind specified in this Act till said Timber Agent has measured same and collected the amount due the Chickasaw Nation thereon in accordance with the provisions of this Act.

SEC. 3. That the Chickasaw Nation shall be entitled to receive the following rate of royalty on the kinds of timber, gravel or stone herein mentioned; and said rates are hereby fixed and levied, to-wit: Ten dollars on each one thousand feet of walnut lumber, two dollars for each one thousand feet of ash lumber, one dollar for each one thousand feet of oak lumber, seventy-five cents for each one thousand feet of cotton-wood lumber; for each and every cedar telegraph or telephone pole, forty-five cents, and for each oak telephone or telegraph pole twenty-two and one-half cents, and for cedar piling two and a half cents per foot, running measure, and for oak piling one cent per running foot, running measure; for oak railway ties the sum of seven dollars and fifty cents per one hundred ties, and this is to be paid irrespective of the kind of oak the ties are made of; for cedar, walnut or Bois d'arc twenty-five dollars per one hundred ties; for black locust and coffee bean railroad ties, twelve dollars and fifty cents per one hundred ties; for mulberry, or red or slippery elm railroad ties, twenty-five cents per each one hundred ties; for railroad switch ties, of red or black oak, fifteen dollars per one hundred ties, for posts, white or bur-oak railroad switch ties, twenty-five cents each; for every tree felled for tan bark, seventy-five cents; and for each cord of wood, twenty cents per cord; for each one thousand cottonwood or cedar shingles, twenty-five cents; and the above royalty on lumber shingles and tan bark shall be due and payable on all manufactured in the Nation, (except it be used for private purposes about the home of the manufacturers) whether shipped out or sold within the Nation; and should there be any timber not described in this Act, the National Agent may contract for its sale for the best price he can obtain. It shall be unlawful for any person to remove any timber mentioned herein from the Nation till the amount of royalty herein levied shall have been ascertained and paid to the Timber Agent of said Nation. For each cubic yard of gravel the nation shall receive a royalty of one cent, and stone per cubic yard, five cents.

SEC. 4. That the office of Timber Agent of the Chickasaw Nation be, and the same is hereby created, whose duty it shall be to collect the royalty herein provided for, who shall be appointed by the Governor, and who shall hold his office for two years, unless sooner re-

moved for misconduct, by the Governor. Said Agent shall receive fifteen per cent. of all the royalty collected by him as compensation for his services, and he shall report to the Governor every ninety days, giving an itemized account of the moneys collected by him, and from whom collected, and shall at said period turn over to the Governor of said Nation said amount so collected and take a receipt therefor. Said Agent shall have the power, and it is hereby made his duty to call out a posse sufficient to prevent the removal of any timber enumerated in this Act till the royalty herein levied has been paid to him. It is his duty, and he is hereby authorized to go upon any and all lands within this Nation, and make accurate measurements of all timber which may be cut by any person or persons.

SEC. 5. Be it further enacted, That said Timber Agent before entering upon the duties of his office shall take the oath of office, and shall enter into a bond with two or more good and sufficient sureties in the sum of five thousand dollars, payable to the Governor of the Chickasaw Nation, or his successor in office, and conditioned that he will faithfully perform the duties of said office, and that he will account to the Governor for the moneys received by him, in accordance with the provisions of said Law.

SEC. 6. That any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than two, nor more than five hundred dollars; and all persons violating this Law shall be prosecuted therefore in the District Court.

SEC. 7. That this Act take effect and be in force from and after its passage, and all laws or parts of laws in conflict herewith be, and the same are hereby repealed.

APPROVED Dec. 21, 1894.

P. S. MOSELY,  
Governor.

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**An Act to Establish a Court of Claims.**

SECTION 1. Be it enacted, by the Legislature of the Chickasaw Nation, That there shall be established in the Chickasaw Nation a

Court to be called the Court of Claims. Said Court shall consist of the Judges to be appointed by the Governor, and who shall be men of mature age, not under forty years of age, and said Court shall try all cases of citizenship of persons claiming Chickasaw rights, whose rights are disputed.

SEC. 2. Be it further enacted, That the Judges of said Court shall open and hold their Court at Tishomingo City, beginning on the first Monday in February, and the first Monday in August, 1895, and not to hold longer than twenty days in each term.

SEC. 3. Be it further enacted, That the Judges of said Court shall at their first meeting elect a Chairman of said Court, Clerk, Sergeant-at-Arms, and Interpreter, all of whom shall receive four dollars per day for their services while actually engaged in holding Court, to be paid out of the National Treasury, out of any money not otherwise appropriated.

SEC. 4. Be it further enacted, That the Chairman of said Court shall issue a certificate to the Judges, Clerk, Sergeant-at-Arms, and Interpreter, certifying the number of days they served, which certificate, when presented to the Auditor, who shall issue his warrant for the same, and said warrant shall be paid by the Treasurer agreeable to the third section of this Act.

SEC. 5. Be it further enacted, That all persons claiming Chickasaw rights shall be required to prove by at least two citizens of blood, Choctaw or Chickasaw, their right as citizens, and by depositions duly authenticated.

SEC. 6. Be it further enacted, That the Chairman of said Court shall be authorized to administer the oath to all witnesses in said Court.

SEC. 7. Be it further enacted, That the Chairman of said Court shall make a complete transcript copy of the proceedings of said Court in all cases to be submitted to the Legislature for their approval or rejection, and their decision shall be final.

SEC. 8. Be it further enacted, That all claimants shall be required to furnish their own witnesses and shall deposit with the Chairman of the Court fifty dollars to help defray the expenses of the Court

and who shall pay the same over to the Treasurer of the Chickasaw Nation.

SEC. 9. Be it further enacted, That the District Attorney shall represent the Nation in all cases; and the commissions of the Judges, Clerk, Sergeant-at-Arms and Interpreter shall expire at the adjournment of this Court, August, 1895. And all Acts coming in conflict with this Act, are hereby repealed, and this Act take effect from and after its passage.

APPROVED, Dec. 22, 1894.

P. S. MOSELY,  
Governor.

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**An Act to Repeal an Act Entitled "An Act to Amend Section Six of the Act Entitled 'An Act to Organize County Courts,'" Found at Page 64, Chickasaw Statutes, Passed and Approved September 25, 1894.**

SECTION 1. Be it enacted, by the Legislature of the Chickasaw Nation, That the Act entitled "An Act to Amend Section six of the Act entitled 'An Act to organize County Courts,'" found at page 64, Chickasaw Statutes. passed and approved September 25, 1894, be and the same is hereby repealed; and Section six of the Act entitled "An Act to organize County Courts," passed and approved October 7th. 1876, be re-established; and that this Act take effect and be in force from and after its passage.

APPROVED, September 11th. 1895.

PALMER S. MOSELY,  
Governor.

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**An Act for the Relief of A. B. Roark. County Clerk of Panola County, Chickasaw Nation.**

WHEREAS, The National Secretary of the Chickasaw Nation in making out a list of the amount due National Officers for their salaries, for the fiscal year ending August 31st, 1894, made a mistake in A. B.

Roark's salary, and instead of receiving two hundred and fifty-seven dollars and fifty cents, that he was entitled to for his services as County Clerk of Panola County, he only received two hundred and twenty dollars, which the appropriation bill will show, thereby leaving a balance due him from the National Treasury of twenty dollars and eighty-five cents, therefore,

**SECTION 1.** Be it enacted by the Legislature of the Chickasaw Nation, That the sum of twenty dollars and eighty-five cents be appropriated out of any money in the National Treasury of the Chickasaw Nation, not otherwise appropriated to pay A. B. Roark, the balance due him for services as County Clerk of Panola County, Chickasaw Nation, for the fiscal year ending August 31st, 1894; and the Auditor of Public Accounts of the Chickasaw Nation is hereby directed to issue a warrant on the Treasurer for that amount; and this Act take effect and be in force from and after its passage.

Amended in the House by striking out thirty-seven dollars and fifty cents (\$37.50) and allowing twenty dollars and eighty-five cents.

APPROVED, September 19, 1895.

P. S. MOSELY,  
Governor.

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**An Act to Build and Equip a School Building at the Chickasaw Orphan Home and Manual Labor School, in Pickens County, Chickasaw Nation.**

**SECTION 1.** Be it enacted by the Legislature of the Chickasaw Nation, That the money now remaining in the Treasury of the Chickasaw Nation, appropriated for the use and benefit of the Chickasaw Orphan Home and Manual Labor School, in Pickens County, Chickasaw Nation, unexpended for the School, now amounts to about seven thousand dollars, more or less, be, and the same is hereby appropriated to build and equip a School building for said School.

**SEC. 2.** Be it further enacted, That W. S. Derrick, contractor for said School, have the management and control of the building and equipping of said School building, and shall furnish the next Legis-

lature with an itemized statement of the expenses incurred in said building and equipping; and the Auditor of Public Accounts is hereby authorized and directed to issue his warrant on the Treasurer of the Chickasaw Nation in favor of W. S. Derrick, for the amount of money remaining in the Treasury, which was appropriated for the use and benefit of the Chickasaw Orphan Home and Manual Labor School which remains unexpended by said contractor of said School; and that this Act take effect and be in force from and after its passage.

APPROVED, Oct. 4, 1895.

P. S. MOSELY,  
Governor.

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**An Act to Authorize Citizens of the Chickasaw Nation to Send  
Their Girls to School in the Choctaw Nation, to  
Mrs. L. E. Harley.**

SEC. 1. Be it enacted by the Legislature of the Chickasaw Nation, That any citizen of this Nation wishing to patronize the school of Mrs. L. E. Harley at South McAlester in the Choctaw Nation be, and they are hereby authorized to send their girls to said school of Mrs. L. E. Harley; Provided, however, that there be not exceeding twenty such pupils allowed under this Act, who shall be allowed pay at the rate of fifteen dollars per month per pupil and payable out of the National Treasury of this Nation, the same as in reference to those allowed under the Laws attending school in the States; and at the end of each session the said Mrs. L. E. Harley as principal of said School shall give certificates to the pupils attending under this Act, showing the time attended and grade of scholarship, not exceeding twenty in number; and upon the presentation of said certificates to the Legislature or School Committee at each regular session, the necessary appropriation therefore shall be made as in case of State scholars; and that this privilege be continued so long as the said Mrs. L. E. Harley continues at said school under her own supervision, and this Act take effect and be in force from and after its passage.

APPROVED, Oct. 18, 1895.

P. S. MOSELY,  
Governor.

**An Act for the Relief of J. C. Kemp.**

WHEREAS, There is no water furnished the Harley Institute, and it is stipulated in the contract with J. C. Kemp that the Chickasaw Nation would furnish wells to afford the necessary water required, and Whereas, the wells furnished by the Nation are dry and of no use, and water being a necessity; whereupon the contractor, J. C. Kemp built a hydraulic ram which affords an abundance of water, and at a cost of two hundred and eighty-one dollars, and ninety-five cents, as shown by schedule hereto attached, now therefore,

Be it enacted by the Legislature of the Chickasaw Nation, That the sum of two hundred and eighty-one dollars and ninety-five cents be, and the same is hereby appropriated out of the National Treasury to pay J. C. Kemp for erecting a hydraulic ram and water supplies at the Harley Institute; and the Auditor is hereby authorized to draw his warrant for the same, in favor of J. C. Kemp, and the Treasurer shall pay the same out of any money in his hands not otherwise appropriated. And this Act take effect from and after its passage.

An itemized statement of the net cost of water works put in operation at Harley Institute by J. C. Kemp, Contractor.

Hydraulic engine and pipes, - - - -	\$198.00
Plumber work, 9 days \$3.00, - - - -	27.00
4 hands, nine days, \$1.00 per day, - - - -	36.00
Blacksmith work, - - - -	1.20
"    "    - - - -	.50
Hauling with two wagons 2 days each \$2, - - -	8.00
Carpenter 1 day, - - - -	2.00
Lumber, 700 ft. at \$1.25 per 100 ft. - - - -	8.75
	<hr/>
Total cost - - - -	\$281.95

Amended in the House by allowing two hundred and eighty-one dollars and forty-five cents instead of two hundred and eighty-one dollars and ninety-five cents.

APPROVED, Oct. 10, 1895.

P. S. MOSELY,  
Governor.

**An Act to Prohibit Prize Fighting in the Chickasaw Nation.**

WHEREAS, it is the intention of the Florida Athletic Club to give an exhibition for a monied consideration commonly known as pugilistic contest at some point in the Territory, and the Chickasaw Nation is spoken of as the place to have such contest, and we the members of the Legislature of the Chickasaw Nation, deem all such contests immoral, brutal and a relic of barbarism, and Whereas, our authorities are unable to prevent such contest for the want of jurisdiction over citizens of the United States, therefore,

SEC. 1. Be it enacted by the Legislature of the Chickasaw Nation, That all prize fighting is prohibited within the limits of the Chickasaw Nation, and the Governor be, and he is hereby directed to notify the Secretary of the Interior Department at Washington City, D. C., of the passage of this Act, and request of him to take immediate action to stop all citizens of the United States from violating the provisions of this Act; and this Act take effect from and after its passage.

APPPROVED, Oct. 17, 1895.

P. S. MOSELY,  
Governor.

**An Act to Repair Burris Neighborhood School House in Tishomingo County, Chickasaw Nation.**

SEC. 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of sixty dollars be, and the same is hereby appropriated out of any money now in the Treasury of the Chickasaw Nation, not otherwise appropriated to pay for repairs on the Burris Neighborhood School House in Tishomingo County, Chickasaw Nation; and the Auditor of Public Accounts of the Chickasaw Nation is hereby directed to issue a warrant on the National Treasurer for the amount in favor of H. H. Burris, trustee and that this Act take effect from and after its passage.

APPROVED, Oct. 18, 1895.

P. S. MOSELY,  
Governor.

**An Act to Amend an Act Entitled "An Act to Incorporate Mining Companies in the Chickasaw Nation," Approved December 21, 1886.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That section 11 of an Act entitled "An Act to Incorporate Mining Companies in the Chickasaw Nation" be amended by including cement and lime; and the royalty shall be twelve and a half cents per ton on all cement shipped, and ten cents per ton on all lime shipped; said royalties to be paid as other royalties. And this Act take effect and be in force from and after its passage.

APPROVED, October 18, 1895.

P. S. MOSELY,  
Governor.

**An Act Appropriating Two Hundred and Thirty-three Dollars and Fifty Cents for Collins Institute.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of two hundred and thirty-three dollars and fifty cents be, and the same is hereby appropriated out of any money in the National Treasury, to furnish the Collins Institute with the following named articles; and the Auditor of Public Accounts is hereby authorized to draw his warrant on the Treasurer for the same in favor of the School Superintendent; and this Act take effect and be in force from and after its passage.

100 ft. blackboard, at .50	- - - - -	\$ 50 00.
3 recitation benches, at \$1.50	- - - - -	4 50.
1 teacher's desk	- - - - -	10 00.
1 book case	- - - - -	25 00.
1 doz. school desks	- - - - -	48 00.
1 doz. study tables	- - - - -	12 00.
4 iron bedsteads, at \$12.50.	- - - - -	50 00.
3 32 in. heating stoves	- - - - -	25 00.
20 joints stovepipe, at .15	- - - - -	3 00.
6 window sash, at \$1.00	- - - - -	6 00.
		\$233 50.
	Total	- - - - -

APPROVED, Oct. 28, 1895.

P. S. MOSELY,  
Governor.

**An Act to Fully Supply and Equip the Harley Institute, as Per Contract With J. C. Kemp, and for Other Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the School Superintendent be, and is hereby directed to supply and equip the Harley Institute School with the following bills of furniture and fixtures, as per contract with J. C. Kemp, to-wit:

- 4 recitation seats,
- 2 teachers' tables, and 2 teachers' chairs,
- 5 dozen single seats and desks (modern style),
- 2 iron bedsteads,
- 2 standtables for boys' rooms.

SEC. 2. Be it further enacted, That the School Superintendent also is directed to supply and equip the Collins Institute with the necessary furniture and fixtures as per contract with W. P. Smith, but not to furnish either of said Schools with anything unless it be as per contract with said contractors; and the same having been furnished, the Superintendent shall issue his certificate therefor; upon which the Auditor of Public Accounts shall issue his warrants on the Treasurer, who shall pay the same; and the necessary amount therefor be, and the same is hereby appropriated, and this Act take effect from and after its passage.

Amended by the Senate by appropriating four hundred and sixty-two dollars to equip Harley Institute, and striking out the provisions made for Collins Institute.

APPROVED, October 28, 1895.

P. S. MOSELY,  
Governor.

WHEREAS, During the February and August sessions of the late Citizenship Committee of the Chickasaw Nation of 1895, said Committee did without any authority of law issue and give out certificates of citizenship to May Anne Byrd and family, Cevans Hill and family, U. S. Jones and family, Mattie Chapman and family, J. H. Lee and family, W. M. McCarty and family, Daniel McDuffey and family, and Mrs. Amanda Jarvis and family; and Whereas, said Committee was not au-

thorized or empowered by any law of the Chickasaw Nation to issue and give out such certificates to any person or persons whatsoever, but the Law creating said committee and giving it power to hear the evidence adduced in such citizenship cases, required that said committee at the adjournment of the August session should send up to the Legislature of the Chickasaw Nation which was to convene on the first Monday in September, 1895, a complete report of the proceedings of said Committee, which should be subject to the approval or rejection of the Legislature before the same should have any legal force: and Whereas, the said Legislature did reject all claimants allowed by said Committee, and therefore the certificates now held by the above named parties and their families are worthless from the beginning and of no legal effect, therefore,

SEC. 1. Be it enacted by the Legislature of the Chickasaw Nation, That the certificates of citizenship now held by the above named parties and their families, they being United States citizens, be, and the same are held and declared null and void, and of no legal effect as against the Chickasaw Nation, they having been issued unlawfully, and said parties for whose benefit the same was issued are hereby declared to be not citizens of this Nation, and are not entitled to any right in the Chickasaw Nation as citizens thereof, and said certificates are hereby declared not entitled to any credit or legal force in this Nation; and this Act take effect from and after its passage.

Amended in the Senate by inserting the names of J. W. Crawford, and his wife, Mrs. M. J. Crawford. See House Journal page 139 and 140.

APPROVED, Oct. 28, 1895.

P. S. MOSELY,  
Governor.

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WHEREAS, Seana Carney, Burney Carney, Andrew Carney, Emeline Carney, Annie Carney, and Sloan Johnson, family of Ruben Carney and Salina Thorn, Gilsey Collins, Neda Thorn, Maggie Thorn, Forrester Ish-ten-cha, Calvin Pah-na-cha, Robinson Pah-na-cha, Jollus Harkins, Ecy Harkins, citizens of the Chickasaw Nation by blood, and residents of Pontotoc County, were unlawfully withheld

from the exercise of their Chickasaw rights, peivileges and immunities by the Captains in charge of the late registration of the Chickasaw people for the payment of the late annuity which money was derived from the final sale and relinquishment of a portion of the "Leased District," which belonged to all the Chickasaws alike, notwithstanding said people have been in the Chickasaw country all of their lives, recognized as Chickasaw citizens all the while, and they have enjoyed all the privileges and rights as such, and notwithstanding said Annuity Captains had no lawful authority to withhold any of their privileges as such citizens, now therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the persons and families mentioned in the above preamble of this Act be, and they are hereby authorized and empowered henceforth to exercise all the rights, privileges and immunities to which they are entitled as Chickasaws by blood, and inter-marriage in all respects as such other citizens of the Chickasaw Nation. And this Act take effect and be in full force from and after its passage.

Amended by the House by striking out Kilo Brown, Syke and Sippy, and the word "inter-marriage."

APPROVED, October 28, 1895.

P. S. MOSELY,  
Governor.

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**An Act to Elect a Commission to Confer with the Choctaws, and for Other Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there shall be elected by joint vote of both Houses of the present Legislature two competent persons, citizens of the Chickasaw Nation, to be commissioned by the Governor to meet and confer with a like Commission from the Choctaw Nation, for a final adjustment of the financial differences between the two Nations.

SEC. 2. Be it further enacted, That it shall be the duty of the Commissioners on the part of the Chickasaw Nation to act in conjunction with the Choctaw Commission in meeting and conferring with the United States Commission appointed by the President to treat

with the Five Civilized Tribes of Indians, and known as the Dawes Commission. Provided, if the Choctaw Commission refuses to treat with the Dawes Commission, then this Commission ends. If the Choctaw Commission agrees to treat with the said Commission, then it will be the duty to meet the Dawes Commission at any place designated by them, and accept or reject such propositions as are submitted to them by the Dawes Commission, and to make propositions and accept or reject propositions in writing, and enter into agreements thereto with said Commission. The said Commission shall make their report to the Governor of the Chickasaw Nation embodying in their report a full and complete copy of the articles of agreement entered into by the said Commissioners and the Choctaw Commission with the Dawes Commission, and the Governor shall at once issue his writ of election by proclamation, for a general election by the people of the Chickasaw Nation to be held immediately after the issuance of the proclamation, to vote as to whether they will accept or reject the agreement entered into by the Commission with the Dawes Commission authorized by this Act. If the majority of the Chickasaw people, by their vote, accept the agreement, after it is thoroughly explained to them by competent persons, the returns of said election shall be returned to the National Secretary, and shall be counted by the Governor and his Cabinet. The Governor shall immediately notify the Principal Chiefs of the Choctaw Nation of the result of the election held in the Chickasaw Nation; and if the Choctaws by their vote concur with the Chickasaw people, the Governor shall, on receiving such notice from the Principal Chief of the Choctaw Nation, issue his proclamation convening the Legislature of the Chickasaw Nation in extra session for the purpose of the enactment of the necessary laws to carry into effect the agreement made and entered into by the Chickasaws and Choctaws with the Dawes Commission.

SEC. 3. Be it further enacted that the compensation of the said Commission shall be four dollars per day while in actual service, and their actual expenses during the time of going to and returning home, and the Governor shall give each a certificate for the amount due him for his services, and the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasurer of the Chickasaw Nation for the

same; and the Treasurer shall pay the amount due each one out of any money in his hands, not otherwise appropriated.

SEC. 4. Be it further enacted, That in case of death or resignation of any of the Commissioners elected, the Governor of the Chickasaw Nation shall appoint some competent person to fill such vacancy, as is provided for in existing laws, who shall exercise the duties of his predecessor in office, and that this Act take effect and be in force from and after its passage.

APPROVED, October 28, 1895.

P. S. MOSELY,  
Governor.

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**Relief Bill.**

WHEREAS, There was an error of fifty-five dollars and eighty cents in the report of the Sandy Creek Neighborhood School in favor of Jamison Underwood, for boarding the following named Chickasaw children, towit,

Landers Burris,	- - - - -	\$19.20
Noah Burris,	- - - - -	17.26½
Agnes Anderson,	- - - - -	19.33½
		<hr/>
Total	- - -	\$55.80

SEC. 1. Be it enacted by the Legislatura of the Chickasaw Nation, That the sum of fifty-five dollars and eighty cents be, and the same is hereby appropriated to pay Jamison Underwood for boarding Landers Burris, Noah Burris and Agnes Anderson while attending Sandy Creek Neighborhood School; and the Auditor of Public Accounts is hereby directed to draw his warrnt on the Treasurer for the amount in favor of C. J Maurer; and that this Act take effect from and after its passage.

APPROVED, October 28, 1895.

P. S. MOSELY,  
Governor.

**An Act to Compel All Persons Holding Warrants Against the Chickasaw Nation to Present Them to the National Treasurer Within Sixty Days, or They Will Be Debarred.**

WHEREAS, The Committee on Finance have labored faithfully and diligently during the present session of the Legislature to ascertain if possible the exact amount of the indebtedness of the Chickasaw Nation up to date, but so far have accomplished but little, and knowing from the depreciated value of our National scrip or paper that the outstanding indebtedness must be considerable, and should be paid in order to place the finances of our Nation on a firm basis, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That all persons holding warrants against the Chickasaw Nation for payment, that has been allowed by the Legislature, shall present the same to the National Treasurer within sixty days from the passage of this Act, so the exact amount of the outstanding indebtedness of the Chickasaw Nation may be ascertained.

SEC. 2. Be it further enacted, That the National Treasurer shall immediately after ascertaining the amount of the total indebtedness of the Chickasaw Nation, notify the Governor, who shall at once issue his proclamation convening the Legislature in extra session to make necessary arrangements to pay off all of the outstanding debts against the Chickasaw Nation.

SEC. 3. Be it further enacted, That the National Secretary shall immediately after the passage of this Act cause to be printed in at least two newspapers, one in the Territory, and one in Texas, a notice, notifying all persons holding warrants against the Chickasaw Nation to comply with the provisions of this Act. And this Act take effect and be in force from and after its passage.

APPROVED, October 29, 1895.

P. S. MOSELY,  
Governor.

**A Bill for the Relief of Richard McLish.**

WHEREAS, There was an appropriation of six thousand, three hundred dollars made in October 1893 to repair three of the academies, viz. Harley Institute, \$1,500.00, Collins Institute, \$300.00, Waupanucka, \$4,500.00, total \$6,300.00, and Richard McLish, School Superintendent, was authorized and empowered to contract for and superintend said repairs; and Whereas, the repairs on said academies amounted to twenty one hundred and sixty dollars more than the appropriation, which amount was paid by the said Richard McLish, therefore,

SEC. 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of twenty-one hundred and sixty dollars, be, and the same is hereby appropriated out of any money in the National Treasury, not otherwise appropriated to reimburse Richard McLish for the amount paid by him for balance on repairs, on academies as per appropriation of October 16, 1893; and the Auditor is hereby authorized to draw his warrant on the Treasurer for the amount; and this Act take effect and be in force from and after its passage.

APPROVED, February 4th, 1896.

P. S. MOSELY,  
Governor.

**An Act Creating a Delegation to Visit Washington City, D. C.,  
During the Present Session of Congress to Withdraw the Sum  
of Seventy Thousand Dollars of the Invested Funds of  
the Chickasaw Nation to Liquidate the Outstand-  
ing Indebtedness of the Chickasaw Nation,  
and for Other Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there be elected by joint vote of both Houses of the present session of the Legislature three competent persons, citizens of the Chickasaw Nation, Delegates to visit Washington City, D. C., during the present session of Congress, with full power and authority to withdraw from the Treasury of the United States the sum of seventy thousand dollars from the one million, three hundred and six

thousand, six hundred and ninety-five dollars and sixty-six cents known as the Chickasaw National Fund, and have the same placed to the credit of the Chickasaw Nation in the United States sub-treasury at St. Louis, Missouri, to be checked out by the Treasurer of the Chickasaw Nation, in payment of all warrants issued by the Auditor of Public Accounts of the Chickasaw Nation, prior to August 31st, 1895, that is outstanding and remains unpaid, and should there be a surplus after all of said warrants have been paid, remaining in the sub-treasury, the same to remain there subject to the further disposal of the regular session of the Legislature of the Chickasaw Nation.

SEC. 2. Be it further enacted, That the said Delegates so elected shall be commissioned by the Governor of the Chickasaw Nation, and they shall have full and efficient power and authority to protest against the passing of any territorial or townsite bills by the United States Congress, or legislation by that body that will interfere with or change the present law, time and form of government of the Chickasaw Nation, and shall remain at Washington City, D. C., during the entire session of the present Congress, and after its adjournment make a written report to the Governor of the Chickasaw Nation of all their official acts while acting as Delegates, to be by him submitted to the next Legislature, after their return home.

SEC. 3. Be it further enacted, That the compensation of the said Delegates for their services shall be two thousand dollars each, and the sum of six thousand dollars is hereby appropriated to become immediately available to pay the delegates; and the Auditor of Public Accounts of the Chickasaw Nation is hereby directed to issue his warrant on the Treasurer for the same, in favor of the parties elected.

SEC. 4. Be it further enacted, That should any vacancy occur by reason of death, resignation or otherwise in the delegation the Governor shall, if he deems it necessary, appoint some competent person to fill out the unexpired term of the said Delegates; and his duties shall be the same as the duties of his predecessor in office; and he shall receive for his service the sum of one thousand dollars out of the Treasury of the Chickasaw Nation, and the Auditor of Public Accounts is directed to issue a warrant in favor of the appointee, on the

National Treasurer, who shall pay the same out of any moneys in the treasury not otherwise appropriated.

SEC. 5. Be it further enacted, That the delegates herein created and empowered, be, and they are further specially authorized empowered and directed to take the necessary steps to prevent, if possible, the United States Government from forcing upon the Chickasaw people the so called adoption of the negroes (former slaves of said people) under the amendment to the Indian Appropriation Bill of the last session of the United States Congress and purporting to ratify and confirm an old Act of the Chickasaw Legislature adopting said freedmen to Chickasaw citizenship, but which was never concurred in by the Chickasaw people, as provided by treaty stipulation, and was therefore repealed by the Chickasaw Legislature, and also voted out by the Chickasaw people at large long prior to the above amendment complained of, and therefore the Chickasaw people feel forced to regard said amendment as being without legal effect, and as a gross injustice to them.

SEC. 6. Be it further enacted, That said Delegates are further directed and authorized to make full examination of the Chickasaw Land Sale under the Treaty of 1832, and supplemental treaties thereto, and all land office entries relating thereto from 1832 up to the time at which all sales have been completed, and to also investigate the treasury accounts from 1832 to the present time, and if possible by so doing ascertain whether or not the Chickasaws actually have anything due them, and which has been lost sight of both by the Chickasaws and Officials of the U. S. Government, or to see if the Chickasaws were given proper credit for their lands thus authorized to be sold, and whether or not the Chickasaws were at any time wrongfully charged, as has often been believed by them, and to see if at any time since the year 1832, any moneys belonging to the Chickasaws for said lands have been overlooked and dropped from the Treasury account of the United States, of which the Chickasaws have had no benefit liking to the present claim of said people against the U. S. Government known as the "Arrearage of Interest" which is pending adjudication at present and was caused and created from oversight and dropped from the Chickasaw Treasury Account for many years which with accrued interest

amounts to much importance to the Chickasaw people, and other items might be discovered in the same way.

SEC. 7. Be it further enacted, That inasmuch as the Chickasaw Nation of people have been found by due investigation and comparison of accounts between the two Nations, by duly authorized Commissions on the part of both Nations to be due and owing to the Chickasaws the sum of twenty thousand dollars, a part of which is due, and all royalties due from the sale of timber, coal, grazing, etc., and about eight thousand dollars is due the Chickasaws on the settlement and adjustment of the old Eastern Boundary Claim between the Choctaws and the U. S. Government, of which the Chickasaws are entitled to one-fourth of the amount so paid by the U. S. Government, but which the Choctaws withhold, and no settlement as between the Choctaws and Chickasaws can be reached, although the Chickasaws have repeatedly called on them, and authorized Commissions to meet them for the purpose of friendly settlement, which was all unsuccessful, and the Choctaws still withhold the moneys actually belonging to the Chickasaws, who should have the same. Therefore the Delegates herein authorized and empowered are directed to present the matter fully to the Honorable Secretary of the Interior, and urge upon him to take some steps, either by advice to the Choctaws or compulsion, to aid the two Nations in getting a friendly and just settlement of whatever may be found due either Nation upon such plan and method as he will devise (if any possible), and the Delegates herein created have full power to to adjudicate on the part of the Chickasaw Nation such differences, and for any failure or neglect on the part of any of said Delegates to comply with the provisions of this Act the offender shall be deemed guilty of fraud and embezzlement, and shall be prosecuted under the laws in relation thereto; and the Grand Jury shall take due notice of the same; and this Act take effect from and after its passage.

Amended in the Senate by striking out the words "prior to August 31st, 1895," page two, in lines two and three, also amended by striking out words "seventy thousand dollars" in line 11, and 12, page 1, and inserting in lieu thereof, one hundred thousand dollars.

APPROVED, February 5, 1896.

P. S. MOSELY,  
Governor.

**An Act Appropriating (\$297.40) Two Hundred and Ninety-seven Dollars and Forty Cents, to Pay Off Errors of Appropriation of 1894 and 1895 in School Accounts.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of two hundred and ninety-seven dollars and forty cents be and the same is hereby appropriated out of any money in the Treasury, not otherwise appropriated, to pay off the following amounts set opposite each name, caused by errors in school accounts of 1894 and 1895, and the Auditor of Public Accounts is hereby directed to issue his warrant on the Treasurer for the amounts in favor of each name, and this Act take effect from and after its passage.

Miss Bertie McDaniel, Teacher	-	-	\$ 45 00.
A. H. Hays, Boarding scholars,	-	-	80 00.
D. C. Colbert, Teacher,	-	-	109 50.
Geo. R. Spencer,	-	-	3 50.
Ben Porter, Boarding scholars,	-	-	18 22.
Sena Brown,	-	-	15 59.
Lizzie Brown,	-	-	25 59.
			<hr/>
			\$297 40.

APPROVED, February 6, 1896.

P. S. MOSELY,  
Governor.

**Resolution.**

WHEREAS, there has been a survey made through the Chickasaw Nation, and the right of way cut out for the purpose of building a railroad from a place called Daugherty, on the G. C. & S. F. Railroad and running diagonally across the Chickasaw Nation, claiming to be operating under a Charter, known as the Denison & Great Northern Railway; and Whereas, there has been no such Charter granted by the Legislature of the Chickasaw Nation, and the building of such railroad is unlawful, and we believe only a scheme by which to further rob us of our public domain, therefore,

Be it resolved by the Legislature of the Chickasaw Nation, That we, as the authorized Representatives of the Chickasaw people do protest against the building of any such railroad through the Chickasaw Nation.

Resolved further, that the Governor be, and he is hereby directed to forward the copy of this resolution to the President of the United States, and request of him the application of Sec. 2118, Revised Statutes of the United States, which is applicable in such cases; and this Resolution take effect from and after its passage.

APPROVED, February 6, 1896.

P. S. MOSELY,  
Governor.

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**An Act for the Relief of L. C. Burris, National Secretary.**

WHEREAS, The Act passed at the annual session of the Legislature of 1895, requiring the National Secretary to have certain laws published, and made no appropriation to pay for the same, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of thirty-six dollars be, and the same is hereby appropriated out of any money in the Treasury, not otherwise appropriated, to pay the Denison Herald-News for publishing Acts of October 29, 1895, requiring the registration of warrants and the Auditor of Public Accounts is hereby directed to issue his warrant on the Treasurer for the amount in favor of L. C. Burris, National Secretary; and this Act take effect from and after its passage.

APPROVED, February 6, 1896.

P. S. MOSELY,  
Governor.

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**An Act to Amend an Act Entitled "An Act to Remove the Court Ground of Panola County," Approved October 9th, 1876.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act entitled "An Act to remove the Court Ground

in Panola County," approved October 9, 1876, be amended thus: That the Court Ground in Panola County, in the Chickasaw Nation, be, and the same is hereby removed from its present location, Rock Springs, to a place known as Colbert, I. T., in Panola County.

SEC. 2. Be it further enacted, That the sum of five hundred dollars be, and the same is hereby appropriated for the purpose of building a suitable house for holding Court in, to-wit: framed, weath-erboarded on the outside and ceiled on the inside, shingle roof, build-ing to be twenty feet wide, thirty feet long, three glass windows on each side, and two in one end, Venitian blinds, double door in end, twelve feet from floor to ceiling, well painted outside and inside, all to be of good pine lumber, and completed in a workmanlike manner, with ventilator stove flue and heating stove, desk for Clerk, and a sufficient number of seats for Court House.

SEC. 3. Be it further enacted, That the County Judge of Pan-ola County be, and he is hereby authorized, and directed to sell the present Court House at Rock Springs to the highest bidder for cash and apply the proceeds thereof to the building and furnishing the new Court House.

SEC. 4. Be it further enacted, That the County Judge and Sheriff of Panola County be, and they are hereby appointed as Commis-sioners to contract with some suitable person to complete said build-ing according to specifications; the County Judge shall give the con-tractor a certificate for the amount and on the presentation of the same, the Auditor of Public Accounts is hereby directed to issue his warrant on the Treasurer for the sum so named in favor of the person authorized to receive the same; and this Act take effect and be in force from and after its passage.

APPROVED, February 6, 1896.

P. S. MOSELY,  
Governor.

**An Act to Authorize the Employment of Halbert E. Paine, Attorney-at-Law of Washington City, D. C., to Assist S. W. Peel in the Prosecution of the Chickasaw Claim Against the United States Government, and Known as the Lease District Claim, at a Compensation Not to Exceed Six Per Centum of the Amount Recovered for the Chickasaw People.**

WHEREAS, The attorney for the Chickasaws, Hon. S. W. Peel, has acknowledged and admitted to the Chickasaw Legislature that he was unable to do the amount of legal services specified in his contract with the said people, and has asked for legal assistance; and

WHEREAS, The Chickasaw Legislature deems it of great importance to the people that they should be ably represented in their claim, known as the Lease District Claim, now pending adjudication; and

WHEREAS, Halbert E. Paine, an attorney-at-law of Washington City, D. C., is an old and tried attorney of the Chickasaws, and who has long and faithfully served them, and is therefore desired to aid in said cause; now therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be, and he is hereby authorized, empowered and directed to enter into a contract with the said Halbert E. Paine, thereby employing him as an attorney for and in behalf of the Chickasaw people and to aid and assist the Nation's Attorney, S. W. Peel, in defense of the Chickasaws and prosecution of their claim against the U. S. Government; that in the cause known as the Leased District, said H. E. Paine be so employed at a compensation not to exceed six per centum on amount recovered for the Chickasaw people, arising out of said Lease District Claim; and the Governor is hereby directed to enter into said contract at once, upon notifying said H. E. Paine of this Act, and furnishing him with a copy thereof, and this Act take effect from and after its passage.

Amended by the Senate by striking out six per cent. and making it five per cent.; also amended by authorizing the Governor to contract with J. H. McGowen, provided Halbert E. Paine does not accept the contract.

APPROVED, February 7, 1896.

P. S. MOSELY,  
Governor.

WHEREAS, the following named persons served as members at the called session of the Legislature of the Chickasaw Nation in June 1894, and have received no pay for such services and T. A. McLure performed the duties of Governor for 3½ months after Nelson Chigley refused to serve during the resignation of Governor Jonas Wolfe, and is entitled to the same compensation as the Governor, for the length of time served, which he has never been paid,

T. A. McLure, Governor C. N. 3½ months.	- - -	\$450.00
Albert Lewis, member of House 4 days,	- - -	16.00
H. H. Burris,	- - -	16.00
Jackson Kemp,	- - -	16.00
Henry Perry,	- - -	16.00
Joe Guess,	- - -	16.00
Frank Kemp,	- - -	16.00
George Murray,	- - -	16.00
Sam Tyubby,	- - -	16.00
Frazier McLish,	- - -	16.00
Forbis Mosely,	- - -	16.00
Ashway Porter,	- - -	16.00
George Underwood,	- - -	16.00
Wilson Jimmey,	- - -	16.00
Scott Hawkins,	- - -	16.00
W. T. Ward, Clerk Pro tem,	- - -	16.00
J. W. Byrd, Interpreter.	- - -	16.00
H. Murray, Sergeant-at-Arms,	- - -	16.00

\$722.00

Simon Kemp, Senator, 4 days.	- - -	\$16.00
Henry Love,	- - -	16.00
John C. Connelly,	- - -	16.00
Lewis Keel,	- - -	16.00
Wall Lewis,	- - -	16.00
Alfred Humes,	- - -	16.00
Thompson Pickens,	- - -	16.00
William Hawkins,	- - -	16.00
W. H. Bourland, Secy.,	- - -	16.00
James Easkey, Sergt.	- - -	16.00
Amos Colbert, Interpreter,	- - -	16.00

\$898.00

**SECTION. 1.** Be it enacted by the Legislature of the Chickasaw Nation, That the sum of eight hundred and ninety eight dollars be, and the same is hereby appropriated out of any money in the National Treasury, not otherwise appropriated, to pay the several amounts due each one for services rendered in 1894; and the Auditor is hereby directed to draw his warrant on the Treasurer for the amount due each one in favor of the person entitled to receive the same. And this Act take effect from and after its passage.

APPROVED, February 7, 1896.

P. S. MOSELY,  
Governor.

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**An Act for the Relief of J. Brown.**

WHEREAS, J. Brown served ten days as Secretary pro tem of the Senate during the annual session of the Legislature of 1895, and for some cause the Nation did not pay him for such services; therefore,

**SECTION 1.** Be it enacted by the Legislature of the Chickasaw Nation, That the sum of forty dollars be, and the same is hereby appropriated out of any money in the Treasury not otherwise appropriated to pay J. Brown for services rendered at the annual session of the Legislature of 1895 as Secretary pro tem, and the Auditor of Public Accounts is hereby directed to issue his warrant on the Treasurer for the same; and this Act take effect from and after its passage.

APPROVED, February 7, 1896.

P. S. MOSELY,  
Governor.

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**An Act for the Relief of A. Courtney and George Burris.**

WHEREAS, A. Courtney and George Burris, two scholars attending school in the States were forced to be treated by physicians, which the accompanying certificates will show, and the bill still remains unpaid, therefore,

**SECTION 1.** Be it enacted by the Legislature of the Chickasaw Nation, That the sum of two hundred dollars be, and the same is here-

by appropriated out of any money in the Treasury of the Chickasaw Nation, not otherwise appropriated, to pay the amount due for physicians for services in attending A. Courtney and George Burris while attending school in the States; and the Auditor of Public Accounts is hereby directed to issue his warrant on the Treasurer for the amount in favor of C. D. Carter, Superintendent of Public Instruction of the Chickasaw Nation, who shall pay the same; and this Act take effect from and after its passage.

APPROVED, February 7, 1896.

P. S. MOSELY,  
Governor.

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**An Act to Authorize and Empower the Governor of the Chickasaw Nation to Appoint and Commission Four Competent Persons, Citizens of the Chickasaw Nation, to Meet and Confer with the Dawes Commission on Cases of Citizenship, and any Other Business That May Come Before Them.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be, and he is hereby authorized and empowered to appoint and commission four competent persons, citizens of the Chickasaw Nation, as attorneys to meet and confer with the Dawes Commission, in all cases of citizenship, and any other business that may come before them affecting the interest of the Chickasaw people.

SEC. 2. Be it further enacted, That the said attorneys so appointed shall have power to represent the Chickasaw people before the said Dawes Commission, or the United States District Court, or any other tribunal before which any cases may be likely to come in any way affecting the question of citizenship in the Chickasaw Nation.

SEC. 3. Be it further enacted, that the Governor be, and he is hereby authorized and empowered (in his judgment) to employ two competent attorneys, citizens of the United States, to assist and aid the attorneys on the part of the Nation in all matters that may come before the Dawes Commission and the Chickasaw Nation, or before

the United States District Court of the Indian Territory on appeal from the decision of the Dawes Commission, in cases of citizenship, or any other cases that may come up.

SEC. 4. Be it further enacted, That the Tenure of Office Bill is hereby suspended in the appointing and carrying out the provisions of this Act.

SEC. 5. Be it further enacted, That the sum of twenty-five hundred dollars each be, and the same is hereby appropriated out of the National Treasury to pay the said attorneys for their services, one-half to be paid immediately, and the other half as soon as the work before the Dawes Commission is completed, both by the Chickasaw attorneys and the United States attorneys employed by the Government.

SEC. 6. Be it further enacted, That the sum of two thousand dollars is hereby appropriated out of any money in the Treasury to be used by the attorneys so appointed for incidental expenses, such as employing a stenographer, testimony, etc.; and the Auditor of Public Accounts is hereby directed to draw his warrants on the Treasurer for the amount in favor of the attorneys authorized to receive it; and the Treasurer shall pay all such warrants out of any money in the Treasury.

SEC. 7. Be it further enacted, That the said attorneys so appointed shall make a full and complete report of all their official acts to the Governor of the Chickasaw Nation, and through him to the Legislature. And this Act take effect and be in force from and after its passage.

APPROVED, September 12, 1896.

R. M. HARRIS,  
Governor.

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**An Act to Amend an Act Entitled "An Act to Educate Twelve Chickasaw Boys in the States and Providing Pay Therefor," Approved September 27, 1893.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act entitled "An Act to educate twelve Chickasaw boys in the States, and providing pay therefor," approved September

27, 1893, be amended by striking out the words "three hundred" in the first line of section 5, and insert in lieu thereof, "Four hundred and fifty," making the section read: Four hundred and fifty dollars instead of three hundred dollars as the section now reads. And that this Act take effect from and after its passage.

APPROVED, September 11, 1896.

R. M. HARRIS,

Governor.

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**An Act to Authorize and Empower the Governor of the Chickasaw Nation to Appoint Census Enumerators for the Chickasaw Nation, and for Chickasaws Living in the Choctaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be, and he is hereby authorized and empowered to appoint and commission one competent person in Panola County, three in Pickens County, two in Tishomingo County, and three in Pontotoc County, and three competent persons in the Choctaw Nation, as Census Enumerators for the Chickasaw Tribe or Nation of Indians, whose duty it shall be to take a complete and correct census of all Chickasaw citizens by blood, and those by inter-marriage or adoption, (if any) and who have complied with all laws, customs and usages of the Chickasaw Nation with respect to such inter-marriages with Chickasaws by blood, not including, however, those having first married under the Laws of the United States, or any of the different States, or any of the Indian Nations and again re-marrying under the Laws of the Chickasaw Nation; such persons not being recognized citizens of the Chickasaw Nation. And said Census Enumerators, in the discharge of their duty in taking such census, shall not enroll any person other than Chickasaws by blood heretofore recognized as being entitled to Chickasaw rights and privileges in this Nation; and all citizens by inter-marriage with Chickasaws by blood and who have complied with all laws, usages and customs of the Chickasaw Nation in relation to such inter-marriages; their age, sex, date of marriage and domicile, they producing evidence of these facts to the satisfaction of

the Census Enumerators, such as their license, marriage certificate, or otherwise.

SEC. 2. Be it further enacted, That said Enumerators shall take an oath that they will faithfully and impartially take said census and discharge their duties as required by this Act to the very best of their ability, and for any willful failure or neglect so to do by either of said Enumerators, such offender shall be discharged without any pay for services rendered, and be liable to prosecution for a misdemeanor in said office in the District Court of this Nation.

SEC. 3. Be it further enacted, That said Census Enumerators shall complete their work of taking said census by the fifteenth day of October, 1896, and report and submit their rolls to the Governor of this Nation, who shall lay the same before the present session of the Legislature of the Chickasaw Nation, whose duty it shall be to then take up said rolls, and compare and perfect them, and strike out names not entitled, as it may be found to be, on said roll, or put on those, if any, who are entitled to be on said rolls, who may have been left off, and to fully revise and perfect them to the end that all other citizens may be on said roll; and after said rolls have been passed upon by the Legislature, or a Committee by it appointed for that purpose, the said rolls shall then stand approved by the said Legislature, and placed on file in the office of the National Secretary as the true and only correct and recognized roll of the people of the Chickasaw Nation, according to the rights they may have therein respectively; and a certified copy of said rolls shall be furnished the Dawes Commission by the National Secretary for their use and information, and the census enumerators shall be discharged from further duty at any time the Legislature or Committee may see fit so to discharge them.

SEC. 4. Be it further enacted, That the pay of said Census Enumerators shall be four dollars per day while actually engaged in said work, and until they are discharged; and the necessary amount to pay the same is hereby appropriated out of the National Treasury; and the Governor shall give to each of them certificates of his time and upon the presentation of the same to the Auditor of Public Accounts, he shall issue his warrant for amount named in certificate in favor of

the person therein named, and the Treasurer shall pay the same out of any money in his hands, not otherwise appropriated.

SEC. 5. Be it further enacted, That the National Secretary shall furnish the Census Enumerators with all books, blank forms, and all stationery needed by them, and such blank forms shall be such as will show Chickasaws by blood, members of the tribe by intermarriage with Chickasaws by blood, members of the tribe by adoption, (if any), names of heads of families, names of children, male or female, and with respect to citizens by inter-marriage or adoption leaving space on blanks for remarks in general; and the Census Enumerators shall fill out said blanks correctly, and neatly as possible, and make such remarks as will afford good information, and to procure such stationery the sum of fifty dollars is hereby appropriated in favor of the National Secretary, to become available at once for such purpose, and the Auditor shall issue his warrant for same, and upon the presentation thereof, the National Treasurer shall pay the same out of any money on hand; and the rolls hereby authorized to be made up shall constitute the true and correct rolls of the Chickasaw Nation, as contemplated by the Act of the United States Congress with respect to the confirmation thereof; there being no true and correct recognized rolls for many years previous. And this Act take effect from and after its passage.

APPROVED, September 22, 1896.

R. M. HARRIS,  
Governor.

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**An Act Appropriating the Sum of (\$2,399.35) Two Thousand  
Three Hundred and Ninety-nine Dollars and Thirty-five  
Cents to Finish and Equip the School Building of  
the Chickasaw Orphans' Home, in Pickens  
County, Chickasaw Nation.**

WHEREAS, The appropriation made by the Legislature of the Chickasaw Nation at the annual session of 1895 to build and equip a school building at the Chickasaw Orphans' Home, in Pickens County, Chickasaw Nation, was not sufficient to answer all purposes and make

the necessary repairs needed at the Orphans' Home, and it requires an additional appropriation of (2,399.35) two thousand three hundred and ninety-nine dollars and thirty-five cents to carry out the specifications of the contract; therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of (\$2,399.35) two thousand three hundred and ninety-nine dollars and thirty-five cents be, and the same is hereby appropriated out of any money in the National Treasury, not otherwise appropriated, to carry out the contract of Professor W. S. Derrick with the Chickasaw Nation to build and equip a suitable school building at the Chickasaw Orphans' Home, in Pickens County, Chickasaw Nation; and the Auditor of Public Accounts is hereby directed to issue his warrant on the Treasurer for the amount in favor of W. S. Derrick; and the Treasurer shall pay the same out of any money in the Treasury not otherwise appropriated, and this Act take effect and be in force from and after its passage.

APPROVED, September 22, 1896.

R. M. HARRIS,  
Governor.

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**An Act to Amend an Act, Entitled "Game Law," Approved  
October 17th, 1876.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act entitled "Game Law" passed and approved October 17, 1876, be amended by striking out all the words after "dealt with" in the tenth line of section 1, and add the following, as is provided for in section 2137, Revised Statutes of the United States.

SEC. 2. Be it further enacted, That no person shall kill, ensnare, net or trap any quail, prairie chicken, wild turkey, or any deer, antelope, or fawn, or other game, or fish, within the limits of the Chickasaw Nation to sell, or export to any State or Territory; and any person who shall export or ship any game killed or taken in the Chickasaw Nation out of said Nation or Territory, shall be punished as hereinafter provided for in this Act.

SEC. 3. Be it further enacted, That no person shall ensnare, net or trap any quail, prairie chicken, wild turkey, deer, antelope,

fawn, fish or other game used for food within this Nation, or have in possession any game named in the foregoing section for any purpose or any pretense whatever, except for food, and then when actually necessary for immediate use; and the reasonable necessities of the person killing the same. Any person violating the provisions of this section shall be punished as hereinafter provided for in this Act.

SEC. 4. Be it further enacted, That any person or persons found guilty of violating the provisions of this Act, as specified in sections two and three, shall upon conviction thereof by the District Court of the Chickasaw Nation, be fined in any sum not less than twenty-five dollars, nor more than one hundred dollars, and be imprisoned in the National Jail not less than ten days nor more than one hundred days at the discretion of the Court trying the case for the first offense; and upon subsequent conviction for violating the provisions of this Act, shall be both fined and imprisoned to the full extent provided for in this Act.

SEC. 5. Be it further enacted, That any fines collected under the provisions of this Act shall be collected as other bonds and fines are collected, and when collected one-half shall go to the informer prosecuting the case, and the other half placed in the National Treasury for National purposes; and this Act take effect and be in force from and after its passage.

APPROVED, September 23, 1896.

R. M. HARRIS,  
Governor.

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**An Act for the Relief of Robert Immotichey.**

WHEREAS, Robert Immotichey served four days as a representative from Pontotoc County, Chickasaw Nation, at the call session of 1894, and his name was not placed on the appropriation bill passed at the annual session of the Legislature in 1895, to pay said members for their services; therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of sixteen dollars be, and the same is hereby appropriated out of any money in the Treasury, not otherwise appro-

appropriated, to pay Robert Immotichey for his services as Representative from Pontotoc County, Chickasaw Nation, at the called session of June, 1894; and the Auditor of Public Accounts is hereby directed to issue his warrant on the Treasurer for the same, who shall pay the amount out of any money in the Treasury not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, September 24, 1896.

R. M. HARRIS,  
Governor.

**An Act for the Relief of Wash Colbert.**

WHEREAS, The Legislature of the Chickasaw Nation at the annual session of 1895, in making appropriations to pay the members of the call session of June, 1894, for their services, the name of Wash Colbert was omitted, although he was a member of the said Legislature from Pontotoc County, Chickasaw Nation; therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of sixteen dollars is hereby appropriated to pay Wash Colbert for his services as a Representative from Pontotoc County, Chickasaw Nation, at the call session of the Legislature in June, 1894; and the Auditor of Public Accounts is hereby directed to issue his warrant on the Treasurer for the amount, who shall pay the same out of any money in the Treasury not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, September 30, 1896.

R. M. HARRIS,  
Governor.

**An Act to Repeal an Act Entitled "An Act Authorizing and Directing the National Treasurer of the Chickasaw Nation to Set Aside a Reserve From the Interest Due From the United States Derived From the Trust Fund Now Held By the United States for Certain Purposes,"**

Approved September 21, 1894.

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act entitled "An Act authorizing the National

Treasurer of the Chickasaw Nation to set aside and reserve from the interest due from the United States, derived from the Trust Fund now held by the United States, for certain purposes," approved September 21, 1894, be, and the same is hereby repealed. And the National Treasurer is hereby directed to pay all warrants drawn on the Treasury by the Auditor of Public Accounts as heretofore done, and this Act take effect and be in force from and after its passage.

APPROVED, October 1st, 1896.

R. M. HARRIS,  
Governor.

WHEREAS, There has been a college building erected and school organized in the Town of Ardmore, Pickens County, Chickasaw Nation, I. T., with a curriculum equal to the first-class colleges of the States, for the purpose of furnishing facilities for the higher Christian education of the whites and Indians, said school being now conducted under the auspices of the Methodist Episcopal Church South, held in trust by a competent Board of Trustees authorized by the Indian Mission Annual Conference of said church, Whereas, said school has applied to the Chickasaw Legislature through a committee appointed by said Board for a charter for said school; therefore,

SECTION 1. Be it enacted, by the Legislature of the Chickasaw Nation, That said charter is hereby granted.

SEC. 2. Be it further enacted, That the said Hargrove College shall have authority to issue diplomas and confer degrees as are usually conferred by any first-class college when course of study in printed catalogue of said college shall have been completed.

SEC. 3. Be it further enacted, That when a citizen of this Nation wishes to send his or her child or children to Hargrove College, he or she may do so by first applying to the National Superintendent of Education for a certificate, stating the age and grade, etc., and the Superintendent being satisfied that the applicant is entitled to a certificate, shall issue same.

SEC. 4. Be it further enacted, That it shall be the duty of the President of Hargrove College to give certificates to the pupils attending said school under this Act, showing the time attended, and grade

of scholarship, not exceeding twenty in number, and upon the presentation of said certificate to the Legislature or the School Committee at each regular session, the necessary appropriation therefor shall be made, as in case of State scholars; and this Act take effect from and after its passage.

APPROVED, October 2, 1896.

R. M. HARRIS,  
Governor.

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**An Act Extending the Privilege to Rev. J. J. Reed to Remain  
in the Chickasaw Nation as a Minister of the Gospel.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation; That the privilege granted unto Rev. J. J. Reed, as a minister, approved October 6, 1896, be continued for a period of five years, to expire October 6th, 1901; and that this Act take effect from and after its passage.

APPROVED, October 3, 1896.

R. M. HARRIS,  
Governor. ]

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**A Resolution Setting Aside Enough Money to Pay the Ex-  
pense of the Present Legislature.**

SECTION 1. Be it resolved by the Legislature of the Chickasaw Nation, That from and after the passage of this Resolution that the Treasurer of the Chickasaw Nation shall hold in reserve enough of the money now in the Treasury to pay off the expenses of the present session of the Legislature of the Chickasaw Nation. And this Resolution be in force from and after its passage.

APPROVED, October 9, 1896.

R. M. HARRIS,  
Governor.

**Resolution.**

WHEREAS, The safe in the National Secretary's office has not been opened for many years, and it is supposed to contain public papers, documents, etc., belonging to the Chickasaw Nation, and there is no way to get possession of them but by breaking the door open by force; therefore,

SECTION 1. Be it resolved by the Legislature of the Chickasaw Nation, That the Governor of the Chickasaw Nation be, and he is hereby authorized and empowered to open the safe that is now in the National Secretary's office, in any way he may choose, so as to get at the contents therein, and that this resolution take effect from and after its passage.

APPROVED, October 12, 1896.

R. M. HARRIS,  
Governor.

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**An Act to appropriate the Sum of One Hundred Dollars to Repair and Equip the Sulphur Springs Neighborhood School House in Pontotoc County, Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum or One Hundred Dollars be, and the same is hereby appropriated out of the National Treasury to repair and equip the Sulphur Springs Neighborhood School House, in Pontotoc County, Chickasaw Nation; and the Auditor is hereby directed to issue his warrant on the Treasurer for the amount in favor of George Underwood who shall superintend the putting in of four windows, all necessary seats, a good heating stove, and ceiling the house on the inside; and the Treasurer shall pay the same out of any money in the Treasury not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, October 15, 1896.

R. M. HARRIS,  
Governor.

**An Act to Classify Petit Jurors.**

**SECTION 1.** Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act the petit jurors summoned, shall be divided into three separate and distinct classes, No. 1, No. 2 and No. 3. The Clerk shall place a list of all the names of the jurors present in a hat, and proceed to draw out twelve names, and the first twelve names shall constitute jury No. 1; and he shall then proceed to draw out twelve more, which shall constitute jury No. 2, and the remaining twelve shall constitute jury No. 3; and shall be empaneled in the order that they are drawn and shall try any and all cases that may come before the Court at the term for which they are summoned, unless they are disqualified by being related.

**SEC. 2.** Be it further enacted, That in all cases of murder the attorneys shall have the right to select from the whole list of jurors summoned, and shall each be allowed twelve peremptory challenges, and should a jury not be found among the thirty-six the Judge shall order the Sheriff or Constable to go out into the country, and summon a sufficient number for the venire. The Judge having the right to ask any and all questions that he may wish in order to judge the qualification of jurors before he administers the oath to them to try the case.

**SEC. 3.** Be it further enacted, That the Presiding Judge in the trial of all cases of murder before the District Court of the Chickasaw Nation shall administer the following oath to all jurors before they are empaneled: You do solemnly swear that you will make true and correct answers to all questions touching your qualifications as a juror, so help you God. And this Act take effect from and after its passage.

APPROVED, October 15, 1896.

R. M. HARRIS,  
Governor.

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Be it resolved by the Legislature of the Chickasaw Nation, That the present Committee appointed by the Legislature to take up the rolls of the people as prepared by the Census Takers for the different counties, and to correct and revise the same to the best advantage

possible in their power and knowledge, and after they shall have completed the work they shall so report the work done by them to the Legislature, together with the rolls as passed upon by them for final revision, and approved by the present session of the Legislature; and this Resolution take effect from and after its passage.

APPROVED, October 16, 1896.

R. M. HARRIS,  
Governor.

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**An Act to Repeal an Act Entitled "An Act in Relation to  
Citizens of the Chickasaw Nation Holding Office,"  
Approved November 7, 1889.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act entitled "An Act in relation to citizens of the Chickasaw Nation holding office," approved November 7, 1889, be and the same is hereby repealed; and that this Act take effect and be in force from and after its passage.

APPROVED, October 21, 1896.

R. M. HARRIS,  
Governor.

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**An Act to Rebuild the Bloomfield Seminary, and Making Ap-  
propriation Therefor.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Superintendent of Public Instruction and the Trustees of Bloomfield Seminary be, and they are hereby authorized, empowered and directed, to have drawn the necessary plans and specifications for the re-building of the Bloomfield Seminary; and thereupon immediately contract with some suitable, reliable and able person, or persons, for the building and erection thereof, at or near the place where the former buildings were burned; and the Superintendent and Trustees shall superintend said work, and have the same built after the plans of the old building, with such necessary changes as may be most conducive to the comfort and welfare of said Institution, and to use every

means to have the same completed and ready for school purposes by the first of February, 1897, or as soon thereafter as practicable; having in view a neat and substantial and durable building, out of either frame or brick structure, as may be most convenient and expeditious in the building thereof. Bids for said building may be advertised for, or the contract let privately, as may be found best to save time and expedite said work; and the Superintendent shall have an itemized account of all judicious expenditures and report the same to the Governor when the buildings have reached completion, and by him, the Governor, laid before the succeeding Legislature for its information, together with the services rendered by the Superintendent and Trustees, for allowance thereof, as the Legislature will determine. And the sum of fourteen thousand dollars (\$14,000) or so much thereof as may be necessary, be, and the same is hereby appropriated out of the money to become due the Chickasaw Nation, known as the February and July payments, and interest on Chickasaw Trust Funds, held by the U. S. Government; said moneys coming due in February and July, 1897, in the proportion of two-thirds of the amount to be paid out of said February payment, 1897, and one-third out of the July payment, 1897; and if from any cause such payments due the contractors on building said Seminary should not be met as contemplated by this Act, then such unpaid account shall draw interest at the rate of eight per cent. per annum from date of maturity until paid by this Nation, which shall be computed and paid the same as the principal amount, and the contract so made by the Superintendent and Trustees with the builder shall be in keeping with the provisions and stipulations of this Act; and the Auditor shall draw his warrant on said National Treasurer upon the certificate of the Superintendent and Trustees, signed jointly for the payments coming under this Act; and the Treasurer shall pay the same out of the moneys herein specially appropriated for such purpose; and immediately after said Seminary has been rebuilt in all respects, and the same is received by the Superintendent and Trustees, the Superintendent and Trustees shall then proceed to at once inform the contractor of said School of the fact of the building being ready to commence the School; and in the meantime, public notices shall be given the people of the time at which the School will

open for business, so the girls can be allowed to enter said School as heretofore, and proceed with such school work. The provisions and appropriations of this Act is intended to rebuild and supply said Seminary with all needful contents as is required by the Chickasaw Nation by contract to supply, if sufficient therefor; and all expenditures shall be accounted for by the Superintendent and Trustees with such recommendations as will be most conducive to the welfare and prosperity of said Seminary. And this Act take effect from and after its passage.

APPROVED, October 24, 1896.

R. M. HARRIS,  
Governor.

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**Resolution of Adjournment.**

Be it resolved by the Legislature of the Chickasaw Nation, That the present session of the Legislature adjourn sine die at 10 o'clock a. m., Saturday, October 31, 1896.

APPROVED, October 28, 1896.

R. M. HARRIS,  
Governor.

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**Reconsideration of Adjournment Resolution.**

Be it resolved by the Senate and House of Representatives: That the resolution for adjournment of the present session of the Chickasaw Legislature already passed to adjourn sine die, be reconsidered and that instead of the time already stated, at 10 o'clock next Friday, November 6th, 1896, be substituted; and this Resolution be in force from and after its passage.

APPROVED, October 29, 1896.

R. M. HARRIS,  
Governor.

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**Resolution.**

WHEREAS, the present session of the Legislature have received by special message from the Governor of the Chickasaw Nation on the

28th day of October, 1896, recommending certain Acts for the consideration of the Legislature of the Chickasaw Nation; and Whereas, the District Court meets in the Capitol building, now occupied by the Legislature on the first Monday in November, 1896, for the purpose of transacting such business as may come before said District Court; now therefore,

SECTION. 1. Be it enacted by the Legislature of the Chickasaw Nation, That the District Judge and Attorney General are hereby authorized to procure a building to hold said term of court in, provided, however, that the Legislature does not complete its work by the first Monday in November, 1896; and this Resolution take effect from and after its passage.

APPROVED, October 31, 1896.

R. M. HARRIS,  
Governor.

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#### A Vote of Thanks.

WHEREAS, The Legislature of the Chickasaw Nation at its call session in February last created a Delegation and directed it to proceed to Washington, D. C. to implore the United States Government not to molest them in their present form of Government, nor change their present tenure of land in the five civilized Tribes of Indians, more especially that of the Chickasaws and Choctaws; and

WHEREAS, the above named Delegation was materially aided by a Memorial of the Legislature of the State of Mississippi to the Congress of the United States, under the title of "Good Faith with the Indians," and by the above and efficient defense of Senators Walthall, George, Bate, Vilas, Call, Pasco, Gray, Money and Chandler and others; and

WHEREAS, the above named Senators have by their noble, generous and efficient services ingratiated their memories in the hearts of the whole Chickasaw people; now therefore,

Be it resolved by the Senate and House of Representatives of the Chickasaw Legislature, that the Legislature of the State of Mississippi, and also the above named Senators, be returned a vote of

thanks for the reasons already set forth; and also that a copy of these proceedings signed by the President of the Senate and Speaker of the House of Representatives, attested by the National Secretary, with the Great Seal of the Chickasaw Nation attached, be forwarded to the Legislature and parties named.

Passed Senate and House of Representatives October 28, 1896.

Attest: L. C. BURRIS, National Secretary.

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**An Act for the Relief of Hogan Keel.**

WHEREAS, Hogan Keel, served seven days as District Judge Pro tem, during the suspension of Hon. B. F. Kemp, District Judge of the Chickasaw Nation, at the November term, 1891, and has never been paid, for such, services, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of twenty-eight dollars be, and the same is hereby appropriated out of any money in the National Treasury not otherwise appropriated to pay Hogan Keel for services rendered as District Judge, Pro tem, of the Chickasaw Nation, in November, 1891: And the Auditor is hereby directed to issue his warrant on the Treasurer for the amount, who shall pay the same out of any money in the Treasury not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, November 3, 1896.

R. M. HARRIS,  
Governor.

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**An Act Creating a Delegation to Visit Washington City, D. C.,  
During the Next Session of Congress, to Represent the  
Chickasaw People in Any and All Matters That  
May Come Up Before That Body, Touch-  
ing the Interest of the Chicka-  
saw People.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there shall be elected by joint vote of both Houses of

the present session of the Legislature of the Chickasaw Nation two competent persons, citizens of the Chickasaw Nation, as Delegates to visit Washington City, D. C., during the next session of Congress, with full and efficient power to represent the Chickasaw people in any and all matters that may come before that body touching the interest of the Chickasaw people.

SEC. 2. Be it further enacted, That the Delegates so elected shall be commissioned by the Governor, and shall be under oath or affirmation that they will faithfully and impartially discharge the duties incumbent on them as Delegates of the Chickasaw people, and shall remain there during the session of Congress, and on their return shall make a full and complete report to the Governor of their official acts, to be by him laid before the Legislature.

SEC. 3. Be it further enacted that the Delegates shall each receive as a compensation for their services fifteen hundred dollars out of the National Treasury; and the Auditor of Public Accounts is hereby directed to issue his warrant on the Treasurer for the amount, who shall pay the same out of any money in the Treasury not otherwise appropriated; and this Act take effect and be in force from and after its passage.

Amended by striking out the words fifteen hundred and substituting two thousand.

APPROVED, November 5, 1896.

R. M. HARRIS,  
Governor.

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**An Act Appropriating the Sum of Three Hundred Dollars for the Relief of A. T. McKinney.**

WHEREAS, A. T. McKinney did build and equip a building for National School purposes at his own expense at Emet, Tishomingo County, Chickasaw Nation, at a cost of over three hundred dollars, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of three hundred dollars be, and the same is hereby appropriated out of the National Treasury to pay A. T. McKin-

ney for money spent in building and equipping a National School building at Emet, Tishomingo County, Chickasaw Nation; and the Auditor is hereby directed to issue his warrant on the Treasurer for the amount, who shall pay the same out of any money in the Treasury not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, November 5, 1896.

R. M. HARRIS,  
Governor.

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**An Act Confirming the Roll of the Census Enumerators.**

WHEREAS, The several Census Enumerators of the Chickasaw and Choctaw Nations have made their report as required by the special Act of the Legislature creating such Enumerators, and said rolls have been carefully examined by Committees appointed for that purpose, and is now declared to be the only true roll of citizens and members of the Chickasaw Tribe of people, therefore,

SECTION 1. Be it enacted, by the Legislature of the Chickasaw Nation, That the present roll of citizens of the Chickasaw Nation or people is hereby declared to be the only true and correct roll of citizens of the Chickasaw people now in existence; and shall hereafter be known as the roll of the Chickasaws.

SEC. 2. Be it further enacted, That this Act take effect and be in force from and after its passage.

APPROVED, November 5, 1896.

R. M. HARRIS,  
Governor.

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WHEREAS, The Legislature of the Chickasaw Nation passed an Act on the 12th day of September, 1896, authorizing the appointment of four competent persons of the Chickasaw Nation, to act as Attorneys to represent them before the Dawes Commission at Vinita and elsewhere, and Whereas, said Commission were only authorized by said Act to make their report to the Governor of the Chickasaw Nation, and by him submit the same to the Legislature; and Whereas, said

Act did not authorize the Legislature to approve or reject the things done and performed by said Attorneys, now therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That said Attorneys shall make a full and complete report of all their acts to the Legislature at its next regular annual session, or at a call session, should there be one, that nothing done or performed by said Attorneys shall be of any validity at law unless approved of by the Legislature of the Chickasaw Nation, except where rights of citizenship is involved.

SEC. 2. Be it further enacted, That this Act be in force from and after its passage.

APPROVED, November 6, 1896.

R. M. HARRIS,  
Governor.

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**An Act for the Relief of the Wife and Children of  
Reubin Carney.**

WHEREAS, The wife and children of Reubin Carney were unjustly struck off the rolls prepared by the present session of the Legislature, and Whereas, said wife and children are beyond any doubt Chickasaws by blood, and have been so recognized for the last thirty years or more, and have always participated in the benefits of the Chickasaw Government, until here lately, and a former Legislature did declare and recognize their rights to be equal with all other Chickasaws, and Whereas, the claimants herein named, as well as many others believe it is simply spiteful and cruel to treat the weak and helpless in such an unjust way, and in order that the same can be recommended, this application for such relief and recognition is submitted, now therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, that Sena Carney, the lawful wife of Reubin Carney, and their children to-wit, Burney Carney, male, 19 years of age, Andrew Carney, male, 13 years of age, Emeline Carney, female, 16 years of age, Annie Carney, female, 8 years of age; Sloan Johnson, male, 22 years of age, Malissie Johnson, female, 19 years of age, be, and they are hereby

authorized to be placed on the rolls so prepared by the present session of the Legislature, and thereby fully recognized as citizens of the Chickasaw Nation, with all rights as such, and that the National Secretary be, and he is hereby authorized and directed to place properly on said rolls the names herein; and thereby so recognized. And this Act take effect and be in force from and after its passage.

APPROVED, November 7, 1896.

R. M. HARRIS,  
Governor.

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**An Act to Repeal an Act Entitled "An Act Regulating the Practice of Medicine and Surgery," Approved September 28, 1894.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act entitled "An Act regulating the practice of medicine and surgery in the Chickasaw Nation," approved September 28, 1894, be, and the same is hereby repealed. And this Act take effect and be in force from and after its passage.

APPROVED, January 14, 1897.

R. M. HARRIS,  
Governor.

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**An Act Creating a Commission to Visit Washington City, D.C., to Protest Against the Ratification by Congress of the Agreement Made and Entered Into By and Between the Dawes Commission on the Part of the United States, and the Choctaws, at Muscogee, I. T., on the 8th Day of December, 1896.**

WHEREAS, There was an agreement made and entered into at Muscogee, Indian Territory, on the 8th day of December, 1896, by and between the Dawes Commission, on the part of the United States and Commissioners duly elected, on the part of the Choctaw Nation of Indians; and the Chickasaw government is included in said articles of agreement, although they had no Representative there to take care

of their interests; the agreement was duly signed, witnessed and forwarded to the President of the United States; and,

WHEREAS, It is a well known fact that the Chickasaws have a Government of their own, which they have managed and controlled many years, independent of the Choctaws, and have always been respected as an independent government, not only by the Choctaws, but also by the Government of the United States, in making treaties and otherwise; and the action taken by the Choctaws in such an agreement does the Chickasaw people great injustice, as they are supposed to be able to take care of themselves, both mentally and financially, and should they desire to negotiate with the Dawes Commission for cession of their tribal government, they have the right to do so, but dislike the authority usurped by the Choctaws in signing said agreement thereby destroying their tribal autonomy, without their consent as they are equally entitled with the Choctaws in the lands and minerals; and should have the right to say what disposition should be made of their pro rata share of the country, as well as the Choctaws; therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there be appointed by the Governor of the Chickasaw Nation six competent persons, Commissioners Brown and Guy to be added (not increasing their salary) to be commissioned by the Governor, whose duty it shall be to visit Washington City, D. C. without delay and enter a protest against the ratification by Congress of the agreement made and entered into by and between the Dawes Commission and the Choctaws at Muscogee, Indian Territory on the 18th day of December, 1896; and if possible prevent the same so far as it refers to the Chickasaw Nation.

SEC. 2. Be it further enacted, That the Governor accompany said Commission, and is hereby declared to be a member thereof, and Ex-Officio Chairman of the same; and the Tenure of Office Bill is hereby suspended during the time the services of the Commission will be needed.

SEC. 3. Be it further enacted that the Commissioners so appointed shall have full and efficient power to negotiate with the Dawes Commission, or any other Commission on the part of the Gov-

ernment of the United States for a change in the present manner of holding the land in common to holding in severalty by the Chickasaw people; provided that the United States Government will pay over to the Chickasaw people all moneys due them in a reasonable time and place the Chickasaw people in peaceable possession of their pro rata share of the land, and remove all intruders therefrom.

SEC. 4. Be it further enacted, That all the land so allotted to citizens of the Chickasaw Nation shall be inalienable, and the town sites leased for a fair rental per annum; all ground rentals shall be paid by the lessee into the United States Sub-Treasury at St. Louis, Missouri, subject to the disposal of the Legislature of the Chickasaw Nation.

SEC. 5. Be it further enacted, That the revenues derived from the mineral, coal, natural gas, etc., shall be used for the education of the Chickasaw children, and should it be more than necessary for that purpose, the overplus shall be paid into the Sub-Treasury at St. Louis, Missouri, subject to the disposal of the Chickasaw Legislature.

SEC. 6. Be it further enacted, That there shall be two competent persons, citizens of the Chickasaw Nation; to act in conjunction with the Commissioners on the part of the United States Government in grading and classifying the lands to be allotted to the Chickasaw people, and the pay of the said Assistant Commissioners shall not exceed two thousand dollars each per annum, and their actual expenses while on duty.

SEC. 7. Be it further enacted, That the agreement made and entered into by the Chickasaw Commissioners and the Commissioners on the part of the United States shall not be of any validity until it is ratified by the Legislature of the Chickasaw Nation; and then submitted to the Chickasaw people for their approval or rejection.

SEC. 8. Be it further enacted, That the six Commissioners so appointed shall each receive as a compensation for his services the sum of fifteen hundred dollars; and the Governor one thousand dollars to defray his expenses in going to and returning from Washington City, D. C. And the Auditor of Public Accounts is hereby directed to issue his warrant on the Treasurer in favor of the Commissioners and

Governor for the amounts due each one, and the Treasurer shall pay the same out of any money in the Treasury not otherwise appropriated.

SEC. 9. Be it further enacted, That in case of death, resignation, or otherwise, that there should be a vacancy in said Commission, the Governor shall appoint some competent person to fill such vacancy, and his salary and duties shall be the same while in actual service. And this Act take effect from and after its passage.

Amended in the House by striking out the words "to be elected by joint vote of both Houses" and insert in lieu thereof, "to be appointed by the Governor of the Chickasaw Nation."

APPROVED, January 15, 1897.

R. M. HARRIS,  
Governor.

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**Resolution to Approve or Reject the Report of the Chickasaw Commission.**

Be it resolved by the Legislature of the Chickasaw Nation, That the report of the said Chickasaw Commission be, and the same is hereby approved, but not be so construed as to release said Commissioners from further duty in appeal cases or any other business incumbent upon them under the law creating said Commission. And this Resolution take effect and be in force from and after its passage.

APPROVED Jan. 15, 1897.

R. M. HARRIS,  
Governor.

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**An Act to Authorize and Empower the Governor of the Chickasaw Nation to Renew the Contract With S. W. Peel for Legal Services.**

WHEREAS, The contract made with S. W. Peel, attorney at law, for legal services, rendered the Chickasaw Nation, will expire by limitation in April, 1897, and there is no law authorizing the Governor to renew said contract, although the services of an attorney are very much needed at this time, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be, and he is hereby authorized and empowered to renew the contract made with Hon. S. W. Peel, for legal services, for two years from and after the date of the expiration of the former contract with the Chickasaw Nation, on the same terms of said contract, in the length of time and amount to be paid for such services and at what time the payments are to be made. And this Act take effect from and after its passage.

SEC. 2. Be it further enacted, That in case of resignation, death or otherwise of the said S. W. Peel, he cannot carry out the contract entered into by him and the Governor, that the Governor shall have power to appoint and contract with some other competent attorney to serve the unexpired term of the contract as the case may be.

SEC. 3. Be it further enacted, That the Governor is hereby authorized to renew the contract with S. W. Peel or make a contract with some other competent attorney under the Act authorizing the contract with S. W. Peel.

Amended in the House by adding Section 2; amended in the Senate by adding Section 3.

APPROVED, January 15, 1897.

R. M. HARRIS,  
Governor.

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**An Act Directing the Superintendent and the Board of Education to Give Due Notice, Receive Bids and Let Contracts for the Carrying on of Such Academies as Will Expire by Contract in June, 1897.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Superintendent of Public Instruction and the Board of Education be, and the same are hereby requested to proceed as soon as practicable to give notice, receive bids, and then let contracts to the lowest and best bidder for carrying on and maintaining of such of the Academies of this Nation as will expire in June, 1897; said contracts when approved to extend for a term of five years commencing with September 1st, 1897.

SEC. 2. Be it further enacted, That the Superintendent shall after the awarding of said contracts notify the Governor of the same, and the Governor shall at once call the Legislature in extra session to approve or reject said contracts; and this Act of request take effect from and after its passage.

The above Act became a law by limitation January 18, 1897.

L. C. BURRIS,  
National Secretary.

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**An Act Creating a Commission to Negotiate With the Dawes Commission.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there shall be elected by joint ballot of both Houses of the Chickasaw Legislature, a Commission to be composed of eight members to negotiate with the Dawes Commission, or any other Commission that may be authorized by the United States Government to treat with any of the Five Tribes.

SEC. 2. Be it further enacted, That said Commission shall enter into negotiation with the Dawes Commission under an Act of Congress approved March 3, 1893, touching the equal division of our lands, coal and mineral interests, the perpetuation of our present form of Government for as long a period as possible, the right to decide our own citizenship cases, the settlement of the claims of the Chickasaw Nation growing out of treaty stipulations with the United States, and the preservation of our patent inviolate.

SEC. 3. Be it further enacted, That the Governor of the Chickasaw Nation is hereby declared a member of said Commission, and Ex-Officio Chairman of the same.

SEC. 4. That the Governor and said Commission shall proceed at once to Washington City, or elsewhere, whenever they can make arrangements to meet the Dawes Commission, for the purpose of negotiation and when negotiations have been completed between the Commissions on the part of the Chickasaw Nation, said agreements shall be submitted to the Legislature for its consideration; then by the

Legislature to the people for their approval or rejection. If said agreement be approved by the people, then said agreement shall be submitted to Congress for ratification.

SEC. 5. Be it further enacted, That the Commission elected under this Act shall be commissioned by the Governor, and shall receive fifteen hundred dollars each for their services; and the sum of one thousand dollars is hereby given to the Governor to defray his expenses during the negotiation; and the above amount is hereby appropriated out of any money in the National Treasury, or that may come into it, not otherwise appropriated, and the Auditor of Public Accounts shall issue his warrant an the National Treasurer for the same.

SEC. 6. Be it further enacted, That in case of vacancy by death, resignation or otherwise, of any one of said Commissioners, the Governor shall fill said vacancy by appointment, and the person so appointed shall receive the same pay as the other Commissioners.

SEC. 7. Be it further enacted, That all parts of Acts coming in conflict with this Act, be, and the same are hereby repealed. And this Act take effect from and after its passage.

APPROVED, March 1st, 1897.

R. M. HARRIS,  
Governor.

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### Joint Resolution.

WHEREAS, we have learned that Mr. W. B. Johnson, of Ardmore, will apply for the appointment as Attorney for the Southern District of the Indian Territory, and Whereas, the people of said District regard Mr. Johnson as among its ablest lawyers, and the Chickasaw people especially esteem him for his ability; and Whereas, the Chickasaw people are equally interested in the strict enforcement of the laws, having all their property and relatives and friends within said district, therefore,

SECTION 1. Be it resolved by the Senate of the Chickasaw Nation, the House concurring, That we, the Chickasaw people, of the Southern District of the Indian Territory, most earnestly appeal to

Hon. William McKinley, President of the United States, for the appointment of Mr. W. B. Johnson, of Ardmore, as United States Attorney for this, the Southern District of the Indian Territory, believing him to be the most competent, honorable and impartial applicant for said position, and a gentleman who will devote his time to the enforcement of the laws and reflect credit on his party, and the administration.

Passed the Senate July 25, 1897.

LOUIS KEEL, President of Senate.

Passed the House February 25, 1897.

ALBERT LOUIS, Speaker of House Pro Tem.

APPROVED, February 26, 1897.

R. M. HARRIS,  
Governor.

**An Act Appropriating the Sum of One Hundred and Ninety-two Dollars for the Relief of Gibson Bros., of Washington, D. C., for Printing.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of one hundred and ninety-two dollars be, and the same is hereby appropriated out of any money in the Treasury of the Chickasaw Nation to pay Gibson Bros. for printing, and the Auditor of Public Accounts is hereby authorized to issue his warrant on the Treasurer in favor of H. E. Paine, and the Treasurer shall pay the same out of any money in the Treasury not otherwise appropriated. And this Act take effect and be in force from and after its passage.

APPROVED, February 27th, 1897.

R. M. HARRIS,  
Governor.

**An Act to Authorize the Governor, National Treasurer and Secretary of the Chickasaw Nation to Furnish the Dawes Commission With a Correct Roll of the Chickasaw Citizens by Blood, and Members by Inter-Marriage.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor, National Treasurer, and Secretary of the

Chickasaw Nation make out and furnish, by September 15th, 1897, to the Dawes Commission a true and correct copy of the rolls of the Chickasaws by blood, and members of the Chicksaw Tribe by inter-marriage, made prior to June 10th, 1896, have the same printed. one copy to be furnished the Dawes Commission, one copy retained in the office of the Secretary for the use of the Chickasaw people.

SEC. 2. Be it further enacted, That the Governor, Treasurer and Secretary are hereby authorized and directed to add to the present roll all Chickasaws by blood who have been born since such rolls were made; and all Chickasaws by blood, whose names do not appear upon the rolls of 1896; provided, no person shall be placed upon the rolls by the Governor, Treasurer and National Secretary as Chickasaws by blood, except those persons whose Chickasaw blood has never been disputed, or denied by the Chickasaw Nation; and all persons that have married Chickasaws by blood according to the Laws of the Chickasaw Nation.

SEC. 3. Be it further enacted, That the sum of one hundred and fifty dollars (\$150) is hereby appropriated out of any money in the Treasury not otherwise appropriated to pay the Governor, Treasurer, and Secretary for their services; and the Auditor shall draw his warrant on the Treasurer for the same, who shall pay the same to the Governor, Treasurer and Secretary of the Chickasaw Nation; and this Act take effect from and after its passage.

APPROVED, July 31, 1897.

R. M. HARRIS,  
Governor.

#### **An Act to Remove Sandy Creek School From Its Present Location.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the neighborhood school known as the Sandy Creek School be, and the same is hereby removed from its present location to White Springs in Pontotoc County, and to be called and styled the White Springs School; and this Act take effect and be in force from and after its passage.

APPROVED, September 15, 1897.

R. M. HARRIS,  
Governor.

**An Act to Appoint two Commissioners to Meet and Confer With the Choctaw Commissioners in Regard to Citizenship Cases.**

WHEREAS, by the decision of Judge W. H. H. Clayton, a United States District Judge for the Indian Territory, a large number of cases have been admitted to citizenship in the Choctaw and Chickasaw Nations, and if said decisions are not set aside by higher authority, it is likely to cause the Choctaws and Chickasaws a great deal of trouble, and the loss of many thousand acres of land; and Whereas, there is no provision made by which such cases can be carried to a high court for adjudication; therefore,

SECTION. 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be, and he is hereby authorized and empowered to appoint two competent persons, citizens of the Chickasaw Nation, to meet and confer with the Choctaw Commission on all cases of citizenship.

SEC. 2. Be it further enacted, That the persons so appointed shall proceed immediately to Fort Smith, Ark., or any other place designated, to meet the Choctaw Commissioners, and assist them in any way whatever that they may agree upon to protect the Chickasaw and Choctaw people from such unwarranted and dangerous proceedings as will arise by reason of an opinion recently given by one Judge W. H. H. Clayton, a United States District Judge for the Indian Territory, which decision if not set aside by higher authority will rob the Chickasaw and Choctaw people of many thousand acres of land.

SEC. 3. Be it further enacted, That the Commissioners shall receive as a compensation for their services the sum of four dollars per day each, and ten cents a mile for every mile traveled while in the discharge of their duties. The Governor shall issue a certificate for the amount due each one for his services, and on the presentation of the same to the Auditor, he shall issue his warrant on the Treasurer for the amount; and the Treasurer shall pay the same out of any money in the Treasury not otherwise appropriated, and this Act take effect from and after its passage.

Amended in the House by saying "ten cents per mile, one way only in going to and returning from the place of meeting" in lieu of

ten cents per mile, while in actual service. Amended further, "that the Commissioners appointed under this Act, shall when their work is finished make a full report of same to the Governor, and by the Governor to the Legislature.

APPROVED, September 22, 1897.

R. M. HARRIS  
Governor.

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**An Act Making Lena Brown an Heir at Law of George A. Milton and His Wife, Mary Jane Milton.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation. That from and after the passage of this Act, the child known as Lena Brown, daughter of Joe Brown, deceased, be, and she is hereby adopted as one of the legal representatives of George A. Milton and his wife, Mary Jane Milton; and shall be entitled to all the rights, privileges and immunities as one of their own bodily heirs; and in case the said George A. Milton and his wife, Mary Jane Milton, dies intestate, the aforesaid Lena Brown shall be considered as one of the heirs of George A. Milton and his wife, Mary J. Milton, and shall be entitled to have an equal right with the bodily heirs of the aforesaid George A. Milton and his wife, Mary Jane Milton.

APPROVED, September 22, 1897.

R. M. HARRIS,  
Governor.

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**An Act to Authorize W. B. Burney to Establish a Ferry on Red River at Burneyville Crossing.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That Wesley B. Burney be, and he is hereby authorized to establish and keep up a ferry on Red River at the crossing of the Burneyville and Gainsville road, at the following rates of toll: for any vehicle drawn by two horses, mules or oxen, fifty cents; vehicle drawn by one animal twenty-five cents, man and horse twenty-five cents, footmen ten cents, extra stock per head ten cents, sheep, goats and hogs per head five cents.

SEC. 2. Be it further enacted, That W. B. Burney shall have the right to exclude all persons from putting in, keeping or maintaining any ferry boat within three miles of said Burneyville Crossing up and down Red River, and said W. B. Burney shall be responsible to any person crossing on his ferry boat for any and all damages sustained by negligence of his boatmen or insufficiency of his boat.

SEC. 3. Be it further enacted, That for the privilege allowed and granted by this Act, the said Wesley B. Burney shall at all times keep the road leading into and from his ferry in good traveling condition, and give a bond to the District Court of the Chickasaw Nation in the sum of five hundred dollars for the faithful carrying out of the requirements specified in this Act; provided that said bond shall be for the benefit of the party or parties damaged in person or property, and the privileges herein granted shall extend for a period of ten years from date of approval; and this Act be in force from and after its passage.

APPROVED, September 23, 1897.

R. M. HARRIS,  
Governor.

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**An Act Appropriating the sum of Two Hundred and Fifty Dollars to Build a School House at Double Springs in Panola County, Chickasaw Nation.**

WHEREAS, the neighborhood school house at Double Springs, in Panola County, Chickasaw Nation, was destroyed by fire last winter, and there has been no provisions made to rebuild said school house, although the building is badly needed, there being a great many children there who should now be in school, and would be if they had a school building, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of two hundred and fifty dollars be, and the same is hereby appropriated out of any money now in the Treasury, of the Chickasaw Nation, not otherwise appropriated to pay for the building of a school house at Double Springs, in Panola County, Chickasaw Nation; said building to be eighteen feet wide, twenty-four feet long, and

the walls ten feet high, to be built of good pine lumber, and have a good shingle roof, and have all necessary doors and windows; every thing to be completed in a workmanlike manner and within a reasonable time.

SEC. 2. Be it further enacted, That the Auditor of Public Accounts is hereby directed to issue his warrant on the Treasurer of the Chickasaw Nation for the amount in favor of Joe Newberry, who is hereby authorized to contract for said services, and pay for the building of said school house. And this Act take effect from and after its passage.

The above Act became a law by limitation, September 27, 1897.

L. C. BURRIS,  
National Secretary.

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**An Act to Amend an Act styled "A Bill to prohibit the Disposal of Timber, Rock, Gravel, Etc., Within the Limits of the Chickasaw Nation," Approved December 21, 1894.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That section 2nd be amended by striking out the words "get permission first from," and insert in lieu thereof the words "enter into a written contract with."

Sec. 2. Be it further enacted, That if any citizen of the United States is found cutting, selling or disposing of any timber in the Chickasaw Nation, the Timber Agent shall report them to the Governor, who shall have them dealt with as provided for in Section 5388, as amended in Supplement of the Revised Statutes of the United States; and all parts of laws in conflict with this amendment are hereby repealed; and this Act be in force from and after its passage.

Amended by the House to insert after the words, "That Section 2" "of a bill to prohibit the disposal of timber, rock, gravel, etc., within the limits of the Chickasaw Nation, etc.," approved December 31st, 1894.

The above Act became a law by limitation September 27th, 1897.

L. C. BURRIS,  
National Secretary.

**An Act for the Relief of Dick Floyd.**

WHEREAS, Hawkins Sealey, a citizen of the Chickasaw Nation, and a resident of Pontotoc County, boarded Noah Collins and Isom Killcrease, two Chickasaw children, while they attended Sulphur Springs Neighborhood School in Pontotoc County, Chickasaw Nation, during the scholastic year of 1896, and is justly entitled to one hundred dollars and twenty cents for such services, out of the treasury of the Chickasaw Nation, which amount he has sold or transferred to Dick Floyd, and for some informality the Legislature of the Chickasaw Nation failed to make the necessary appropriation to pay the same at the annual session of 1896; consequently the amount remains unpaid, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of one hundred dollars and twenty cents be, and the same is hereby appropriated out of any money in the National Treasury not otherwise appropriated to pay Dick Floyd for certificates of board held by him from Isom Killcrease and Noah Collins, two children, Chickasaws, while attending Sulphur Springs Neighborhood School in Pontotoc County, Chickasaw Nation, during the scholastic year of 1896; and the Auditor of Public Accounts is hereby directed to issue his warrant on the Treasurer for the amount in favor of Dick Floyd; and the Treasurer shall pay the same out of any money in his hands not otherwise appropriated; and this Act take effect from and after its passage.

APPROVED, September 29, 1897.

R. M. HARRIS,  
Governor.

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WHEREAS, R. L. Boyd, while Attorney General of the Chickasaw Nation, 1892, was appointed by Jonas Wolfe, Governor of the Chickasaw Nation, to represent the Nation in any and all cases that might come before the United States District Court at Ardmore, Indian Territory, touching the jurisdiction of the United States Courts over the persons and property of citizens of the Chickasaw Nation, agreeing to pay him for such services; and Whereas, R. L. Boyd

employed the firm of attorneys known as Campbell, Jenkins & West to assist him in his work, agreeing to pay them such fees as the parties interested in such cases would pay in addition to what the Nation would pay; a copy of the cases represented by them and the fees charged is hereunto attached, giving the receipts on all except two hundred dollars; that Hon. W. H. Bourland succeeding in collecting from them from Mrs. Murray afterwards and Whereas, all expenses of prosecuting such cases were defrayed by R. L. Boyd, receipts of which are hereto attached; and the result of one case necessitated a trip to Washington, D. C. in order to get one of the parties removed from the limits of the Chickasaw Nation, which expenses were paid by him, and amounted to one hundred and fifty dollars; for which he is justly entitled to pay for, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of twelve hundred and fifty dollars be, and the same is hereby appropriated out of the National Treasury to pay R. L. Boyd for services rendered in representing the Chickasaw Nation in the United States District Court at Ardmore, I. T. under a commission given by Jonas Wolfe, Governor of the Chickasaw Nation; and the Auditor is hereby directed to issue his warrant on the Treasurer for the same; who shall pay the amount out of any money in the Treasury not otherwise appropriated; and this Act take effect from and after its passage.

APPROVED, October 8, 1897.

R. M. HARRIS,  
Governor.

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**An Act to Increase the Number of Scholars at Bloomfield Academy in Panola County, Chickasaw Nation.**

WHEREAS, Bloomfield Academy, in Panola County, Chickasaw Nation, is allowed only sixty scholars under the present contract, and the facilities for taking care of seventy five are ample in every particular, and there are plenty of girls of the required ages to fill the School, and should be allowed to attend that School if it is the choice of their parents or guardians, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the number of girls attending School at Bloomfield Academy, in Panola County, Chickasaw Nation, be increased in number from sixty, its present number, to seventy-five, and the fifteen additional scholars shall be taken on the same terms as the former sixty scholars were taken.

SEC. 2. Be it further enacted, That the School Superintendent be and he is hereby directed to select fifteen girls of the proper ages to attend the School at Bloomfield Academy under the provisions of this Act; and the Legislature shall make the necessary appropriation to pay for the same; and this Act take effect and be in force from and after its passage.

Senate amendment to Section 1: "The Bloomfield Seminary contractor shall report to each following Legislature how many of the fifteen additional pupils actually attended his School, and the Legislature shall pay only for the time actually attended by each scholar over the sixty; and not exceed seventy-five scholars.

APPROVED, October 9, 1897.

R. M. HARRIS,  
Governor.

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**Resolution Directing the School Superintendent to Execute  
Contracts for the Academies.**

WHEREAS, certain contracts executed between the Board of Education of the Chickasaw Nation and certain Chickasaw Citizens to operate Waupanucka Institute and Collins Institute, were rejected by the Legislature of the Chickasaw Nation, for the reason that a part of the provisions of said contracts were considered unjust and undesirable; and Whereas, the above named Institutes, are not in operation by reason of said rejection, and the Legislature of the Chickasaw Nation desires that said Institutes be in action as early as possible, therefore,

SECTION 1. Be it resolved by the Legislature of the Chickasaw Nation, That the Superintendent of Schools is hereby directed to cause and give public notice of the meeting of the Board of Education,

for the purpose of receiving bids for the operation of Waupanucka Institute and Collins Institute and letting and executing contracts for same, based upon actual attendance, with a maximum of sixty scholars and forty scholars each, respectively. The said contract shall be approved by the Legislature of the Chickasaw Nation as directed by law.

APPROVED, October 12, 1897.

R. M. HARRIS,  
Governor.

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**Resolution Directing the Superintendent of Public Instruction of the Chickasaw Nation to Lay an Itemized Report on Necessary Repairs on the Academies Immediately.**

SECTION 1. Be it resolved by the Legislature of the Chickasaw Nation, That the Superintendent of Public Instruction of the Chickasaw Nation be, and he is hereby requested and directed to proceed at once in person and examine improvements and water supplies of Harley, Collins and Waupanucka Institutes and Bloomfield Seminary and make a written itemized report to present to the Legislature as to the necessary repairs and water supply needed at such places; also an approximate estimate of the cost of repairs needed and water supply necessary.

APPROVED, October 16, 1897.

R. M. HARRIS,  
Governor.

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**An Act to Authorize the Contract for Counsel to Represent the Chickasaw Nation.**

WHEREAS, the Chickasaw Nation desires to test the Constitutionality, of the Acts of Congress authorizing the Dawes Commission to determine citizenship in the Chickasaw Nation, and the United States will take charge of the judicial system of the Indian Territory after January 1st, 1898, and the Chickasaw Nation, is without any legal assistance, and there is no way by which the same can be procured, and such services are badly needed, now, and the cases for legal

assistance is bound to increase under the change of Tribal Courts. therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be and heis hereby authorized to employ counsel to represent the Chickasaw Nation before the United States Court in the Indian Territory, and to test the constitutionality of the Act of Congress of June 10th, 1896 authorizing the Dawes Commission to determine citizenship in the Chickasaw Nation, and the Act dated June 7, 1897, prohibiting the Legislature of the Chickasaw Nation from passing any law without the approval of the President of the United States.

SEC. 2. Be it further enacted, That the Governor will enter into a written contract with such counsel for a period of two years. at a compensation of eight thousand dollars per annum, a copy of said contract, when signed to be filed with the National Secretary.

SEC. 3. Be it further enacted, That the sum of eight thousand dollars, the amount to be paid for the first year, be, and the same is hereby appropriated; and the Auditor of Public Accounts shall issue his warrant for that amount, and upon the presentation of the contract, the National Treasurer shall pay the same out of any moneys that may come into his hands. And this Act take effect from and after its passage.

APPROVED, October 16, 1897.

R. M. HARRIS,  
Governor.

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**An Act to Amend an Act Entitled "An Act to Establish  
Neighborhood Schools," on Page 101, Laws of the  
Chickasaw Nation.**

SECTION. 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act entitled "An Act to establish Neighborhood Schools," on page 101, Laws of the Chickasaw Nation, be amended by inserting after the words "in the States," "or elsewhere," in second line of Section 5, and all Acts or parts of Acts in conflict with this

amendment are hereby repealed, and this Act take effect and be in force from and after its passage.

APPROVED, October 25, 1897.

R. M. HARRIS,  
Governor.

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**An Act to Renew a Charter Granted J. C. Kemp November 12, 1888.**

WHEREAS, the charter granted unto J. C. Kemp by the Legislature of the Chickasaw Nation, dated November 12, 1888, and giving him the legal right and privilege of establishing a ferry boat on Red River, and more particularly described in said Act granting the same, has now expired by limitation; and Whereas, the said J. C. Kemp is desirous of having said Act and charter renewed, with all the rights and privileges granted thereunder; now therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Act passed and approved November 12, 1888, granting J. C. Kemp a charter to establish and maintain a ferry boat on Red River be, and the same is hereby re-established and renewed for a period of ten years from the date of passage of this Act.

SEC. 2. Be it further enacted, That where said original Act reads "one and one-half miles from said ferry," that the same be amended to read "two miles each way up and down said River from the ferry boat landing," and the right and privilege to fence said river bank be, and the same is hereby granted unto said J. C. Kemp, provided he is not to charge Chickasaw citizens for fording Red River at said place of ferryage. And this Act take effect and be in force from and after its passage.

APPROVED, October 27, 1897.

R. M. HARRIS,  
Governor.

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**An Act Appropriating the Sum of Two Hundred and Fifty Dollars to Pay for a Secretary for the use of the Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of two hundred and fifty dollars be, and the

same is hereby appropriated out of the National Treasury to purchase a secretary for the use of the Nation: and the Auditor is hereby directed to issue his warrant on the Treasurer for the amount in favor of Governor R. M. Harris, who shall purchase the secretary, and put it in the Capitol building, so that it can be used for the preservation of all records and papers etc, and the Treasurer shall pay the same out of any money in the Treasury not otherwise appropriated.

And this Act take effect and be in force from and after its passage.

APPROVED, October 28, 1897.

R. M. HARRIS,  
Governor.

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**An Act Appropriating the Sum of Two Hundred and Fifty Dollars to Pay Simon Kemp for Services Rendered While School Trustee for Bloomfield Academy in Panola County, Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of two hundred and fifty dollars be, and the same is hereby appropriated out of the National Treasury to pay Simon Kemp for services rendered while Trustee for Bloomfield Academy, in Panola County, Chickasaw Nation, in contracting for and superintending the re-building of said Academy; and the Auditor is hereby directed to issue his warrant on the Treasurer, who shall pay the same out of any money in the Treasury not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, October 27, 1897.

R. M. HARRIS,  
Governor.

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**An Act to Authorize and Empower the Treasurer of the Chickasaw Nation to Borrow Sufficient Money to Pay Off the Expenses of the Present Legislature.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Treasurer is hereby authorized and empowered to

borrow sufficient money from any bank that he may choose to pay the expenses of the present Legislature and pay back the amount borrowed out of the February payment from the United States Treasury to the Chickasaw Treasury, in February, 1892. And this Act take effect from and after its passage.

Amended by the House. SEC. 2. Be it further enacted, That the Treasurer is authorized to pay one per cent. on the dollar per month on the amount borrowed. And this Act take effect from and after its passage.

APPROVED, November 1, 1897.

R. M. HARRIS,  
Governor.

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**An Act to Provide for the Revision and Codification of the Laws  
of the Chickasaw Nation.**

SECTION 1. Be it enacted by the Chickasaw Nation, That three persons, learned in the law, and familiar with the conditions and wants of the Chickasaw people, to be styled Law Commissioners, shall be appointed by the Governor to revise and codify the Laws of the Chickasaw Nation.

SEC. 2. Be it further enacted, That the National Secretary shall furnish the said Law Commissioners with all the Laws of the Chickasaw Nation, and such books and papers from his office as may be needed and called for by them.

SEC. 3. Be it further enacted, That the Law Commissioners shall appoint some competent person to act as Secretary, and they shall revise and codify the Laws of the Chickasaw Nation, carefully arranging them in order, and in proper shape, ready for the press, and when the same is fully completed, and the report of said Commissioners received by the Governor, he, the Governor, shall contract for, and have the same translated, printed and book-bound as follows, to-wit: One thousand books in the English language, and five hundred in the Choctaw language, and when the same is completed and the work received by the Governor, he may, if he in his judgement thinks it expedient, convene the Legislature in extra session to accept or adopt

the same, as the Constitution, Laws and Treaties of the Chickasaw Nation; and if not the same shall rest until the succeeding Legislature.

SEC. 4. Be it further enacted, That in order to carry out purposes herein set forth for translating, printing and binding of said books, the sum of two thousand, five hundred dollars, or so much thereof as may be necessary be, and the same is hereby, appropriated out of the National Treasury and subject to the order of the Governor, who shall use every care to get the work done at as low figures as possible, having due regard for the interest of the Nation, and have the work accomplished as speedily as possible, and only one-half of said amount shall be paid until the work is completed and received by the Governor; and upon the presentation of the Governor's Certificate, the Auditor shall issue his warrant on the Treasurer for the same.

SEC. 5. Be it further enacted, That the Law Commissioners, and their Secretary shall be entitled to four dollars each per day for their services, out of the National Treasury for the time actually engaged in the revision and codification of the laws; and the Governor shall give each his certificate for the amount due, and the Auditor is hereby directed to issue his warrant on the Treasurer, who shall pay the same out of any money in the Treasury not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, November 2, 1897.

R. M. HARRIS,  
Governor.

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**An Act Appropriating the Sum of Two Hundred Dollars to Repair the Yellow Springs Neighborhood School House, in Pontotoc County, Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of two hundred dollars be, and the same is hereby appropriated out of the National Treasury to pay for repairing the Yellow Springs Neighborhood School House in Pontotoc County, Chickasaw Nation. And the Auditor is hereby directed to issue his warrant on the Treasurer for the amount in favor of Hogan Keel,

who will contract and have all necessary repairs put on the school house; and the said Treasurer shall pay the same out of any money in the Treasury not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, November 3, 1897.

R. M. HARRIS,  
Governor.

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**An Act Appropriating the Sum of Eleven Hundred and Fifty Dollars for the Relief of D. H. Johnson.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of eleven hundred and fifty dollars be, and the same is hereby appropriated out of the National Treasury to reimburse D. H. Johnson for money paid by him for improvements, repairs, etc., at Bloomfield Academy, in Panola County, Chickasaw Nation; and the Auditor is hereby directed to issue his warrant on the Treasurer for the amount in favor of D. H. Johnson, and the Treasurer will pay the same out of any money in the Treasury not otherwise appropriated; and this Act take effect from and after its passage.

APPROVED, November 3, 1897.

R. M. HARRIS,  
Governor.

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**An Act for the Relief of Charley Brown, Sheriff of Tishomingo County, Chickasaw Nation, and his Deputies.**

WHEREAS, Charley Brown, Sheriff of Tishomingo County, Chickasaw Nation, while in the discharge of his duties as such was forced to deputize three other citizens to assist him, and they were forced to take the life of one Willis Colbert, also a Chickasaw Indian by blood. Charley Brown and his deputies were tried by the County Court of Tishomingo County, Chickasaw Nation, and exonerated from the charge of murder, after which the said Charley and his Deputies were arrested by the United States Marshals and carried to Paris, Texas, for trial for the murder of Willis Colbert, and are now under heavy

bond to appear there for trial in November next, the United States claiming jurisdiction over the case, by reason of the said Willis Colbert having assisted United States Marshals at some former time; and,

WHEREAS, it is the duty of every government to see that its citizens get justice when they are tried by a foreign tribunal, and the Chickasaw Nation has been no exception to the rule, as can be seen by examining the proceedings of the Legislatures, and moreover Charley Brown and his Deputies were discharging their sworn duty when they got into the trouble, and it is the duty of the Chickasaw Nation to protect them, and as this is a question of jurisdiction that should be settled without further delay, as there are but very few men in this Nation but have at some time or other assisted Marshals in making arrests; therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of fifteen hundred dollars be, and the same is hereby appropriated out of the National Treasury to pay for counsel to defend Charley Brown and his three Deputies for the murder of Willis Colbert, a Chickasaw Indian, before the United States Court at Paris, Texas; and the Auditor is hereby directed to issue his warrant on the Treasurer for the amount in favor of Governor R. M. Harris, who shall contract with some suitable attorney to defend the cases before the said Court; and the Treasurer shall pay the amount out of any money in the Treasury not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, November 3, 1897.

R. M. HARRIS,  
Governor.

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### **An Act to Amend the School Law of the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That there be established Neighborhood Schools in this Nation, as follows: not to exceed six in Pontotoc County, four in Tishomingo County, and three each in Panola and Pickens Counties; provided, the requisite number of pupils shall be made up.

SEC. 2. Be it further enacted, That not less than ten, nor more than thirty pupils shall be taught at the Neighborhood Schools, and

all pupils living beyond the limits of two and one-half miles from the school house shall be entitled to board at the rate of eight dollars per month; provided they board with parties living within the two and one-half miles limit; and all pupils living within the two and one-half mile limit shall be entitled to tuition only.

SEC. 3. Be it further enacted, That the pupils attending said Neighborhood Schools shall be between the ages of six and fifteen years.

SEC. 4. Be it further enacted, That when parents or guardians prefer sending their child or children to school in the States, or elsewhere, they may do so by first applying to the Superintendent of Public Instruction for a certificate, stating what age, grade of scholarship, and to what college or first-class High School they wish to send, and he being satisfied with the application, will issue a certificate to the same.

SEC. 5. Be it further enacted, That all Chickasaw children wishing to attend school other than the Chickasaw National Schools, shall be granted certificates as follows: Those who have reached the age of twelve years and wish to attend school at a distance that they will have to board while in attendance upon school, shall be entitled to fifteen dollars per month for board and tuition while in actual attendance; those who have reached the age of seven years and board at home while in attendance upon school shall be entitled to tuition only.

SEC. 6. Be it further enacted, That the Superintendent of Public Instruction shall use his judgment as to the grade of the school to which the pupils go.

SEC. 7. Be it further enacted, That any party or parties wishing to teach in the National Neighborhood Schools shall undergo a written examination directed by the Superintendent of Public Instruction, unless said party or parties hold a diploma from a first-class college, from Bloomfield Seminary, Harley Institute, or a first grade certificate to teach school in the States.

SEC. 8. Be it further enacted, That the salaries of the teachers in the National neighborhood Schools shall be at the rate of forty-five dollars per month for the actual time taught.

SEC. 9. Be it further enacted, That the teachers of said Neighborhood Schools shall make quarterly reports, signed by the Teachers

and Trustees of their respective Schools to the Superintendent of Public Instruction.

SEC. 10. Be it further enacted, That the Superintendent of Public Instruction shall appoint a Trustee for each one of the Neighborhood Schools; that the Trustees shall receive as a compensation for their services twenty-five dollars each per annum, and twenty dollars to furnish fuel.

SEC. 11. Be it further enacted, That no pupil shall be granted a certificate to attend any school, other than the National Schools, after they enter a National School, until the session ends.

SEC. 12. Be it further enacted, That when the contractors of the various Academies make improvements without written instructions from the Superintendent of Public Instruction, they do it at their own expense; and all Acts and parts of Acts coming in conflict with the provisions of this Act are hereby repealed; and this Act take effect from and after its passage.

Amended by the House, by striking out the word "five" in section 1, preceeding the words "In Pontotoc County" and inserting the word "six" and by striking out entirely the 11th section.

The above Act became a law by limitation November, 11th, 1897.

L. C. BURRIS,  
National Secretary.

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**An Act Appropriating the Sum of Fifteen Thousand Dollars to Pay for the Erection of a New Capitol Building at Tishomingo City, Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be, and he is hereby authorized and empowered to appoint three competent persons, citizens of the Chickasaw Nation as a committee to act in conjunction with himself to contract for and superintend the erection of a new Capitol Building at Tishomingo City, Chickasaw Nation.

SEC. 2. Be it further enacted, That the said Committee shall advertise for bidders to do the work, giving specifications of the work to be done, the material to be used in the construction of the same, and

superintend the construction of the building, having in view the interest of the Nation, and have the work done on the best and cheapest terms that is possible to make for the work.

SEC. 3. Be it further enacted, That the Capitol Building shall be constructed out of brick and stone, and all necessary rooms for offices, all necessary windows and doors and hallways, stairways, senate chamber, representative hall, everything to make a good, substantial and comfortable building for what uses it is intended for.

SEC. 4. Be it further enacted, That the new Capitol Building shall be erected on the place on which the present building stands, or as near it as it can possibly be built, and in order to carry out the provisions of all contracts, the sum of fifteen thousand dollars, or so much thereof as is necessary to pay for the same, is hereby appropriated out of the National Treasury, and in addition thereto the committee is hereby given permission to sell, barter or in any way they think best dispose of the old Capitol Building, and apply the proceeds derived from the sale of the same to the erection, equipping or furnishing the new Capitol Building.

SEC. 5. Be it further enacted, That after the work is commenced, the Governor shall, if he thinks it necessary to help complete the work, give the contractors a certificate for such work as has been completed as the work progresses, and on the presentation of the same to the Auditor, he shall issue his warrant on the Treasurer for the amount, who shall pay the same out of any money in the Treasury, not otherwise appropriated.

SEC. 6. Be it further enacted, That after all the work on the new Capitol Building has been completed and received by the said committee, the Governor shall give each one a certificate for the amount due him for his services, and on the presentation of the same, to the Auditor he shall issue his warrant on the Treasurer, who shall pay the same out of any money in the Treasury not otherwise appropriated.

SEC. 7. Be it further enacted, That the said Committee so appointed, and the Governor, shall receive four dollars per day each for their services; and this Act take effect and be in force from and after its passage.

APPROVED, November 8, 1897.

R. M. HARRIS,  
Governor.

**An Act for the Relief of Wm. Guy.**

WHEREAS, William M. Guy, while a delegate to Washington, D. C., in the year of 1896 and 1897 to represent the Chickasaw people, visited Mississippi and Tennessee in order to get the Legislatures of the two States to memorialize Congress in behalf of the Chickasaw people not to pass any territorial bills, or any laws that would in any way disrupt the Tribal Government: and,

WHEREAS, said trips were made at his own expense, although it was not a part of the duty assigned him as a Delegate in behalf of the Chickasaw people, it was without a doubt one of the main reasons that prevented Congress from taking any action at that time, which the accompanying papers will show; and it is nothing but just and right that he should be reimbursed with what money he spent in behalf of the Nation's interest, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of fifteen hundred dollars be and the same is hereby appropriated out of any money now in the National Treasury, not otherwise appropriated to reimburse William M. Guy with money paid by him in visiting the States of Mississippi and Tennessee during the years of 1896 and 1897 in the interest of the Chickasaw people while he was a delegate to Washington, D. C., for the Chickasaw people; and the Auditor is hereby directed to issue his warrant on the Treasurer, who shall pay the same out of any money not otherwise appropriated. And this Act take effect from and after its passage.

APPROVED, November 9, 1897.

R. M. HARRIS.

Governor.

**An Act to Empower the Governor of the Chickasaw Nation to Issue His Proclamation Ordering an Election to Be Held for the People to Vote Upon the Treaty Made April 23, 1897, Between the Dawes Commission, Choctaw and Chickasaw Commissioners.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor is hereby directed to issue his proclama-

tion, notifying all qualified voters of the Chickasaw Nation to meet at the voting precincts of each county in the Chickasaw Nation to hold an election for the purpose of casting their votes as to whether they will reject or ratify the treaty made between the Dawes Commission, on the part of the United States, and the Choctaw and Chickasaw Commissioners, for their respective Nations, made April 23, 1897.

SEC. 2. Be it further enacted, That said election on the treaty shall be held and conducted as a regular annual election; that only Chickasaws by blood who are now recognized as qualified voters by law shall vote upon said treaty, and no citizen shall vote except at the regular voting precincts and in the county he resides; and after the election is over the returns of said election shall be sealed up and transmitted to the National Secretary, and by him laid before the Legislature. That the Legislature shall open said returns and proceed in joint session to count the vote, and then declare what the result of said election is; that the Governor shall give at least twenty days notice for such election.

APPROVED, November 9, 1897.

R. M. HARRIS,  
Governor.

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**An Act to Defray the Expenses of H. H. Burris, National  
Treasurer, in Procuring Funds.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of one hundred dollars be, and the same is hereby appropriated out of any funds in the hands of the National Treasurer to defray the expenses of H. H. Burris, National Treasurer, in procuring funds to pay off the present session of the Legislature.

SEC. 2. Be it further enacted, That the National Auditor is hereby directed to issue his warrant on the National Treasurer for said amount; and the Treasurer shall pay the same. And this Act take effect from and after its passage.

APPROVED, November 9, 1897.

R. M. HARRIS,  
Governor.

**An Act to Authorize and Empower the Governor of the Chickasaw Nation to Appoint Two Delegates to Visit Washington, D. C., to Represent the Chickasaw People Before Congress.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the Governor be, and he is hereby authorized to appoint two competent persons, citizens of the Chickasaw Nation, to visit Washington, D. C., to represent the Chickasaw people in any case that may come before Congress touching the interests of the Chickasaw people, and that the persons so appointed shall make a report of their official acts to the Legislature of the Chickasaw Nation.

SEC. 2. Be it further enacted, That the Delegates so appointed shall be commissioned by the Governor for a term of one year, and shall have full power to represent the Chickasaw people in all matters that may come before the United States Congress touching the interests of the Chickasaw people; and if a vacancy, the Governor shall fill the vacancy for the unexpired term.

SEC. 3. Be it further enacted, That the Delegates so appointed shall receive as a compensation for their services the sum of twenty-five hundred dollars each, and the Auditor of Public Accounts is hereby directed to issue his warrant on the Treasurer of the Chickasaw Nation for the amount in favor of the persons so appointed under this Act; and the Treasurer shall pay the amount out of any moneys in his hands, or that may come into his hands, not otherwise appropriated. And that this Act take effect from and after its passage.

APPROVED, February 16, 1898.

R. M. HARRIS,  
Governor.

EXECUTIVE MANSION, March 3, 1898. Approved:

WILLIAM MCKINLEY.

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**An Act Appropriating the Sum of Four Thousand Two Hundred and Fifty-one Dollars and Fifty-two Cents.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of four thousand two hundred and fifty-one dol-

lars and fifty-two cents is hereby appropriated to pay outstanding jury and witness fees.

SEC. 2. Be it further enacted, That the Auditor of Public Accounts for the Chickasaw Nation shall draw warrants on the Treasurer of the Chickasaw Nation in favor of parties holding jury and witness fees. And this Act take effect and be in force from and after its passage.

APPROVED, February 15, 1898.

R. M. HARRIS,  
Governor.

EXECUTIVE MANSION, MARCH 8, 1898. Approved:

WILLIAM MCKINLEY.

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**An Act to Appropriate Nine Hundred (\$900.00) Dollars to Repair Collins Institute; and One Hundred (\$100.00) Dollars to Furnish Bedsteads for Waupanucka Institute.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of nine hundred dollars (\$900.00) be, and the same is hereby appropriated to repair Collins Institute; and the sum of one hundred (\$100.00) dollars be, and the same is hereby appropriated for the purpose of providing and furnishing bedsteads for Waupanucka Institute; and that the Auditor is hereby authorized to issue warrants upon a certificate from the Superintendent of Schools for this purpose; and the Treasurer is authorized to pay out of any money that is in, or may come in his hands not otherwise appropriated.

APPROVED, February 15, 1898.

R. M. HARRIS,  
Governor.

Executive Mansion, March 8, 1898. Approved:

WILLIAM MCKINLEY,

**Appropriation for Pay of Members of the Legislature of the  
Chickasaw Nation.**

SECTION. 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of one thousand, four hundred and forty-eight (1,448.00) and no one-hundredth dollars be, and the same is hereby appropriated out of the National Treasury to pay the members of the present session of the Legislature; and the National Auditor shall issue his warrants according to the appended schedule, to each member, for the amount set opposite his name.

SENATE.

Simon Kemp, - - - -	10 days	- -	\$40.00
Dave Seeley, - - - -	10 "	- -	40.00
W. H. Bourland, - - - -	10 "	- -	40.00
Richard McLish, - - - -	3 "	- -	12.00
Louis Keel, - - - -	10 "	- -	40.00
B. F. Kemp, - - - -	10 "	- -	40.00
Josiah Lewis, - - - -	10 "	- -	40.00
Wash Colbert, - - - -	10 "	- -	40.00
Gabriel Underwood, - - - -	10 "	- -	40.00
Newton Wesley, - - - -	10 "	- -	40.00
Josiah Brown, Secretary, - - - -	10 "	- -	40.00
Hogan Keel, Interpreter pro tem, - - - -	8 "	- -	32.00
W. P. Goforth, " " " - - - -	3 "	- -	12.00
Chas. Mule, Sergeant-at-Arms, - - - -	10 "	- -	40.00

HOUSE.

Joe Guess, - - - -	10 days	- -	\$40.00
Delbert Turnbull, - - - -	10 "	- -	40.00
Darius Reynolds, - - - -	10 "	- -	40.00
Henry Love, - - - -	10 "	- -	40.00
Wesley Jones, - - - -	10 "	- -	40.00
Atcheson Anoontubby, - - - -	10 "	- -	40.00
Sam Tyubby, - - - -	10 "	- -	40.00
Sim Burris, - - - -	10 "	- -	40.00
A. M. Courtney, - - - -	10 "	- -	40.00

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C. D. Carter, - - - -	10	"	- -	40.00
Albert Lewis, - - - -	10	"	- -	40.00
Kelton Lewis, - - - -	10	"	- -	40.00
Levi Newberry, - - - -	10	"	- -	40.00
C. H. Brown, - - - -	10	"	- -	40.00
Allen Latta, - - - -	10	"	- -	40.00
George Underwood, - - - -	10	"	- -	40.00
Joe Seely, - - - -	10	"	- -	40.00
Sampson Johnson, - - - -	10	"	- -	40.00
Jim Frazier, - - - -	10	"	- -	40.00
A. H. Humes, - - - -	10	"	- -	40.00
Dixie Colber, Clerk, - - - -	5	"	- -	20.00
Robert Miller, Clerk Pro tem,	5	"	- -	20.00
A. H. Colbert, Interpreter, -	10	"	- -	40.00
Joe Burris, Sergeant-at-Arms,	10	"	- -	40.00
Wm. Byrd, Interpreter Pro tem	1	"	- -	4.00
Burney Jones, " " "	7	"	- -	28.00
during general Session, 1897				
	Total			\$1448.00

APPROVED, February 16, 1898.

R. M. HARRIS,  
Governor Chickasaw Nation.

EXECUTIVE MANSION, March 8, 1898. Approved:

WILLIAM MCKINLEY.

# LAWS

PASSED BY THE

## Legislature of the Chickasaw Nation

DURING THE ADMINISTRATION OF

D. H. JOHNSTON,

AS GOVERNOR OF THE CHICKASAW NATION.

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*LAWS OF THE CHICKASAW NATION PASSED  
DURING THE GENERAL SESSION 1898.*

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**An Act to Discontinue the Neighborhood School at White Springs  
and to Re-establish the Sandy Creek School.**

WHEREAS, the White Spring Neighborhood School has not a sufficient number of pupils to constitute a first-class Neighborhood School, and, Whereas, it is believed that the Sandy Creek Neighborhood School is more conveniently located for the scholars; therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the White Springs Neighborhood School in Pontotoc County, Chickasaw Nation be, and the same is hereby discontinued, and a first-class Neighborhood School re-established at the old Sandy

Creek Neighborhood School, Pontotoc County, Chickasaw Nation.  
This Act take effect and be in force from and after its passage.

Recommended by ILMAN HOLDEN.

APPROVED September 15th, 1898.

D. H. JOHNSTON,  
Governor, C. N.

(SEAL.)

Attest: C. D. CARTER, National Secretary C. N.

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**Resolution.**

WHEREAS, Wyatt S. Hawkins has been connected with the United States Geological Survey, since its beginning in the Indian Territory; and,

WHEREAS, It is believed that his proficiency in such work has amply fitted him for the responsible position of Alloting Agent, and that the interests of the Chickasaw people would be protected by his appointment,

NOW, THEREFORE, Be it resolved by the Legislature of the Chickasaw Nation, That the Honorable Commission to the Five Civilized Tribes be, and they are hereby memorialized to appoint the aforesaid Wyatt S. Hawkins, as one of the Allotting Agents, in the allotment of the lands of the Five Civilized Tribes.

Recommended by HOLMES COLBERT.

APPROVED, September 15th, 1898.

D. H. JOHNSTON,  
Governor, C. N.

(SEAL.)

C. D. CARTER, National Secretary, C. N.

# ACTS, ORDINANCES AND RESOLUTIONS

OF THE

## CHICKASAW NATION

GENERAL SESSION, 1898.

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**An Act Authorizing and Directing the Chairman of the National Building Committee to Use a Certain Warrant for One Thousand Dollars, Which was Issued in Accordance with an Act Appropriating Fifteen Hundred Dollars for the Employment of Attorneys for Chas. Brown, et al., for the Purpose of Grading the National Capitol Grounds, and Defraying Other Necessary Expenses, in the Erection and Equipment of the Capitol Building.**

WHEREAS, the amount appropriated for the erection and furnishing of the National Capitol Building, grading the grounds, etc., is insufficient for such purposes, and, Whereas, there is now in the hands of the Chairman of the National Building Committee a certain warrant for the sum of one thousand dollars, issued in accordance with the provisions of an Act appropriating the sum of fifteen hundred dollars attorneys' fees in the case of the U. S. vs Chas. Brown et al., which said Thousand Dollars, is in excess of the amount charged by the attorney's so employed, now, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the National Building Committee be, and they are, here-

by authorized and directed to use said warrant for one thousand dollars for the purpose of defraying any necessary expenses in the erection, equipment, furnishing and decorating the National Capitol Building, grading the grounds thereof, etc. That all Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed, and this Act take effect from and after its passage.

Recommended by R. M. HARRIS, Chrm. Bl'dg Com.

D. H. JOHNSTON, Governor C. N.

APPROVED, September 17th, 1898.

D. H. JOHNSTON,  
Governor C. N.

Attest: C. D. CARTER, National Secretary.

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**An Act to Approve Contract With S. M. White.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the hereunto attached written contract, by and between the Chickasaw Nation and S. M. White be, and the same is, hereby approved in full, according with the conditions and terms thereof, for the maintainance and carrying on of Harley Institute School, for the period of five consecutive years, commencing on the first Monday in October, 1898, having nine months school in the first year, and thereafter said school shall commence on the first Monday in September of each of the succeeding four years, and that said contracts shall have the effect and due force of law in all respects, as provided therein, and the School Superintendent and Board of Education shall pay due respect to and carry out the provisions of said contract, in all respects as though the same had been awarded by them under the constitutional provisions, and this Act take effect and be in full force from and after its passage.

Recommended by J. WES PARKER.

APPROVED, September 24th, 1898.

D. H. JOHNSTON,  
Governor C. N.

(SEAL)

Attest: C. D. CARTER, Natl. Secty. C. N.

**Articles of Agreement Made and Entered Into at Tishomingo,  
Chickasaw Nation, Indian Territory, Between the Chickasaw  
Nation and Its Legislature, of the First Part, and  
S. M. White, of Pontotoc County, Chickasaw Nation,  
Party of the Second Part.**

WITNESSETH, that the party of the first part, for and in consideration of the covenants and agreements hereinafter made, by the said party of the second part, does hereby covenant and agree as follows, to-wit.

FIRST. That the said party of the first part will pay, or cause to be paid, to the said party of the second part, or his order, the sum of eight thousand, nine hundred and ten dollars (\$8,910.00) in United States Currency for the first year, and nine thousand, nine hundred dollars for the next four years, as follows, to-wit: Three thousand, nine hundred and sixty dollars (\$3,960.00) on February the 15th, 1897, and four thousand, nine hundred and fifty dollars (\$4,950.00) on each June 30th and February 15th thereafter until the expiration of this contract.

SECOND. That the said parties of the first part will give possession and full control of, and maintain the same to said party of the second part, the building known as Harley Institute, with all the tenements and appurtenances, for five consecutive years, beginning on the first Monday in September, 1898, unless the contract is annulled for the cause and in the manner hereinafter set forth.

THIRD. That the said party of the first part gives permission to the party of the second part to have and employ non-citizen labor at said Institute, necessary to carry on the same. Also to get all necessary fuel and fencing used at said Institute from any public domain of the Chickasaw Nation; also to keep such work stock, hogs, sheep and cattle to do the work and furnish meat and milk for said Institute.

Now: For, and in consideration of the above and foregoing agreement, by the party of the first part, the said party of the second part, covenants and agrees with the said party of the first part as follows, to-wit

FIRST. That he will conduct and maintain said Harley Institute, consisting of sixty male pupils for the term of years above men-

tioned and set forth, as a first class boarding school, that is, that first class instructions shall be given in all branches of studies, including music, necessary to give the pupils a finished education in English, as is recognized by first class institutions of learning and the curriculum of said school.

**SECOND.** That he will furnish each pupil with all necessary text books, the same to be Barnes' series of text books, or some other standard series, slates, pencils, tablets, pens, lead pencils, ink, stationery and postage; also that he will furnish globes, maps, charts, and the necessary philosophical, geometrical, chemical, physiological and botanical apparatus, to instruct properly in these branches of studies, and to do all and singular those things that are proper and necessary to maintain a first class school; that he will furnish the pupils, each day, with three well cooked meals, arranged on the table, supplied with clean cloths, napkins, neat tableware of white stone and glass, neat cutlery, and served in every respect in a first class manner, with proper regard to a variety of food, and the laws of healthful living.

**THIRD.** That he will furnish the pupils, at all times, with clean and comfortable bedding, and bathing facilities, towels, soap, and hair and clothes brushes, coarse and fine combs, lights, fuel, medicine and competent medical attention, and have the clothes of the pupils neatly washed, ironed and mended and do all that is necessary to maintain neatness in the surroundings, and enforce cleanliness of person, in the pupils of said Institute.

**FOURTH.** That he will keep a well bound book in which shall be recorded the names, ages, studies, attendance at school and deportment of each pupil, from which he will make quarterly reports to the Superintendent of Public Schools and to the Trustee of said Harley Institute; that he will keep the school at said Harley Institute nine months for the school year, ending June 30, 1899, and ten months for each succeeding year, for the next four years thereafter, and on the last of each scholastic month he will hold a public examination of pupils, opened to the citizens of the Chickasaw Nation and their friends.

**FIFTH.** That he will keep the buildings and appurtenances of said Harley Institute in good order and that he will not permit vul-

garity, blasphemy, drinking intoxicating liquors and games of hazard, on the premises belonging to said Institute, and that he will maintain a moral influence, and daily assemble the pupils for the reading of the Bible, signing hymns, and for prayers, and have religious services each Sabbath at the Institute.

SIXTH. That he will prepare, in writing, the rules and regulations of said Harley Institute and submit the same, for approval, to the Superintendent of Public Instruction, and when they are so approved by him, he will keep a copy of them posted in each sleeping apartment, assembly and school room, and the violation of said rules and regulations, shall be the only cause for the expulsion or suspension of any pupil from said Institute.

SEVENTH. That he will not refuse to receive, or maintain, any pupil whom the Superintendent of Public Instruction, or the Trustee of said school, may select, and that he will not suspend or expel any of said pupils, without the consent of said Superintendent, or said Trustee :

Provided, always, and both parties hereby agree, That this contract cannot be annulled for any cause, other than a failure to comply with its provisions, to be determined in the following manner, to-wit : In event of complaint against the second party in regard to the manner in which he complies with the provisions of this contract, or in case of a difference of opinion as to its construction between the Superintendent of Public Instruction and the party of the second part, the matter of complaint, or controversy, shall be determined by the Board of Trustees of Public Schools, and if the said party of the second part shall be found guilty of a violation of any of the provisions of this contract, the said Board of Trustees may declare this contract null and void, and thereupon the said party of the second part, may appeal from such decision to the Legislature, whose decision shall be final, and the said second party shall vacate the premises belonging to the said Harley Institute within fifteen days after receiving notice of said judgment ; but, it is agreed by both of said parties, that said judgment shall not forfeit any payment, or part thereof, for services that have been rendered by said party of the second part under this contract prior to the time of notice of said judgment ; that said party of the

second part shall be paid in full for such services, and it is hereby agreed by both parties hereto, that this contract, or any part of the same, shall not be transferable, and that the Superintendent of Public Instruction shall have and exercise general control over said school, and shall, when he deems it right and proper and best to allow said school recreation days, such as not to interfere with regular business of said school in disarrangement of the classes; it is further understood and agreed, that should Harley Institute be, in any manner, totally destroyed during the time for which this contract is made, that said party of the second part shall receive no pay, except for the following five school months, immediately thereafter.

Dated at Tishomingo, I. T., September 17th, 1898.

Witness the Chickasaw Nation by the Legislature thereof.

Party of the second part, S. M. WHITE.

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**An Act to Appropriate Two Hundred and Fifty Dollars for Repairing Kaney Creek School House.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of two hundred and fifty dollars be, and the same is, hereby appropriated to repair the School House at Kaney Creek, and the National Auditor is hereby directed to issue his warrant for such sum, payable to Amos Colbert, Trustee of said School; and the Treasurer is hereby directed to pay the same out of any money in his hands, not otherwise appropriated; and this Act take effect from and after its passage.

Recommended by A. H. COLBERT.

APPROVED October 7th, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

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**An Act to Provide for the Education of Mutes, of Scholastic Age, of the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That all mute Chickasaw children, not younger than eight

years of age, shall each be entitled to draw from the Treasury of said Nation, at the close of each year during which they attend school in the States, or elsewhere, the sum of two hundred dollars, and before any such mute, or mutes, shall be entitled to the benefits of this Act, the parent, or guardian, or person having charge of such mute, or mutes, shall apply to the Superintendent of Public Instruction, for the Chickasaw Nation, and satisfy him that such child is a Chickasaw mute, whereupon the Superintendent shall give such child a certificate as in case of State scholars, to attend a certain school in the States, and at the end of each year of such attendance at school, the principal thereof, or teacher, shall also issue a certificate, certifying to the time attended by said child, or children and show in the same such advancement as may be made by such child during said year, and the Superintendent shall look after and see that the privileges conferred by this Act are not misused or imposed on, and for any part of a year attended the allowance being made for a year shall be prorated to suit the time actually attended.

**SEC. 2.** And the Superintendent shall report to the Governor, and through him to the Legislature, the number and advancement of each of said mutes, the same as in case of State scholars, each year, and on the 31st day of August in each year the Superintendent shall issue his certificates on the Auditor in favor of the parent, guardian or person having charge of such mute or mutes for the amount due on and for the school year just closed, and the Auditor shall issue his warrant therefor, and the Treasurer shall pay same out of any moneys not otherwise appropriated in his hands, or which may come into his hands, and the necessary annual appropriations therefor is hereby made and held subject to the restrictions and provisions of this Act, and this Act shall remain in full force and effect for the period of ten years from date of its passage, unless repealed by the Legislature before said time on account of its failure to properly educate such children.

Recommended by M. V. CHEADLE.

APPROVED October 7th, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

**An Act to Authorize and Direct the National Treasurer to Arrange and Reserve From the First Moneys, Subject to His Disbursement a Sufficient Amount to Defray and Pay Off the Expenses of the Present Session of the Legislature of the Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, now assembled, That the National Treasurer, the Hon. P. S. Mosely, be, and he is hereby authorized and directed, to arrange for and reserve from the first money subject to his disbursement a sufficient amount with which to pay off the expenses and pay off the members of the present session of the Legislature of the Chickasaw Nation, and the same is hereby appropriated for such purposes out of any money now in the Treasury and subject to the Treasurer's draft.

SEC. 2. Be it further enacted, That the said Treasurer shall make the necessary estimation and have the same ready and available at the time of adjournment sine die of this, the present session of the aforesaid Legislature, and this Act take effect and be in force from and after its passage.

Recommended by J. Wes Parker.

Passed the House, October 3, 1898.

M. V. CHEADLE, Speaker.

Attest: J. L. THOMPSON, Clerk.

Passed the Senate, October 5, 1898.

DAVE SEELY,  
President, Senate.

Attest: R. L. REAM, Secretary.

The above Act became a law by passage over the Governor's veto, on the 6th and 7th of October, 1898.

C. D. CARTER,  
National Secretary, C. N.

**Governor's Veto of Foregoing.**

EXECUTIVE DEPARTMENT, Chickasaw Nation,

Tishomingo, I. T. October 6th, 1898.

To the Honorable Senators and Representatives of the Chickasaw Nation.

GENTLEMEN: The bill passed by your Honorable bodies on October 3rd and 5th, respectively, entitled "An Act to Authorize and Direct the National Treasurer etc., to reserve funds sufficient to pay off the present session of the Legislature etc.," meets with my official objection, and is therefore "Vetoed" for the reason that I conceive the same to be "class" or "separate legislation" which is directly prohibited by Section 2nd., of the "Bill of Rights," Constitution page 4, Chickasaw Statutes, and therefore the same is herewith returned to your Honorable bodies for disposition as the law directs.

Very Respectfully,

D. H. JOHNSTON,

Governor, C. N.

Passed the House over the Governor's veto. More than two-thirds of the members present concurring, October 6th, 1898.

M. V. CHEADLE,

Attest: J. L. THOMPSON, Clerk.

Speaker.

Passed the Senate over the Governor's veto. More than two-thirds of the Senators present concurring, October 7th, 1898.

Attest: R. L. REAM, Sec'y.      DAVE SEELY, Pres. Senate.

Attest: C. D. CARTER, Natl. Sec'y., C. N.

**Resolutions of Respect to the Memory of D. O. Fisher.**

WHEREAS, Honorable D. O. Fisher, a member of the Chickasaw Tribe of Indians, for years filling various official positions in this Nation, a man whose best efforts were given towards advancing the interests of his country, a patriotic, honest man, departed this life on Saturday, October 22d, at his home in Tishomingo City; and, Whereas, the funeral services will take place at 11:30 o'clock a. m., October 24th; therefore, Be it resolved by the Legislature of the Chickasaw

Nation, That this assembly do adjourn until Tuesday morning at 8 o'clock, in due respect to his memory and that the members may attend such funeral services, and the National Secretary is requested to furnish the bereaved family of the deceased with a copy of this resolution.

Recommended by F. M. HARE, October 24th, 1898.

APPROVED, October 24, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

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**A Memorial to the Congress of the United States of America  
to Assemble on the First Monday in December, 1898.**

WHEREAS, the Act of Congress approved June 8th, 1898, contained the following provision, to-wit:

“It shall make a correct roll of the Chickasaw Freedmen entitled to any rights or benefits under the treaty made in 1866 between the United States and the Choctaw and Chickasaw Tribes and their descendants born to them since the date of said treaty, and forty acres of land, including their present residence and improvements, shall be allotted to each, to be selected, held and used by them until their rights under said treaty shall be determined in such manner as shall be hereafter provided by Congress;” and,

WHEREAS, The late agreement by and between the United States and the Choctaw and Chickasaw Tribes on April 23rd, 1897, made and concluded at Atoka, in the Choctaw Nation, Indian Territory, and which agreement was ratified and confirmed by Act of Congress of the United States June 28th, 1898, and was ratified by the people of the Choctaw and Chickasaw Tribes at an election for such purpose on August 24th, 1898, and which was subsequently proclaimed and is now in full force and effect contains the exact provisions relating to the Chickasaw Freedmen and his right to select, hold and use forty acres of land, each, until his or their rights (if any) under the Treaty by and between the United States and the Choctaw and Chickasaw Tribes of

Indians, dated April 28th, 1866, shall be determined in such a manner as shall hereafter be provided by Congress; and,

WHEREAS, The Chickasaws have so persistently disputed and denied the rights claimed by said Freedmen and did, within two years given them by the above cited Treaty, exercise their option in the very Act of the Chickasaw Legislature, which ratified said Treaty of 1866 and in which the Chickasaws refused to adopt said Freedmen and authorized their executive to notify the United States of the fact and to urge the United States Government to remove said Freedmen as it promised in the Treaty of 1866 to do within ninety days after the expiration of the two years given by said Treaty to the Chickasaws in which to exercise their option thereto; and,

WHEREAS, It appears to the Chickasaw people that if this provision refusing to adopt said Freedmen, coming as it did in the Act of the Chickasaw Legislature which ratified said Treaty of 1866 on the part of the Chickasaws, if it was not valid and binding on the Freedmen proposition, then it was not as to the ratification of said Treaty of 1866 and hence said Treaty was never ratified by the Chickasaws; and,

WHEREAS, the Chickasaws repeatedly urged and insisted on the United States to enforce its obligation under said treaty with respect to said Freedmen and also the Freedmen, many times, urged a settlement of their status by the performance of its obligation arising out of the said treaty and the United States failing in this a long time after the expiration of the time to act as limited by said treaty being two years for the Chickasaws and ninety days thereafter for the United States. In 1873 the Chickasaws still found the Freedmen here among them and while the right given them by the treaty to adopt said Freedmen had expired long since; yet, the Chickasaws, as an independent measure, and not within the bounds of any treaty obligation, passed an Act by their Legislature to adopt said Freedmen. This Act provided that it should have force and effect when approved by the proper authority of the United States. Thereupon copies of this Act were forwarded to that Government for approval, and seemingly the subject matter went to sleep and so slept for a long number of years, when the Chickasaws, being restless, passed an Act revoking the former Act of adoption and again gave information of that fact to

the United States Government, and another long silence of the subject matter again took place; and until August 15th 1894, a little clause crept into the Indian Appropriation Bill, yet foreign legislation, and as we believe had no proper place in said Bill, yet or passed and became a law. The object of which was to ratify and confirm the Chickasaw Act of adoption of 1873, which had been repealed by the Chickasaw Legislature nine years before; and,

WHEREAS, in the legal opinion rendered by the Assistant Attorney General of the United States, in the month of August 1898 while considering the rights of the Chickasaw and Choctaw Freedmen to vote on the ratification, or rejection, of the late agreement, known as the Choctaw-Chickasaw and Dawes Agreement and which is now as we understand, the law of the land, he uses these words, "When, therefore, Congress passed the Act August 15th, 1894, there was no Act of the Chickasaw Legislature upon which it could operate," and,

WHEREAS, in view of the many violations attendant upon the long and unsettled condition of the Freedmen question and which bids fair yet a long time before it reaches finality unless speedy action is taken by Congress, whose duty it is made by both treaty and Act of June 28th, 1898 to provide the mode and manner of such settlement, and in so doing the Chickasaws would be pleased to call the attention of Congress to the fact that the Chickasaws ought not to be held to account for the decedents of those Freedmen, or those born after the expiration of two years and ninety days, limited by the treaty of 1868, for the reason that it was not our fault that they were here after that time, and we exercised every privilege we had under said treaty to get rid of them; and your failure to act, alone, constitutes the reason they were not provided for, as that treaty fixed the limit for that question to be settled, and therefore we ought not to be charged with their growth and increase up to this date.

The fact is now apparent to us when we see that the enrolling of these people now going on in our midst by the Honorable Dawes Commission, that work seems to show at this date, that when completed that there will be more of such Freedmen than of the Chickasaws; and since, under existing conditions, these people are to select, hold and use forty acres of our land each, estimated at three hundred

and thirty eight thousand acres, which we are to be deprived of the value and use until your Honorable Body will provide a mode and manner by which it can be decided whether or not they are entitled thereto.

**THEREFORE**, having the utmost faith and confidence in your wise, judicious and impartial legislation on the Freedmen question, having all due regard to the Freedmen, who are our friends and not our enemies, and equal regard to the protection of the rights of the Chickasaws, we memorialize Thee, in all sincereness, to enact the law contemplated in the before mentioned Acts of Congress and the late treaty, at the session to convene in December, 1898.

Recommended by M. V. CHEADLE, October 8th, 1898.

APPROVED, October 24, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

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**An Act to Construct a Cistern at Bloomfield Seminary.**

**SECTION 1.** Be it enacted by the Legislature of the Chickasaw Nation, That the sum of three hundred dollars, or so much thereof as may be necessary, be, and the same is, hereby appropriated out of money that is now, or may hereafter be, in the Treasury of this Nation, not otherwise appropriated, to construct a cistern at Bloomfield Seminary.

**SEC. 2.** Be it further enacted, That the Auditor of Public Accounts be and he is hereby authorized to draw his warrant on the Treasurer of this Nation for the above amount in favor of the Trustee of said School, and said Trustee shall superintend the construction of said work and file his report of the cost of said work with the Superintendent of Public Instruction as soon as the work is completed.

Recommended by HOLMES COLBERT,  
Trustee of Bloomfield Seminary.

APPROVED, November 3, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

**An Act Requiring Officers of the Executive, Legislative and  
Judiciary Departments to Deposit the Records of Their  
Respective Offices With the National Secretary.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the officers of the Executive, Legislative and Judiciary Departments of the Government of the Chickasaw Nation shall deposit all the records of their respective offices with the National Secretary, as each and every volume is completed, for safe keeping.

SEC. 2. Be it further enacted, That the Clerks of the House of Representatives and the Senate shall deposit the journals of the proceedings of those bodies at the close of each session of the Legislature of the Chickasaw Nation with the National Secretary; that the National Secretary shall be the custodian of all such records and proceedings and is hereby authorized and directed to certify to the authenticity and correctness of any such records, or proceedings of the Legislature and of copies thereof whenever required so to do by any Law of the Chickasaw Nation, or of the United States, or by any rule of the Department of the Government of the United States.

SEC. 3. Be it further enacted, That every such officer failing or refusing to comply with the provisions of this Act shall be deemed guilty of a misdemeanor in office and upon conviction thereof be fined in any sum not exceeding fifty dollars and forfeit such office, which fine shall be collected as other fines in this Nation, this Act to take effect from and after its passage.

Recommended by I. O. LEWIS.

APPROVED, November 4, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest: C. D. CARTER, Nat. Sec'y, C. N.

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**An Act to Reimburse S. M. White for Money Paid J. C. Kemp  
for Improvements at the Harley Institute.**

WHEREAS, S. M. White has paid out the following amounts for the hereinafter named improvements at the Harley Institute, to-wit:

1 wash house,	-	-	-	-	\$ 20 00
1000 pounds wire,	-	-	-	-	25 00
1 store room,	-	-	-	-	50 00
1 gas light machine,	-	-	-	-	100 00
8 stoves,	-	-	-	-	46 00
38 joints stove pipe,	-	-	-	-	3 80
13 elbows and 14 dampers,	-	-	-	-	4 05
glass,	-	-	-	-	15 60
1 dwelling,	-	-	-	-	100 00
Total amount,	-	-	-	-	\$364 45

SECTION 1. Therefore, Be it enacted by the Legislature of the Chickasaw Nation, That the sum of three hundred and sixty-four dollars and forty-five cents be, and the same is, hereby appropriated out of the National Treasury of the Chickasaw Nation to reimburse S. M. White for money paid J. C. Kemp for improvements at the Harley Institute, as shown by the above schedule, and the Auditor of Public Accounts is hereby authorized and directed to issue his warrant in favor of S. M. White for the said amount of \$364.45, and the National Treasurer shall pay the same out of any money in his hands, or which may come into his hands, not otherwise appropriated, and this Act take effect from and after its passage.

Recommended by J. WES PARKER, November 3d, 1898.

APPROVED, November 5, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

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**An Act to appropriate Three Hundred and Fifty Dollars to  
Build and Equip a National Neighborhood School  
House at Paul's Valley, in Pickens County,  
Chickasaw Nation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of three hundred and fifty dollars (\$350.00) be,

and the same is, hereby appropriated to build and equip a National Neighborhood School at Paul's Valley, in Pickens County, Chickasaw Nation.

SEC. 2. Be it further enacted, That the said School Building shall be twenty-four feet by sixteen feet, with seven windows and one door; said School Building to be of pine lumber, ceiled and weatherboarded and covered with pine shingles, that it, the said School Building, shall be furnished with desks to seat thirty pupils, one recitation bench, a teacher's chair, table and blackboard, also a good heating stove, stove flue, piping, etc.

SEC. 3. Be it further enacted, That the Auditor of Public Accounts is hereby authorized and directed to issue his warrant in favor of the Local Trustee of said Neighborhood School (who shall contract for the building and equipping of said School House) as herein provided for the sum of three hundred and fifty dollars and when said building is completed and equipped as provided by this Act, said Local Trustee shall file with the Superintendent of Public Instruction, for the Chickasaw Nation, a sworn itemized account of his disbursements of said three hundred and fifty dollars with proper vouchers therefore, and the National Treasurer shall pay said warrant out of any funds in his hands, or which may come into his hands, not otherwise appropriated, and this Act take effect and be it force from and after its passage.

Recommended by Ex-Governor, W. M. GUY, October 28, 1898.

APPROVED, November 5, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

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**An Act to Create a Contingent Fund for the Use of the Executive Office of the Chickasaw Nation.**

WHEREAS, the Executive Office of the Chickasaw Nation is being daily put to expense on account of having to furnish the U. S. Government and various Departments thereof certified copies of our Manuscript Law, from 1890 to 1898 and other records of the Judiciary

Department, letters and documentary evidences of transactions heretofore had by this Nation, and when all being counted amounts to an enormous sum every year; also expenses in making visits to the U. S. Indian Agent and Inspectors, therefore,

**SECTION 1.** Be it enacted by the Legislature of the Chickasaw Nation, That the sum of eight hundred dollars be, and the same is, hereby appropriated out of the National Treasury, annually as a contingent fund, for the Executive Office of this Nation, subject to the disbursement of the Governor, who shall render a report of the same, at every session of the Legislature and the Auditor is directed to issue his warrant in favor of the Governor for such sum, and the Treasurer shall pay the same out of any funds in his hands, or which may come into his hands, not otherwise appropriated, and this Act take effect from and after its passage.

Recommended by P. S. MOSELY, November 10, 1898.

APPROVED, November 11th, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

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**An Act Appropriating Five Thousand Dollars, or so Much  
Thereof as Is Necessary, to Pay the Expenses of the  
November Term of the District Court, 1898.**

WHEREAS, The financial condition of the Treasury is such that there is no money in it to pay the expenses of the present term of the District Court, November term, and,

WHEREAS, The jurors and witnesses were compelled to attend said Court, and,

WHEREAS, They are unable to attend said Court, on account of not being able to negotiate their paper for supplies; therefore,

**SECTION 1.** Be it enacted by the Legislature of the Chickasaw Nation, That the sum of five thousand dollars be and the same is hereby appropriated out of the February payment, 1899, to defray the expenses of the present term of the District Court, 1898.

SEC. 2. Be it further enacted, That the Treasurer shall pay all the jury and witness tickets issued at the November term of the District Court, 1898, out of the February payment upon their presentation to him, and this Act take effect from and after its passage.

Recommended by ISAAC O. LEWIS.

Passed the House November 8, 1898.

M. V. CHEADLE, Speaker.

Attest: J. L. THOMPSON, Clerk.

Passed the Senate November 10, 1898.

DAVE SEELY, President.

Attest: HOLMES COLBERT, Clerk pro tem.

The above Act became a law on account of limitation by virtue of Article V, Section XII, Constitution of the Chickasaw Nation.

C. D. CARTER,

National Secretary, C. N.

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**An Act to Change the Time of Payment of Salaries of Officers  
and Employees of the Chickasaw Nation, and of the  
Various County Officers.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That from and after the passage of this Act all persons holding office under the Laws of the Chickasaw Nation, shall be paid their salaries quarterly, that is to say, on the first days of September, December, March and June in each year, instead of annually or semi-annually.

SEC. 2. Be it further enacted, That the teachers of the National Neighborhood Schools, duly appointed by the Superintendent of Public Instruction, shall hereafter be paid their salaries quarterly as above provided for officers of the Chickasaw Nation, provided, however, that no warrant shall be issued to any such teacher except upon the presentation to the National Auditor of a certificate of the Trustees of the School taught by such teacher, that he has performed the services for which pay is demanded, which certificate shall be approved by the Superintendent of Public Instruction.

SEC. 3. Be it further enacted, That the Auditor of Public Accounts is hereby authorized and directed to issue his warrants for the salaries of the respective officers of the Chickasaw Nation, and the various County Officers quarterly, as defined in the first section of this Act upon the presentation to him of the certificate of the National Secretary, showing that the officer demanding pay has served in his official capacity the time of such service, and the amount due him, and it is hereby made the duty of the National Secretary to issue such certificates to all officers of the Chickasaw Nation and the various counties thereof. And the National Treasurer is hereby authorized to pay said warrants upon their presentation, out of any money in the Treasury not otherwise appropriated. This Act to take effect from and after its passage, and all Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

Recommended by F. M. HARE.

APPROVED, November 11th, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

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**An Act Amending An Act, Creating a Special Agent for the  
Chickasaw Nation, and Defining His Duties.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That an Act entitled "An Act Creating a Special Agent for the Chickasaw Nation, and Defining His Duties" passed by the Chickasaw Legislature and approved by the Governor of said Nation, September 15th, 1893, be amended by adding the following section, to-wit:

SEC. 2. That the Special Agent for the Chickasaw Nation, in the collection of the tax, from the Traders doing business within this Nation, in addition to the examination of the bills, and invoices as provided in said Act shall exact from each and every one of such traders a statement, under oath, of the true amount of capital invested in the several business concerns, which oath shall be appointed

and qualified Notary Public, for the Southern District of the Indian Territory.

SEC. 3. That every person doing business as a trader in this Nation who shall refuse to make such statement when requested by said Agent, shall be deemed an intruder, and shall be subject to the penalties provided by said Act of September 15th, 1893. This Act take effect from and after its passage.

Recommended by WM. M. GUY.

APPROVED, November 16th, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

**An Act Appropriating the Sum of Eleven Thousand, One Hundred and Forty-eighth Dollars to Pay Off the Expenses of the Present Session of the Legislature.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of eleven thousand, one hundred and forty-eight dollars (\$11,148.00) be, and the same is hereby appropriated out of the National Treasury to pay off the expenses of the present session of the Legislature of the Chickasaw Nation, as shown by the herewith attached schedule, itemized accounts, and the Auditor of Public Accounts is hereby authorized and directed to issue his warrant to the persons named in the itemized account herewith for the amount set opposite each name, and the Treasurer shall pay the same out of the proper funds for such purposes, as provided by a former Act of this Legislature, and this Act take effect from and after its passage.

Recommended by M. V. CHEADLE.

**LIST OF MEMBERS OF THE HOUSE OF REPRESENTATIVES.**

PANOLA COUNTY.

Ely Perry,	served	73 days	- -	\$292.00
Joe Newberry,	"	73 "	- -	292.00
Frank Kemp,	"	73 "	- -	292.00
Wesley Jones,	"	73 "	- -	292.00
James Colbert,	"	73 "	- -	292.00

## PICKENS COUNTY.

Sim Burris,	served	73 days	-	-	\$292.00
James McCurtain,	"	73 "	-	-	292.00
F. M. Hare,	"	73 "	-	-	292.00
Chiglin Brown,	"	73 "	-	-	292.00
Sam Tyubby,	"	73 "	-	-	292.00

## TISHOMINGO COUNTY.

J. Wes Parker,	served	73 days	-	-	292.00
Wyatt Chigley,	"	73 "	-	-	292.00
Lewis Seely,	"	73 "	-	-	292.00
Jimpson Hawkins,	"	73 "	-	-	292.00
M. V. Cheadle,	"	73 "	-	-	292.00

## PONTOTOC COUNTY.

Dave Owens,	served	73 days	-	-	292.00
Ilman Holden,	"	73 "	-	-	292.00
Chishom Johnson,	"	73 "	-	-	292.00
Kingsberry Hawkins,	"	73 "	-	-	292.00
John Davis,	"	73 "	-	-	292.00
I. O. Lewis, Draftsman,	"	73 "	-	-	292.00
J. L. Thompson, Clerk	"	73 "	-	-	292.00
L. D. Worchester, Interpreter,	73	"	-	-	292.00
Frank Reed, Sergt.-at-Arms,	73	"	-	-	292.00

Total House Amount

\$7008.00

The following is a list of the Senators, Secretary, Interpreter, Sergeant and Pro tem Officers, and the number of days each served in the regular annual session of the Chickasaw Legislature, beginning, September 5th, 1898.

Martin Newberry,	served	73 days	-	-	\$292.00
Simon Kemp,	"	73 "	-	-	292.00
J. F. Gooding,	"	73 "	-	-	292.00
Opeohsubby,	"	73 "	-	-	292.00
Dave Seely,	"	73 "	-	-	292.00
A. H. Colbert,	"	73 "	-	-	292.00
Nelson Chigley,	"	73 "	-	-	292.00
Wm. M. Guy,	"	73 "	-	-	292.00

John Thomas,	served	6 days	-	-	24.00
Forbes Mosley,	"	73 "	-	-	292.00
Wash Colbert,	"	73 "	-	-	292.00
Jimpson Underwood,	"	73 "	-	-	292.00
R. L. Ream, Sec'y,	"	73 "	-	-	292.00
Eli P. Goforth, Interp'r.	"	73 "	-	-	292.00
Simon Roberson, Serg't.	"	73 "	-	-	292.00
J. W. Byrd,	"	3 "	-	-	12.00
Holmes Colbert,	"	4 "	-	-	16.00
Total Senate Amount					\$4,140.00
House, Amount Brought Forward					7,008.00
Grand Total					\$11,148.00

APPROVED, November 16th, 1898.

D. H. JOHNSTON,

Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

**An Act for the Relief of Gabriel Underwood.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of twelve dollars (\$12.00) be, and the same is hereby appropriated out of any money in the Treasury, not otherwise appropriated, to pay Gabriel Underwood for board and lodging furnished Daugherty and Nora Colbert and Patsy King, for fifteen days each, while they were attending Sulphur Springs Neighborhood School in the year 1897, the same having been omitted from the appropriation made by the last General Session of the Legislature; that the Auditor is hereby directed to issue his warrant for the sum of twelve dollars, payable to said Gabriel Underwood, and the Treasurer is directed to pay the same out of any money in his hands not otherwise appropriated, and this Act take effect from and after its passage.

Recommended by GABRIEL UNDERWOOD.

APPROVED, November 16, 1898.

D. H. JOHNSTON,

Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

**An Act for the Relief of Frank Owens.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of seventy-five dollars be, and the same is hereby appropriated in favor of Frank Owens for his attendance at school in the State of Texas, for five months under the General State Scholar Law. of this Nation, and shown and evidenced by the Superintendent's certificate herewith affixed, and the Auditor is directed to issue his warrant in favor of Frank Owens for said sum of seventy-five dollars, (\$75.00) and the Treasurer shall pay the same out of any funds in his hands, or which may come into his hands, not otherwise appropriated, and this Act take effect from and after its passage.

Recommended by Dave Owens, November 15th, 1898.

APPROVED, November 16th, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

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**An Act Authorizing Louis V. Colbert to Establish and Maintain a Ferry at the Mannsville Crossing on the Washita River.**

WHEREAS, the Washita River is a deep and wide stream, impassable, except by boats at most seasons of the year, and,

WHEREAS, the Mannsville crossing on said River is at a place on the roads leading from Mannsville to Ardmore and various other important towns in the Chickasaw Nation, over which roads the United States Mail is carried to Tishomingo, and all points north and east of Ardmore, and a great necessity exists for the establishment and maintenance of a ferry at such crossing, therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation. That Louis V. Colbert is hereby authorized to establish and maintain a ferry at the Mannsville crossing, about eighteen miles west of Tishomingo, on the Washita River, for the accommodation of travelers and emigrants, drovers and the public generally; and to secure

him in his rights against trespass, he is hereby authorized to fence the landings on each side of said River, and to put up gates, if desirable.

SEC. 2. Be it further enacted, That said ferry shall at all times be run and operated free of charge to all citizens and residents of the Chickasaw Nation ; that said Louis V. Colbert shall, at all times, keep a good, trusty and efficient boatman at said ferry and a commodious and safe ferry boat for the use of all persons desiring to cross said River at such point.

SEC. 3. Be it further enacted, That for the privileges granted herein, the said Louis V. Colbert shall, at all times, keep the roads leading to and from said ferry crossing in a good state of repair suitable for the travel of wagons, buggies, etc.

SEC. 4. Be it further enacted, That said Louis V. Colbert, or his assigns, shall be allowed to charge the following rates for passage of persons, other than citizens and bona fide residents of the Chickasaw Nation, to-wit :

For each vehicle and team .....	\$ .50
Other stock, per head .....	.10
Sheep, goats and hogs, per head.. ..	.05
Man and horse .....	.25
Footman .....	.10

SEC. 5. Be it further enacted, That the rights and privileges herein given the said Louis V. Colbert shall be, and remain in full force and effect for the period of five years from and after the passage of this Act ; and this Act take effect from and after its passage.

Recommended by LOUIS V. COLBERT.

APPROVED, November 7, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest : C. D. CARTER, National Secretary, C. N.

EXECUTIVE DEPARTMENT, Chickasaw Nation,  
Tishomingo City, Nov. 9, 1898.

I, C. D. Carter, National Secretary of the Chickasaw Nation. do hereby certify that the foregoing is an Act of the Legislature of the

Chickasaw Nation, passed at its regular session, 1898 as is evidenced by the official signatures of the presiding officers of both Houses of said Legislature, and approval of D. H. Johnston, Governor of said Nation, in his official character, on November 7th, 1898. and I do hereby submit the same for the approval of the President of the United States, under the provisions of the agreement concluded on the twenty-first day of April, 1897. at Atoka. Indian Territory, between the United States and the Choctaws and Chickasaws, and the Act of Congress of June 28, 1898, entitled, "An Act for the protection of the people of the Indian Territory, and for other purposes."

In witness whereof, I have hereunto signed my name as National Secretary of the Chickasaw Nation on this, the 9th day of November, 1898, and caused the Great Seal of the Chickasaw Nation to be affixed.

C. D. CARTER,

[SEAL.]

National Secretary. C. N.

EXECUTIVE MANSION, Washington, D. C., Dec. 5, 1898.

APPROVED.

WILLIAM MCKINLEY.

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**An Act to Recall All State Scholars, and for the Repeal of  
All Acts and Parts of Acts Making  
Appropriations Therefor.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That All State Scholars and all other pupils and students, attending any school other than National Schools, at the expense of the Nation, be and the same are hereby recalled on January 1st. 1899; and all Acts and parts of Acts, authorizing such attendance, at the expense of the Chickasaw Nation, and making appropriation for such scholars, pupils and students, be and the same are hereby repealed. That this Act take effect on January 1st, 1899.

Recommended by. J. WES PARKER, December 14, 1898.

APPROVED, December 15, 1898.

D. H. JOHNSTON.

Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

**An Act to Provide Books for the Various Neighborhood  
Schools Now in Operation.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of twenty-five dollars be, and the same is, hereby appropriated out of the National Treasury to each of the Neighborhood Schools of the Chickasaw Nation now in operation for the fiscal year ending June 30th, 1899.

SEC. 2. Be it further enacted, That the said sums shall be subject to the order of the Local Trustee of each of said schools, who shall procure the necessary books needed at each school respectively, and shall make an itemized account of his disbursements thereof to the Superintendent, and through him to the next regular session of the Legislature, and upon application therefor by such Trustee, the Auditor shall issue his warrants in his favor for twenty-five dollars to each Trustee of the various Neighborhood Schools now in operation with which to procure the necessary books so needed, and the Treasurer shall pay said warrants out of any moneys in his hands or which may come into his hands, not otherwise appropriated, and this Act take effect from and after its passage.

Recommended by M. V. CHEADLE.

APPROVED, December 20, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

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**An Act Making Appropriation for Deficiency in the General  
Appropriation Bill.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of (\$930.32) nine hundred and thirty dollars and thirty-two cents, be, and the same is, hereby appropriated, out of any

funds of the Chickasaw Nation, not otherwise appropriated, to pay and for the remuneration of the persons whose names are as follows to-wit:

To Davidson Alexander, for board and tuition,	-	\$	97.32
“ Charlie Campbelle,	“ “ “ “	-	285.50
“ Mrs. D. M. Spain,	“ “ “ “	-	127.50
“ Minor Mead,	“ “ “ “	-	17.00
“ Dr. Jones,	“ “ “ “	-	75.00
“ W M. Price,	“ “ “ “	-	135.00
“ John McLaughlin, County Judge,	- - -	-	158.00
“ Nelson Chigley, Fuel Furnisher,	- - -	-	20.00
“ Joe Newberry, School Account,	- - -	-	15.00
Total,	- - - - -	-	<u>\$930.67</u>

SEC. 2. That the Auditor of Public Accounts be, and he is hereby authorized and directed to issue his warrants, in favor of the parties whose names appear herein, for the respective amounts opposite their names, on the Treasurer of the Chickasaw Nation, who shall pay same out of the funds in his hands hereby appropriated for that purpose. That this Act take effect from and after its passage.

Recommended by J. WES PARKER, Rep., Tishomingo Co.

This December 20, 1898.

APPROVED, December 20, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest : C. D. CARTER, National Secretary, C. N.

**An Act Making Appropriation for the Pay of Members and Officers  
of the Legislature, in Extraordinary Session From December  
12th, to December 21st, 1898.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of one thousand, three hundred and twenty dollars, (\$1,320.00) be, and the same is hereby appropriated to pay the members and officers of the Senate and House of Representatives of

the Legislature of the Chickasaw Nation for the extraordinary session beginning on the twelfth day of December, A. D. 1898, and ending on the twenty-first day of December, A. D. 1898; and that each of said members and officers be paid the sum opposite their respective names as per diem, as follows, to-wit:

To Nelson Chigley, president pro tem, for ten days,	\$40.00
“ R. L. Ream, Secretary - - “ “ “	40.00
“ Eli Goforth, Interpreter - “ “ “	40.00
“ Simon Roberson, Sergeant - “ “ “	40.00
“ Martin Newberry, member, Senate “ “ “	40.00
“ Simon Kemp, “ “ “ “	40.00
“ J. F. Gooding, “ “ “ “	40.00
“ O. Possubbee, “ “ “ “	40.00
“ A. H. Colbert, “ “ “ “	40.00
“ Wm. M. Guy, “ “ “ “	40.00
“ John Thomas, member Senate for ten days,	40.00
“ Forbus Mosley, “ “ “ “	40.00
“ Wash Colbert, “ “ “ “	40.00
“ M. V. Cheadle, Speaker, H. R. “ “ “	40.00
“ J. L. Thompson, Clerk “ “ “	40.00
“ L. D. Worcester, Interpreter “ “ “	40.00
“ Frank Reed, Sergeant “ “ “	40.00
“ Joe Newberry, member “ “ “	40.00
“ Frank Kemp, “ “ “	40.00
“ Wesley Jones, “ “ “	40.00
“ Simon Burris, “ “ “	40.00
“ James McCurtin, “ “ “	40.00
“ F. M. Hare, “ “ “	40.00
“ Sam Tyubby, “ “ “	40.00
“ J. Wes Parker, “ “ “	40.00
“ Wyett Chigley, “ “ “	40.00
“ Lewis Seely, “ “ “	40.00
“ Jimson Hawkins, “ “ “	40.00
“ Dave Owens, “ “ “	40.00
“ Almon Holden, “ “ “	40.00
“ Kingsberry Hawkins, “ “ “	40.00

" John Davis,	"	"	"	"	40.00
" I. O. Lewis, Draftsman					40.00
				Amount,	\$1,320.00

SEC. 2. Be it further enacted, That the Auditor of Public Accounts be, and he is hereby authorized, to issue his warrants in favor of the said members and officers, for the amount opposite their respective names, on the Treasurer of the Chickasaw Nation, out of any money in his hands belonging to the Chickasaw Nation, not otherwise appropriated, and that the Treasurer shall pay the same. That this Act take effect from and after its passage.

Recommended by J. WES PARKER, this December 20th, 1898.

APPROVED, December 21, 1898.

D. H. JOHNSTON,

Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

### **An Act Making an Appropriation for Waupanucka Institute.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, That the sum of three hundred dollars be, and the same is hereby, appropriated to purchase stoves and to repair windows for Waupanucka Institute.

SEC. 2. Be it further enacted, That the Auditor of Public Accounts is hereby authorized and directed to issue his warrant in favor of C. A. Skeen, Superintendent of said Institute, for the amount appropriated by this Act: and that the said C. A. Skeen shall make an itemized statement of all expenditure, and the balance, if any, remaining unexpended, to the Superintendent of Public Instruction and through him to the next regular session of the Legislature. That this Act take effect from and after its passage.

Recommended by KINGSBERRY HAWKINS, December 16th, 1898.

APPROVED, December 21, 1898.

D. H. JOHNSTON,

Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

**An Act to Provide for a More Equitable Permit Tax and for  
Other Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation; That hereafter all adult males, over the age of eighteen years, who are non-citizens and now residing in the Chickasaw Nation, or who may hereafter move to this Nation, for the purpose of residing in the same, shall be required to pay an annual permit tax of one dollar each for the privilege of residing in this Nation.

SEC. 2. That any non-citizen who owns horses, jacks, jennets, mules or other cattle, and who holds them upon the public domain or within the Chickasaw Nation, shall be required to pay an annual permit tax of twenty-five cents per head for each horse, jack or jennet, mule or bovine and five cents per head for each sheep and goat so held within this Nation:

PROVIDED, That two cows and calves, and two horses, or two mules or one horse and one mule, or two work oxen, belonging to each head of a family shall be exempt from the provisions of this Act; and that the owner of any cattle subject to taxation under this Act shall be required to make oath, before some Notary Public, or other officer authorized to administer oaths, as to the number of cattle named herein and owned and held by him in the Chickasaw Nation, before any Permit Collector shall deliver to him a clear receipt for the year for which he shall have paid, and all said affidavits shall be turned over to the National Auditor by the Permit Collector with his quarterly report hereinafter required.

SEC. 3. That all taxes or permits, under the provisions of this Act, shall be paid annually in advance, to the Permit Collector of each county in the Chickasaw Nation, and each Collector shall receive twenty per centum of all amounts collected by him for his services.

SEC. 4. That at each general election there shall be elected one Permit Collector for each county in the Chickasaw Nation, who shall serve for two years, and until his successor is elected and qualified, unless sooner removed for malfeasance in office; and that he shall turn

over to his successor all books, documents and other papers belonging to his office.

SEC. 5. That before a Permit Collector in either county shall enter upon the duties of his office he shall be required to take the oath of office, and to give a good and sufficient bond with two or more sureties, worth the amount of said bond, in the sum of one thousand, five hundred dollars, approved by the Governor and payable to him and his successors for the faithful discharge of his duties.

SEC. 6. That the National Secretary shall furnish the Permit Collector of each county with blank permit receipts, with stub duplicate attached, in book form, printed and numbered seriatum, and it shall be unlawful for any Permit Collector to give a permit for a permit tax except upon such blank forms so furnished by the National Secretary.

SEC. 7. That the Permit Collector of each county shall make a full report, under oath, quarterly, between the first and tenth of each of the months of January, April, July and October, of all sums collected by him under the provisions of this Act to the National Auditor, and shall at the same time pay into the National Treasury for National purposes the full amount (less his commission of twenty per centum herein provided) collected by him during the preceding quarter, and obtain a deposit receipt therefor.

SEC. 8. That any Permit Collector who shall willfully violate the provisions of section 2, section 6 or section 7 of this Act shall, upon proof of same, be fined in the sum of not less than twenty-five nor more than one hundred dollars, for which his sureties on his official bond shall be liable to the Nation; and said Permit Collector shall immediately be deprived of his office.

SEC. 9. That any non-citizen, subject to a permit tax under the provisions of section 1 of this Act, and who shall refuse to pay his permit tax, after due notice for thirty days, shall be deemed an intruder by virtue of the Intercourse Law of the United States of America and subject to removal; and such intruder shall be reported to the United States Indian Agent (or Inspector) to the five civilized Tribes, and shall

forthwith be removed from the Chickasaw Nation, under the direction of the said United States Indian Agent or Inspector.

SEC. 10. That when any horse, jack, jennet or other cattle subject to a permit tax, under section 2 of this Act, shall be found within the Chickasaw Nation for sixty days, and upon which the permit tax herein required has not been paid, the same shall be reported straightway to the United States Indian Agent (or Inspector) to the five civilized Tribes, and advertised and sold to the highest bidder at public sale under his direction, to pay said permit tax due, and for the cost of advertising and selling same; that the amount over and above said tax and costs shall be deposited with the said United States Indian Agent (or Inspector) to be paid to the owner of said horse, jack, jennet or other cattle so sold.

SEC. 11. That all Acts and parts of Acts in conflict herewith be and the same are hereby repealed. That this Act take effect from and after its approval as provided by the agreement between the United States and the Choctaw and Chickasaw Tribes, and ratified by the latter on the 24th, day of August, 1898.

Recommended by L. D. WORCESTER.

APPROVED, December 14, 1898.

D. H. JOHNSTON,  
Governor, C. N.

Attest: C. D. CARTER, National Secretary, C. N.

EXECUTIVE DEPARTMENT, CHICKASAW NATION,  
TISHOMINGO CITY.

I, C. D. Carter, National Secretary of the Chickasaw Nation, do hereby certify that the foregoing is an Act of the Legislature of the Chickasaw Nation, passed at its special session, December, 1898, as is evidenced by the official signatures of the presiding officers of both Houses of said Legislature, and approved by D. H. Johnston, Governor of the said Nation, in his official character on December 14, 1898 and I do hereby submit the same for the approval of the President of the United States, under the provisions of the agreement concluded on

the twenty-third day of April, 1897, at Atoka, Indian Territory, between the United States and the Choctaws and Chickasaws, and the Act of Congress of June 28, 1898, entitled, "An Act for the protection of the people of the Indian Territory, and for other purposes."

In witness whereof, I have hereunto signed my name as National Secretary of the Chickasaw Nation, on this the 24th day of December 1898, and caused the Great Seal of the Chickasaw Nation to be affixed.

C. D. CARTER,  
National Secretary C. N.

Executive Mansion, Washington, January 19, 1899.

Approved: WILLIAM MCKINLEY.

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**An Act Making Appropriation for the Defense of the Chickasaw  
Citizenship Cases, and for Other Purposes.**

WHEREAS, some four thousand applications have heretofore been filed (whose claims are disputed) for Citizenship in the Chickasaw Nation, and it becomes necessary to employ counsel to represent said Nation in these cases;

WHEREAS, of the said applicants heretofore filed and heard, between six and eight hundred have been admitted to Citizenship by the Federal Courts in the Indian Territory, and it has become necessary to incur further expense in said cases, on appeal to the Supreme Court of the United States, as granted by an Act of Congress entitled "An Act making appropriation for the current and contingent expenses of the Indian Department, and for fulfilling Treaty stipulations with various Indian Tribes for the fiscal year ending June 30, 1899, and for other purposes;" and,

WHEREAS, an additional expense for attorneys' fees, and for court costs will become necessary to contest the claim of Chickasaw Freedmen to the right of an allotment of forty acres each, and for other services of attorneys in the affairs of the Nation: therefore,

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, that the sum of thirty thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated, to be used in the payment of attorneys' fees, court costs, and for any and all expenses incurred in defending the said citizenship cases, and in contesting the claim of said Freedmen, wherein the Chickasaw Nation may be a party, on appeal to the Supreme Court of the United States, and for the further purposes of employing counsel and paying court costs in any and all other affairs or business of the Chickasaw Nation.

SEC. 2. That the Secretary of the Treasury of the United States, be, and he is hereby authorized to pay to the Governor of the Chickasaw Nation, for such purposes, the said sum of thirty thousand dollars, out of any funds in his hands, or which may come into his hands, belonging to the Chickasaw Nation.

SEC. 3. That the Governor of the Chickasaw Nation, be and he is hereby authorized, to pay out of the said appropriation such amount or amounts as may be necessary to a final prosecution and defense of the aforesaid citizenship cases, and to contest the said claim of Chickasaw Freedmen; and he is further authorized to prosecute any and all other suits wherein the Nation may be a party, and employ counsel in any necessary business of the Nation, out of said sum of thirty thousand dollars.

SEC. 4. That the Governor shall take vouchers from any and all parties to whom shall have been paid any part of the above appropriation for the purposes herein mentioned, and he shall make his report thereof to the Legislature at each session hereafter held. That this Act take effect from and after its passage and approval by the President of the United States.

Recommended by D. H. JOHNSTON, December 14, 1898.

EXECUTIVE DEPARTMENT CHICKASAW NATION,  
TISHOMINGO CITY.

I, C. D. Carter, National Secretary of the Chickasaw Nation, do hereby certify that the foregoing is an Act of the Legislature of the Chickasaw Nation, passed at its special session, December, 1898, as is evidenced by the official signatures of the presiding officers of both Houses of said Legislature, and approved by D. H. Johnston, Governor of said Nation, in his official character, on December 15th, 1898, and I do hereby submit the same for the approval of the President of the United States, under the provisions of the agreement concluded on the twenty-third day of April, 1897, at Atoka, Indian Territory, between the United States and the Choctaws and Chickasaws, and the Act of Congress of June 23rd, 1898, entitled "An Act for the protection of the people of the Indian Territory, and for other purposes." In witness whereof I have hereunto signed my name as National Secretary of the Chickasaw Nation on this, the fourteenth day of December, 1898, and caused the Great Seal of the Chickasaw Nation to be affixed.

C. D. CARTER,  
National Secretary C. N.

Executive Mansion, Washington, January 19, 1899.

Approved: WILLIAM MCKINLEY.

**An Act for the Relief of Certain Commissions and Witnesses  
Who Accompanied the Dawes Commission in the Chick-  
asaw Nation and for Other Purposes.**

SECTION 1. Be it enacted by the Legislature of the Chickasaw Nation, that for the purposes of paying certain Commissioners appointed by R. M. Harris (then Governor) on the 27th day of August, 1898, and also for the relief and pay of a like commission, appointed by D. H. Johnston, Governor of the Chickasaw Nation, on the 26th day of September last, to accompany the Dawes Commission while taking

a census in the Chickasaw Nation, together for the relief of a certain colored Committee or Commission, who assisted in identifying Chickasaw freedmen, and for certain witnesses summoned on behalf of the Nation in contested cases, that the total sum of three thousand, eight hundred and seventy-three dollars and sixty cents be and the same is hereby appropriated out of any funds in the Chickasaw Nation not otherwise appropriated, for the relief and pay of each of said Commissioners, colored Committeemen and said witnesses. And that the respective amounts opposite their respective names, as itemized in Section 2, Section 3 and Section 4 of this Act be paid to them for their services.

SEC. 2. That each of said Commissioners appointed by said R. M. Harris and by said D. H. Johnston, Governor, be paid at the rate of six dollars per day salary and expense, the respective amounts opposite their names following, to-wit;

COMMISSIONERS.

To T. C. Walker, Chairman, 60 days at \$6.00,	-	-	\$360 00
To Ed. Bradley, Secretary, 60 days at \$6.00,	-	-	360 00
To Geo. H. Perry, Secretary, 60 days at \$6.00,	-	-	360 00
To Peter Maytubby, 60 days at \$6.00,	-	-	360 00
To Wm. L. Byrd, 8 days \$6.00,	-	-	48 00
To Overton Love, 16 days at \$6.00,	-	-	96 00
To B. F. Kemp, 87 days at 6.00,	-	-	522 00
To J. K. Kemp, 87 days at \$6.00	-	-	522 00
To Wm. Bourland, 87 days at \$6.00,	-	-	522 00
Total to Commissioners,	-	-	\$3,150 00

SEC. 3. That the members of said Colored Committee be paid, at the rate of three dollars per day, out of said sum, the respective amounts opposite their names, following to-wit:

COLORED COMMITTEE.

To Charles Cohee, Chairman, 52 days at \$3.00,	-	-	\$156 00
To Henry Gaines, 18 days \$3.00,	-	-	54 00
To Mack Stevenson, 46 days at \$3.00,	-	-	138 00
To Solomon McGilbrey, 40 days at \$3.00,	-	-	120 00

To Peter Wolf, 21 days at \$3.00,	-	-	-	-	63 00
To Sam Jones, 18 days at \$3.00,	-	-	-	-	54 00
Total to Colored Committeemen,	-	-	-	-	<u>\$585 00</u>

SEC. 4. That each of said witnesses be paid (at the rate of a dollar and fifty cents, and ten cents per mile) the amounts opposite their respective names following to-wit:

NAME	WITNESSES.			Total Amt.
	No. of Days	Miles Traveled,		
Overton Love,	6	26		\$11 60
Wm. L. Byrd,	6	50		14 00
Dr. H. F. Murray,	6	80		17 00
Tony Frazier,	2	15		4 00
Charley Smith,	6	80		17 00
L. R. Moore,	6	80		17 00
R. M. Harris,	6	40		13 00
Dan Collins,	1	80		9 50
Nancy Smith,	4	15		7 50
Jane McLaughlin,	4	15		7 50
R. Carney,	2	50		8 00
Dan Grayson,	2	95		12 50
Total to witnesses,	-	-	-	<u>\$138 60</u>

SEC. 5. That a Commission to be known as "The Chickasaw Commission," to be composed of not less than three nor more than five members (at the discretion of the Governor) together with one Secretary and one Sergeant-at-arms, be appointed and commissioned by the Governor of the Chickasaw Nation be and the same is hereby created, and that it shall be the duty of said Chickasaw Commission to accompany the Dawes Commission, and to assist them in taking a census of the Choctaw and Chickasaw citizens and Freedmen in the Choctaw Nation; that their term of service shall begin on the third Monday in March, 1899, at South McAlester, L. T., and continue until the work of enrolling Choctaw and Chickasaw citizens and Freedmen shall have been completed; and that each member of said Commission, together with the Secretary and Sergeant-at-arms shall be allowed the

sum of six dollars per day, each, as salary and expense, for their services.

SEC. 6. That the Auditor of Public Accounts of the Chickasaw Nation is hereby authorized and directed to issue his warrants on the Treasury of the Chickasaw Nation, payable to the respective Commissioners, Colored Committeemen, and witnesses named in Section 2, Section 3 and Section 4 of this Act for the respective amounts due each; and he is further authorized and directed to issue his warrants on the Treasury, payable to each member of the Chickasaw Commission to be appointed and commissioned by the Governor, created by this Act, when they shall have presented their accounts duly verified, setting forth in full the number of days served by each, together with their commissions of appointment, required by Section 5 of this Act, and that an appropriation is hereby made therefor out of any funds belonging to the Chickasaw Nation not otherwise appropriated. That this Act take effect from and after its approval by the President as provided by an agreement approved June 28th, 1898, and adopted on August 24th, 1898, by the Chickasaw and Choctaw Nations.

Recommended by D. H. Johnston, December 14th, 1898.

APPROVED, December 15th, 1898.

D. H. JOHNSTON,

Governor, Chickasaw Nation.

Attest: C. D. CARTER, National Secretary, Chickasaw Nation.

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EXECUTIVE DEPARTMENT CHICKASAW NATION,

TISHOMINGO CITY.

I, C. D. Carter, National Secretary of the Chickasaw Nation, do hereby certify that the foregoing is an Act of the Legislature of the Chickasaw Nation, passed at its special session, December, 1898, as is evidenced by the official signatures of the presiding officers of both Houses of said Legislature, and approved by D. H. Johnston, Governor of said Nation, in his official character, on December 15th, 1898, and I do hereby submit the same for the approval of the President of the United States, under the provisions of the agreement concluded on the twenty-third day of April, 1897, at Atoka, Indian Territory, be-

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tween the United States and the Choctaws and Chickasaws, and the Act of Congress of June 23rd, 1898, entitled "An Act for the protection of the people of the Indian Territory, and for other purposes." In witness whereof I have hereunto signed my name as National Secretary of the Chickasaw Nation on this, the fourteenth day of December, 1898, and caused the Great Seal of the Chickasaw Nation to be affixed.

C. D. CARTER,  
National Secretary C. N.

Executive Mansion, Washington, January 19, 1899.

Approved: WILLIAM MCKINLEY.



**APPENDIX.**

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**TREATIES.**

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**CHICKASAWS.**

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**Concluded October 20, 1832.**

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**Ratified March 1, 1833.**



# APPENDIX.

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## TREATIES.

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### CHICKASAWS.

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(CONCLUDED OCTOBER 20, 1832. RATIFIED MARCH 1, 1833.)

Articles of a Treaty, made and entered into between Gen. John Coffee, being duly authorized thereto by the President of the United States, and the whole Chickasaw Nation, in General Council, assembled at the Council House, on Pontotoc creek, on the twentieth day of October, 1832.

The Chickasaw Nation find themselves oppressed in their present situation by being made subject to the laws of the States in which they reside. Being ignorant of the language and laws of the white man, they cannot understand or obey them. Rather than submit to this great evil, they prefer to seek a home in the West, where they may live and be governed by their own laws, and believing that they can procure for themselves a home in a country suited to their wants and condition, provided they had the means to contract and pay for the same, they have determined to sell their country and hunt a new home. The President has heard the complaints of the Chickasaws and like them, believes they cannot be happy and prosperous as a Nation in their situation and condition, and being desirous to relieve them from the great calamity that seems to await them if they remain as they are, he has sent his Commissioner, Gen. John Coffee, who has met the whole Chickasaw Nation in Council, and after mature deliberation, they have entered into the following articles, which shall be binding

on both parties, when the same shall be ratified by the President of the United States, by, and with the advice and consent of the Senate.

#### **Article I.**

For the consideration hereinafter expressed, the Chickasaw Nation do hereby cede to the United States, all the land which they own on the east side of the Mississippi river, including all the country where they at present live and occupy.

#### **Article II.**

The United States agree to have the whole country thus ceded, surveyed, as soon as it can be conveniently done, in the same manner that the Public Lands of the United States are surveyed in the States of Mississippi and Alabama, and as soon thereafter as may be practicable to have the same prepared for sale. The President of the United States will then offer the land for sale at public auction, in the same manner and on the same terms and conditions as the other Public Lands, and such of the land as may not sell at the public sales shall be offered at private sale, in the same manner that other private sales are made of the United States lands.

#### **Article III.**

As a full compensation to the Chickasaw Nation, for the country thus ceded, the United States agree to pay over to the Chickasaw Nation, all of the money arising from the sale of the land which may be received from time to time, after deducting therefrom the whole cost and expenses of surveying and selling the land, including every expense attending the same.

#### **Article IV.**

The President being determined that the Chickasaw people shall not deprive themselves of a comfortable home in the country where they now are, until they shall have provided a country in the West to remove to, and settle on, with fair prospects of future comfort and happiness; it is therefore agreed to by the Chickasaw Nation, that they will endeavor, as soon as it may be in their power after the ratification of this Treaty, to hunt out and procure a home for their people west of the Mississippi river, suited to their wants and condition and they will continue to do so during the progress of the survey of this present country, as is provided for in the second Article of this Treaty. But should they fail to procure such a country to remove to, and settle on, previous to the first public sale of their country here, then and in that event they are to select out of the surveys a

comfortable settlement for every family in the Chickasaw Nation, to include their present improvements, if the land is good for cultivation, and if not they may take it any other place in the Nation which is unoccupied by any other person. Such settlement must be taken by sections. And there shall be allotted to each family as follows (to wit): To a single man who is twenty-one years of age, one section, to each family of five and under that number, two sections; to each family of six and not exceeding ten, three sections, and to each family over ten, four sections, and to families who own slaves, their shall be allowed one section, to those who own ten or upwards, and such as own under ten, there shall be allowed half a section. If any person shall now occupy two places and wish to retain both, they may do so by taking a part at one place and a part at the other; and where two or more persons are now living on the same section, the oldest occupant will be entitled to remain, and the others must move off to some other place if so required by the oldest occupant. All of which tracts of land, so selected and so retained, shall be held and occupied by the Chickasaw people, uninterrupted, until they shall find and obtain a country suited to their wants and condition. And the United States will guarantee to the Chickasaw Nation the quiet possession and uninterrupted use of the said reserved tracts of land so long as they may live on and occupy the same and when they shall determine to remove from said tracts of lands the Chickasaw Nation will notify the President of the United States of their determination to remove, and thereupon as soon as the Chickasaw people shall remove, the President will proclaim the said reserved tracts of lands for sale at public auction and at private sale, on the same terms and conditions as is provided for in the second Article of this Treaty to sell the same, and the net proceeds thereof to be paid to the Chickasaw Nation as is provided for in the third Article of this Treaty.

#### Article V.

If any of the Chickasaw families shall have made valuable improvements on the places where they lived and removed from on the reservation tracts, the same shall be valued by some discreet person to be appointed by the President, who shall assess the real cash value of all such improvements, and also the real cash value of all the land within their improvements, which they may have cleared and actually cultivated at least one year in good farming order and condition. And such valuation of the improvements, and the value of the cultivated lands as before mentioned shall be paid to the person who shall have made the same. To be paid out of the proceeds of the sales of the ceded lands. The person who shall value such land and improvements shall give to the owner thereof a certificate of the valuation

which shall be a good voucher for them to draw the money on, from the proper person who shall be appointed to pay the same, and the money shall be paid as soon as may be convenient after the valuation to enable the owners thereof to provide for their families on their journey to their new homes. The provisions of this Article are intended to encourage industry and to enable the Chickasaws to move comfortably. But lest the good intended may be abused by designing persons, by hiring hands and clearing more land than they otherwise would do for the benefit of their families, it is determined that no payment shall be made for improved lands over and above one-eighth part of the tract allowed and reserved for such persons to live on and occupy.

#### Article VI.

The Chickasaw Nation cannot receive any part of the payment for their land until it shall be surveyed and sold; therefore, in order to the greater facility in surveying and preparing the land for sale, and for keeping the business of the Nation separate and apart from the business and accounts of the United States, it is proposed by the Chickasaws and agreed to, that a Surveyor General be appointed by the President to superintend alone the surveying of this ceded country, or so much thereof as the President may direct, who shall appoint a sufficient number of deputy surveyors as may be necessary to complete the survey in as short a time as may be reasonable and expedient. That the said Surveyor General be allowed one good clerk and one good draughtsman to aid and assist him in the business of his office in preparing the lands for sale. It is also agreed that one land office be established for the sale of the lands, to have one Register and one Receiver of monies, to be appointed by the President, and each Register and Receiver to have one good clerk to aid and assist them in the duties of their office. The surveyor's office, and the office of the Register and Receiver of money, shall be kept somewhere central in the Nation, at such place as the President of the United States may direct. As the before mentioned officers and clerks are to be employed entirely in business of the Nation, appertaining to preparing and selling the land, they will, of course, be paid out of the proceeds of the sales of the ceded lands. That the Chickasaws may now understand, as near as may be, the expenses that will be incurred in the transacting of this business, it is proposed and agreed to, that the salary of the Surveyor General be fifteen hundred dollars a year, and that the Register and Receiver of monies be allowed twelve hundred dollars a year each, as a full compensation for their services, and all expenses, except stationery, and postage on their official business : and

that each of the clerks and draughtsmen be allowed seven hundred and fifty dollars a year for their services and all expenses.

#### **Article VII.**

It is expressly agreed that the United States shall not grant any right or preference to any person, or right of occupancy, in any manner whatsoever, but, in all cases of either public or private sale, they are to sell the land to the highest bidder; and also, that none of the lands to be sold in smaller tracts than quartersections or fractional sections of the same size, as near as may be, until the Chickasaw Nation may require the President to sell in smaller tracts. The Chiefs of the Nation have heard that at some of the sales of the United States lands, the people there present entered into combinations, and united in purchasing much of the land at reduced prices for their own benefit, to the great prejudice of the government, and they express fears that attempts will be made to cheat them in the same manner when their lands shall be offered at public auction. It is therefore agreed that the President will use his best endeavors to prevent such combinations, or any other plan or state of things which may tend to prevent the land selling for its full value.

#### **Article VIII.**

As the Chickasaws have determined to sell their country, it is desirable that the Nation realize the greatest possible sum for their lands which can be obtained; it is therefore proposed and agreed to, that after the President shall have offered their lands for sale, and shall have sold all that will sell for the government price, then the price shall be reduced so as to induce purchasers to buy who would not take the land at the government minimum price; and it is believed that five years from and after the date of the first sale will dispose of all the lands that will sell at the government price. If then, at the expiration of five years, as before mentioned, the Chickasaw Nation may request the President to sell at such reduced price as the Nation may then propose, it shall be the duty of the President to comply with their request, by first offering it at public and afterwards at private sale, as in all other cases of selling Public Lands.

#### **Article IX.**

The Chickasaw Nation express their ignorance and incapacity to live and be happy under the State Laws; they cannot read and understand them, and therefore they will always need a friend to advise and direct them; and fearing at some day the government of the United States may withdraw from them the agent under whose instructions

they have lived so long and happy, they therefore request that the agent may be continued with them while here, and wherever they may remove to and settle. It is the earnest wish of the United States Government to see the Chickasaw Nation prosper and be happy, and, so far as is consistent, they will contribute all in their power to render them so; therefore, their request is granted. There shall be an agent kept with the Chickasaws as heretofore, so long as they live within the jurisdiction of the United States as a Nation, either within the limits of the States, where they now reside, or any other place; and whenever the office of agent shall be vacant, and an agent to be appointed, the President will pay due respect to the wishes of the Nation in selecting a man in all respects qualified to discharge the responsible duties of that office.

#### **Article X.**

Whenever the Chickasaw Nation shall determine to remove from and leave their present country, they will give the President of the United States timely notice of such intention, and the President will furnish them the necessary funds and means for their transportation and journey, and for one year's provisions after they reach their new homes, in such quantity as the Nation may require; and the full amount of such funds, transportation and provisions is to be paid out of the proceeds of the sales of the ceded lands. And should the Chickasaw Nation remove from their present country before they receive money from the sale of the lands hereby ceded, then and in that case the United States shall furnish them any reasonable sum of money for National purposes which may be deemed proper by the President of the United States; which sum shall also be refunded out of the sales of the ceded lands.

#### **Article XI.**

The Chickasaw Nation have determined to create a perpetual fund, for the use of the Nation forever, out of the proceeds of the country now ceded away; and for that purpose they propose to invest a large proportion of the money arising from the sale of the land in some safe and valuable stocks which will bring them in an annual interest or dividend, to be used for all National purposes, leaving the principal untouched, intending to use the interest alone. It is therefore proposed by the Chickasaws and agreed to, that the sum to be laid out in stocks, as above mentioned, shall be left with the Government of the United States until it can be laid out under the direction of the President of the United States, by and with the advice and consent of the Senate, in such safe and valuable stock as he may approve of, for the use and benefit of the Chickasaw Nation. The sum,

thus to be invested, shall be equal to at least three-fourths of the whole net proceeds of the sale of the lands, and as much more as the Nation may determine, if there shall be a surplus after supplying all the National wants. But it is hereby provided, that if the reasonable wants of the Nation shall require more than one-fourth of the proceeds of the sales of the land, then they may, by the consent of the President and Senate, draw from the Government such sum as may be thought reasonable, for valuable National purposes, out of the three-fourths reserved to be laid out in stocks. But if any of the monies shall thus be drawn out of the sum first proposed to be laid out in interest, the sum shall be replaced out of the first monies of the Nation, which may come into the possession of the United States Government from the sale of the ceded lands, over and above the reasonable wants of the Nation. At the expiration of fifty years from this date, if the Chickasaw Nation shall have improved in education and civilization and become so enlightened as to be capable of managing so large a sum of money to advantage, and with safety for the benefit of the Nation, and the President of the United States, with the Senate, shall be satisfied thereof at that time, and shall give their consent thereto, the Chickasaw Nation may then withdraw the whole or any part of the fund now set apart to be laid out in stocks or at interest, and dispose of the same in any manner that they may think proper at that time for the use and benefit of the whole Nation; but no part of said fund shall ever be used for any other purpose than the benefit of the whole Chickasaw Nation. In order to facilitate the survey and sale of the lands now ceded, and to raise the money therefrom as soon as possible for the foregoing purpose, the President of the United States is authorized to commence the survey of the lands as soon as may be practicable after the ratification of this Treaty.

#### Article XII.

The Chickasaws feel grateful to their old Chiefs for their long and faithful services in attending to the business of the Nation; they believe it a duty to keep them from want in their old and declining age; with these feelings they have looked upon their old and beloved chief, Tishomingo, who is now grown old, and is poor and not able to live in that comfort which his valuable life and great merit deserve. It is therefore determined to give him out of the National funds, one hundred dollars a year during the balance of his life, and the Nation request him to receive it as a token of their kind feelings for him, on account of his long and valuable services. Our old and beloved queen Puc-caun-la, is now very old and very poor. Justice says the Nation ought not to let her suffer in her old age; it is therefore determined to give her, out of the National funds, fifty dollars a year during her

life, the money to be put in the hands of the Agent to be laid out for her support, under his directions, with the advice of the Chiefs.

#### **Article XIII.**

The boundary line between the lands of the Chickasaws and Choctaws has never been run or properly defined; and as the Choctaws have sold their country to the United States, they now have no interest in the decision of that question. It is therefore agreed to call on the old Choctaw Chiefs to determine the line to be run between the Chickasaws and their former country. The Chickasaws, by a treaty made with the United States at Franklin, in Tennessee, in August, 1830, declared their line to run as follows, to-wit: Beginning at the mouth of the Oak-tibby-haw, and running up said stream to a point, being a marked tree, on the old Natches road, one mile southwardly from Wall's old place; thence with the Choctaw boundary and along it westwardly through the Tunica old fields, to a point on the Mississippi river about twenty-eight miles by water below where the St. Francis river enters said stream on the west side. It is now agreed that the surveys of the Choctaw country which are now in progress shall not cross the line until the true line shall be decided and determined, which shall be done as follows: The Agent of the Choctaws on the west side of the Mississippi shall call on the old and intelligent Chiefs of that Nation and lay before them the line as claimed by the Chickasaws at the Franklin Treaty; and if the Choctaws shall determine that line to be correct, then it shall be established and made the permanent line; but if the Choctaws say the line strikes the Mississippi river higher up said stream, then the evidence which can be had from both Nations shall be taken by the Agents of both Nations and submitted to the President of the United States for his decision; and on such evidence the President will determine the true line on the principles of strict justice.

#### **Article XIV.**

As soon as the surveys are made, it shall be the duty of the Chiefs, with the advice and assistance of the Agent, to cause a correct list to be made out of all and every tract of land which shall be reserved for the use and benefit of the Chickasaw people, for their residence, as is provided for in the fourth Article of this Treaty; which list will designate the sections of land which are set apart for each family or individual in the Nation, showing the precise tracts which shall belong to each and every one of them; which list shall be returned to the Register of the Land Office, and he shall make a record of the same in his office to prevent him from offering

any of said tracts of land for sale, and also as evidence of each person's land. All the residue of the land will be offered by the President for sale.

#### Article XV.

The Chickasaws request that no persons be permitted to move in and settle on their country before the land is sold. It is therefore agreed, that no persons whatsoever, who is not Chickasaw or connected with the Chickasaws by marriage, shall be permitted to come into the country and settle on any part of the ceded lands until they shall be offered for sale, and then there shall not be any person permitted to settle on any of the land which has not been sold at the time of such settlement; and in all cases of a person settling on any of the ceded lands contrary to this express understanding, they will be intruders, and must be treated as such, and put off of the lands of the Nation.

In witness of all and every thing herein determined between the United States and the whole of the Chickasaw Nation in general council assembled, the parties have hereunto set their hands and seals, at the Council-House, on Ponto toc Creek, in the Chickasaw Nation, on the twentieth day of October, one thousand eight hundred and thirty-two.

John Coffee,	-	-	-	-	[L. S.]
Ish-te-ho to-pa, (King)	-	-	-	his x mark.	[L. S.]
Tishomingo,	-	-	-	his x mark.	[L. S.]
Levi Colbert,	-	-	-	his x mark.	[L. S.]
George Colbert,	-	-	-	his x mark.	[L. S.]
William McGilvery,	-	-	-	his x mark.	[L. S.]
Samuel Sely,	-	-	-	his x mark.	[L. S.]
To-pul-kah,	-	-	-	his x mark.	[L. S.]
Isaac Albertson,	-	-	-	his x mark.	[L. S.]
Enn-ub-by,	-	-	-	his x mark.	[L. S.]
Pis tah-lah-tubbe,	-	-	-	his x mark.	[L. S.]
Ish-tin o-lut-ka,	-	-	-	his x mark.	[L. S.]
James Brown,	-	-	-	his x mark.	[L. S.]
Im-mah-hoo-lo-tubbe,	-	-	-	his x mark.	[L. S.]
Ish-ta-ha-chah,	-	-	-	his x mark.	[L. S.]
Lah-fin-hubbe,	-	-	-	his x mark.	[L. S.]
Show-pow-me,	-	-	-	his x mark.	[L. S.]
Nin-uck-ah-umba,	-	-	-	his x mark.	[L. S.]
Im-mah-hoo-la-tubbee,	-	-	-	his x mark.	[L. S.]
Illup-pah-umba,	-	-	-	his x mark.	[L. S.]

Pitman Colbert,	-	-	-	-	his x mark.	[L. S.]
Con-mush-ka-ish-kah,	-	-	-	-	his x mark.	[L. S.]
James Wolfe,	-	-	-	-	his x mark.	[L. S.]
Bah-ha-kah-tubbe,	-	-	-	-	his x mark.	[L. S.]
E-Bah-kah-tubbe,	-	-	-	-	his x mark.	[L. S.]
Captain Thompson,	-	-	-	-	his x mark.	[L. S.]
New berry,	-	-	-	-	his x mark.	[L. S.]
Bah-ma-hah-tubbe,	-	-	-	-	his x mark.	[L. S.]
John Lewis,	-	-	-	-	his x mark.	[L. S.]
I-yah hou-tubbe,	-	-	-	-	his x mark,	[L. S.]
Tok-holth-la-cha,	-	-	-	-	his x mark.	[L. S.]
Oke-lan-nan-nubbe,	-	-	-	-	his x mark.	[L. S.]
Im-me-tubbe,	-	-	-	-	his x mark.	[L. S.]
In-kah-yea,	-	-	-	-	his x mark.	[L. S.]
Ah-sha-cubbe,	-	-	-	-	his x mark.	[L. S.]
Im-ma-ho-bah,	-	-	-	-	his v mark.	[L. S.]
Fit-cha-pla,	-	-	-	-	his x mark.	[L. S.]
Unte-mi-ah-tubbe,	-	-	-	-	his x mark.	[L. S.]
Oke-lah-hin-lubbe,	-	-	-	-	his x mark.	[L. S.]
John Glover,	-	-	-	-	his x mark.	[L. S.]
Bah-me-hubbe,	-	-	-	-	his x mark.	[L. S.]
Hush-tah-tah-ubbe,	-	-	-	-	his x mark.	[L. S.]
Un-ti-hak-ah-tubbee,	-	-	-	-	his x mark.	[L. S.]
Yum-mo-tubbe,	-	-	-	-	his x mark.	[L. S.]
Oh-ha-cubbe,	-	-	-	-	his x mark.	[L. S.]
Ah-fah-mah,	-	-	-	-	his x mark.	[L. S.]
Ah-ta-kin-tubbe,	-	-	-	-	his x mark.	[L. S.]
Ah-to-ko-wah,	-	-	-	-	his x mark.	[L. S.]
Tah-ha-cubbe,	-	-	-	-	his x mark.	[L. S.]
Kin-hoi-cha,	-	-	-	-	his x mark.	[L. S.]
Ish-te-ah-tubbe,	-	-	-	-	his x mark.	[L. S.]
Chick-ah-sha-nan-ubbe,	-	-	-	-	his x mark.	[L. S.]
Che-wut-ta-ha,	-	-	-	-	his x mark.	[L. S.]
Fo-lut-tac-hah,	-	-	-	-	his x mark.	[L. S.]
No-wo-ko,	-	-	-	-	his x mark.	[L. S.]
Win-in-a-pa,	-	-	-	-	his x mark.	[L. S.]
Oke-lah-shah-cubbe,	-	-	-	-	his x mark.	[L. S.]
Ish-ta-ki-yu-ka-tubbe,	-	-	-	-	his x mark.	[L. S.]
Mah-te-ko-shubbe,	-	-	-	-	his x mark.	[L. S.]
Tom-chich'ah,	-	-	-	-	his x mark.	[L. S.]
Ei-oche-tubbe,	-	-	-	-	his x mark.	[L. S.]
Nuck-sho-pubbe,	-	-	-	-	his x mark.	[L. S.]
Tah-lah-mo-tubbe,	-	-	-	-	his x mark.	[L. S.]

Co-chub-be,	-	-	-	-	-	his x mark.	[L. S.]
Thomas Sely,	-	-	-	-	-	his x mark.	[L. S.]
Oke-lah-sha-pi-a,	-	-	-	-	-	his x mark.	[L. S.]

Signed and sealed in the presence of:

BEN REYNOLDS, Indian Agent.  
 JOHN L. ALLEN, Sub-Agent.  
 NATH. ANDERSON, Secretary to Commissioner.  
 BENJ. LOVE, United States Interpreter.  
 ROBERT GORDON, Miss.  
 GEORGE WIGHTMAN, of Miss.  
 JOHN DONLEY, Tennessee.  
 D. S. PARRISH, Tennessee.  
 S. DAGGETT, Miss.  
 WM. A. CLURM.  
 G. W. LONG.

[Concluded May 24, 1834. Ratified\* July 1, 1834.]

Articles of Convention and Agreement proposed by the Commissioners, on the part of the United States, in pursuance of the request made by the Delegation representing the Chickasaw Nation of Indians, and which have been agreed to.

#### Article I.

It is agreed that perpetual amity, peace and friendship shall exist between the United States and the Chickasaw Nation of Indians.

#### Article II.

The Chickasaws are about to abandon their homes, which they have long cherished and loved, and though hitherto unsuccessful, they still hope to find a country adequate to the wants and support of their people somewhere west of the Mississippi, and within the territorial limit of the United States. Should they do so, the Government of the United States hereby consents to protect and defend them against the inroads of any other Tribe of Indians and from the whites, and agree to keep them without the limits of any State or Territory. The Chickasaws pledge themselves never to make war upon any Indian people, or upon the whites, unless they are so authorized by the United States, but if war be made upon them they will be permitted to defend themselves until assistance be given to them by the United States, as shall be the case.

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\*With the exception of the third Article in the supplementary Articles.

**Article III.**

The Chickasaws are not acquainted with the laws of the whites, which are extended over them, and the many intruders which break into their country, interrupting their rights and disturbing their repose, leave no alternative whereby restraint can be afforded other than an appeal to the military force of the country, which they are unwilling to ask for or see resorted to; and therefore they agree to forbear such a request for the prevention of this great evil, with the understanding, which is admitted, that the agent of the United States, upon the application of the Chiefs of the Nation, will resort to every legal civil remedy (at the expense of the United States) to prevent intrusions upon the ceded country; and to restrain and remove trespassers from any selected reservations, upon application of the owner of the same. And it is also agreed that the United States will continue some discreet person as agent, such as they now have, to whom they can look for redress of wrongs and injuries which may be attempted against them; and it is consented that if any of their property be taken by persons of the United States, covertly or forcibly, the agent, on satisfactory and just complaint being made, shall pursue all lawful civil means which the laws of the State permit in which the wrong is done to regain the same or obtain a just remuneration; and on failure or inability to procure redress for the offended against the offending party, payment for the loss sustained, on production of the record and certificate of the facts by the agent, shall be made by the United States; but in all such cases satisfactory proof for the establishing of the claim shall be offered.

**Article IV.**

The Chickasaws desire to have within their own direction and control the means of taking care of themselves; many of their people are quite competent to manage their affairs, though some are not capable and might be imposed on by designing persons; [it] is therefore agreed that the reservations hereinafter admitted shall not be permitted to be sold, leased or disposed of, unless it appear by the certificate of at least two of the following persons, to-wit: Ish-ta-ho-ta-pa, the king, Levi Colbert, George Colbert, Martin Colbert, Isaac Albertson, Henry Love and Benjamin Love, of which five have affixed their names to this Treaty, that the party owning or claiming the same is capable to manage and to take care of his or her affairs, which fact, to the best of his knowledge and information, shall be certified by the agent; and furthermore, that a fair consideration has been paid, and thereupon the deed of conveyance shall be valid, provided, the president of the United States, or such other person as he may designate, shall ap-

prove of the same and endorse it on the deed, which said deed and approval shall be registered at the place and within the time required by the laws of the State in which the land may be situated; otherwise to be void. And where such certificate is not obtained upon the recommendation of a majority of the delegation and the approval of the Agent, at the discretion of the President of the United States the same may be sold; but the consideration thereof shall remain as a part of the general Chickasaw fund in the hands of the Government until such time as the Chiefs in council shall think it advisable to pay to the claimant, or to those who may rightfully claim under said claimant, and shall so recommend it. And as the King, Levi Colbert and the delegation who have signed this agreement, and to whom certain important and interesting duties pertaining to the Nation are assigned, may die, resign or remove, so that the people may be without the benefit of their services, it is stipulated, that as often as any vacancy happens, by death, resignation or otherwise, the Chiefs shall select some discreet person of their Nation to fill the occurring vacancy, who, upon a certificate of qualification, discretion and capability by the Agent, shall be appointed by the Secretary of War; whereupon he shall possess all the authority granted to those who are here named, and the Nation will make to the person so appointed such reasonable compensation as they, with the assent of the Agent and the Secretary of War, may think right, proper and reasonable to be allowed.

#### Article V.

It is agreed that the fourth Article of the "Treaty of Pontotoc" be so changed that the following reservations be granted in fee to heads of families, being Indians, or having Indian families, consisting of ten persons and upwards, four sections of land are reserved. To those who have five and less than ten persons, three sections.. To those who have less than five, two sections. Also, those who own more than ten slaves shall be entitled to an additional section, and those owning ten and less than ten, to half a section. These reservations shall be confined to the sections or fractional sections on which the party claiming lives, or to such as are contiguous or adjoining to the sections resided upon, subject to the following restrictions and conditions:

First—In cases where there are interferences arising, the oldest occupant or settler shall have preference; or,

Secondly—Where the land is adjudged unfit for cultivation by the Agent, and three of the seven persons named in the fourth Article above, the party entitled shall be and is authorized to locate his claim upon other lands which may be unappropriated, and not subject to

other claims; and when two or more persons insist upon the entry of the same unappropriated section or fractional section, the priority of right shall be determined by lot; and where a fractional section is taken, leaving a balance greater or less than the surveyed sub-division of a section, then the deficiency shall be made up by connecting all the deficiencies so arising; and the Register and Receiver thereupon shall locate full or fractional sections fit for cultivation, in the names respectively of the different persons claiming, which shall be held by them as tenants in common, according to the respective interests of those who are concerned; and the proceeds, when sold by the parties claiming, shall be divided according to the interests which each may have in said section or fractional section so located, or the same may be divided agreeably to quality or quantity.

#### **Article VI.**

Also, reservations of a section to each shall be granted to persons, male and female, not being heads of families, who are of the age of twenty-one years and upwards, a list of whom, within a reasonable time shall be made out by the seven persons hereinbefore mentioned, and filed with the Agent, upon whose certificate of its believed accuracy the Register and Receiver shall cause said reservation to be located upon the lands fit for cultivation, but not to interfere with the settlement rights of others. The persons thus entitled are to be excluded from the estimated numbers contained in any family enumeration, as is provided for in the fifth Article preceding; and as to the sale, lease, or disposition of their reserves, they are to be subject to the conditions and restrictions set forth in the fourth Article. In these and all other reserves where the party owning or entitled shall die, the interest in the same shall belong to his wife, or the wife and children, or to the husband, or to the husband and children, if there be any; and in cases of death, where there is neither husband, wife, nor children left, the same shall be disposed of for the general benefit, and the proceeds go into the general Chickasaw fund. But where the estate, as provided in this Article, comes to the children, and having so come, either of them die, the survivor or survivors of them shall be entitled to the same. But this rule shall not endure longer than for five years, nor beyond the period when the Chickasaws may leave their present for a new home.

#### **Article VII.**

When any white man, before the date hereof, has married an Indian woman, the reservation he may be entitled to under this Treaty, she being alive, shall be in her name, and no right of aliena-

tion of the same shall pertain to the husband, unless he divest her of the title after the mode and manner that femes covortes usually divest themselves to title to real estate, that is by the acknowledgement of the wife, which may be taken before the Agent and certified by him that she consents to the sale freely and without compulsion from her husband, who shall at the same time certify that the head of such family is prudent and competent to take care of and manage his affairs; otherwise the proceeds of said sale shall be subject to the provisions and restrictions contained in the fourth Article of this agreement. Rights to reservations, as are herein and in other Articles of this agreement secured, will pertain to those who have heretofore intermarried with the Chickasaws and are residents of the Nation.

#### Article VIII.

Males and females below the age of twenty-one years, whose father being dead and the mother again has married, or who have neither father nor mother, shall each be entitled to half a section of land, but shall not be computed as parts of families under the fifth Article, the same to be located under the direction of the Agent, and under the supervision of the Secretary of War, so as not to interfere with any settlement right. These lands may be sold upon a recommendation of a majority of the seven persons heretofore named in this agreement, setting forth that it will prove advantageous to the parties interested; subject, however, to the approval of the President, or such other person as he shall designate. If sold, the funds arising shall be retained in the possession of the Government, or, if the President deem it advisable, they shall be invested in stocks for the benefit of the parties interested, if there be a sufficient sum to be invested (and it can be invested), until such person marry or come of age, when the amount shall be paid over to those who are entitled to receive it; Provided a majority of the seven persons, with the Agent, shall certify, that in their opinion it will be to their interest and advantage; then, and in that case, the proceeds shall be paid over to the party or parties entitled to receive them.

#### Article IX.

But in running the sectional lines, in some cases it will happen at [that] the spring and the dwelling house, or the spring and the cleared land, or the cleared land and the dwelling house of the settlers may be separated by sectional lines, whereby manifest inconvenience and injury will be occasioned; it is agreed that when any of these occurrences arise, the party shall be entitled, as parts and portions of this reservation, to the adjoining section or fraction, as the case may be, unless there be some older occupant claiming a preference: and, in

that event, the right of the party shall extend no farther than to give the person thus affected and injured, so much of his separated property as will secure the spring; also where a sectional line shall separate any improvement, dwelling house, kitchen or stable, so much of the section as contains them shall be added into the occupied section as will secure them to their original owner; and then, and in that case, the older occupant being deprived of preference, shall have his deficiency thus occasioned made up to him by some fractional section, or after the mode pointed out in the latter part of the Fifth article of this Treaty.

#### Article X.

Reservations will be admitted to the following persons in addition to those which may be claimed under the Fifth article of this Treaty, to-wit: Four sections to their old and beloved Chief, Levi Colbert; to George Colbert, Martin Colbert, Isaac Albertson, Henry Love and Benjamin Love, in consideration of the trouble they have had in coming to Washington, and the further trouble thereafter to be encountered in taking care of the interests of their people under the provisions of this Treaty, one section of land to each. Also, there is a fractional section between the residence of George Colbert and the Tennessee river, upon which he has a ferry; it is therefore consented, that said George Colbert shall own and have so much of said fraction as may be contained in the following lines, to-wit: Beginning near Smith's ferry, at the point where the base meridian line and the Tennessee river comes in contact, thence south so far as to pass the dwelling house, (sixty yards beyond it) within which is interred the body of his wife; thence east to the river, and down to the same point of beginning. Also, there shall be reserved to him an island in said river, nearly opposite to this fraction commonly called Colbert's Island. A reservation also of two sections is admitted to Ishta-ha-ta-pa, the King of the Chickasaw Nation, and to Min-ta-ho-yea, the mother of Charles Colbert, one section of land. Also, one section each to the following persons: Im-mub-bee, Ish-tim-o-lutka, Ah-to-ho-wah, Pistah-lah-tubbee, Captain Samuel Seley and William McGilvery, to Colonel Benjamin Reynolds, their long tried and faithful agent, who has guarded their interest and twice traveled with their people far west, beyond the Mississippi, to aid them in seeking and finding a home, there is granted two sections of land, jointly, to William Cooper and James Davis, lawyers of Mississippi, who have been faithful to the Indians in giving them professional advice and legal assistance, and who are to continue to do so within the States of Tennessee, Alabama and Mississippi, while the Chickasaw people remain in said States.

One section is granted to Mrs Margaret Allen, wife of the sub-agent, in her own right, half a section. These reservations to Benjamin Reynolds, William Cooper James Davis and Margaret Allen, are to be located, so as not to interfere with the Indian reservations.

#### **Article XI.**

After the reservations are taken and located, which shall be the case as speedily as may be after the surveys are completed, of which the Register and Receiver shall give notice, the residue of the Chickasaw country shall be sold as public lands of the United States are sold, with this difference: The lands as surveyed shall be offered at public sale, at a price not less than one dollar and a quarter per acre, and thereafter for one year those which are unsold and which have been previously offered at public sale shall be liable to private entry and sale at that price; thereafter, and for one year after, they shall be subject to entry and private sale at one dollar per acre; thereafter, during the third year, they shall be subject to sale and entry at fifty cents per acre; thereafter and during the fourth year, twenty-five cents per acre, and afterwards at twelve and one-half cents per acre. But it may happen in the fourth and after years that the expenses may prove greater than the receipts, it is agreed that at any time after the third year the Chickasaws may declare the residue of their lands abandoned to the United States, and if so they shall be henceforth acquitted of all and every expense on account of the sale of the same. And, that they may be advised of the matters, it is stipulated that the Government of the United States, within six months after any public sale takes place, shall advise them of the receipts and expenditures and of balances in their favor, and also at regular intervals of six months after the first report is made, will afford them information of the proceeds of all entries and sales. The funds thence resulting, after the necessary expenses of surveying and selling and other advances which may be made are repaid to the United States, shall from time to time be invested in some secure stocks, redeemable within a period of not more than twenty years, and the United States will cause the interest arising therefrom annually to be paid to the Chickasaws.

#### **Article XII.**

When any portion of the country is fully surveyed the President may order the same to be sold, but will allow six months from the date of first sale, and three months' notice of any subsequent intended public sale, within which periods of time those who can claim reservations in the offered ranges of the country, shall file their appli-

cations and entries with the Register and Receiver, that the name of the owner or claimant of the same may be entered and marked on the general plat at the office, whereby mistakes in the sales may be avoided and injuries prevented.

#### **Article XIII.**

If the Chickasaws shall be so fortunate as to procure a home within the limits of the United States, it is agreed that, with the consent of the President and Senate, so much of their invested stocks as may be necessary to the purchase of a country for them to settle in shall be permitted to them to be sold, or the United States will advance the necessary amount, upon a guarantee and pledge of an equal amount of their stocks. Also, as much of them may be sold, with the consent of the President and Senate, as shall be adjudged necessary for establishing schools, mills, blacksmith shops, and for the education of their children, and for other needful purposes which their situation and condition may make and by the President and Senate be considered necessary, and, on the happening of such contingency, and information thereof being given of an intention of the whole or any portion of the Nation to remove, the United States will furnish competent persons safely to conduct them to their future destination, and also supplies necessary to the same, and for one year after their arrival at the west, provided the Indians shall desire supplies to be furnished for so long a period, the supplies so afforded to be chargeable to the general Chickasaw account, provided the funds of said Nation shall be found adequate to the expenses which under this and other Articles of this agreement may be required.

#### **Article XIV.**

It is understood and agreed that Articles twelve and thirteen of the "Treaty of Pontotoc," of the twentieth day of October, one thousand eight hundred and thirty two, and which was concluded with General John Coffee, shall be retained; all other Articles of said Treaty inconsistent in any respect with the provisions of this, are declared to be revoked, also so much of the Supplemental Treaty as relates to Colbert Moore; to the bond of James Colbert; transferred to Robert Gordon, to the central position of the Land Office; to the establishment of mail routes through the Chickasaw country, and as it respects the privilege given to John Doneley be and the same are declared to be in full force.

#### **Article XV.**

By the sixth Article of a Treaty made with the Chickasaw Nation, by Andrew Jackson and Isaac Shelby, on the nineteenth day

of October, one thousand eight hundred and eighteen, it was provided that a Commission should be appointed to mark the southern boundary of said session; Now, it was agreed, That the line which was run and marked by the Commissioners on the part of the United States, in presence of said Treaty, shall be considered the true line to the extent that the rights and interests of the Chickasaws are concerned, and no further.

**Article XVI.**

The United States agree that the appropriation made by Congress in the year one thousand eight hundred and thirty-three, for carrying into effect the "Treaty with the Chickasaws," shall be applicable to this, to be reimbursed by them; and their Agent may receive and be charged with the same, from time to time, as in the opinion of the Secretary of War any portion may be wanted for National purposes by the Chickasaws, of which nature and character shall be considered their present visit to Washington City.

Done at the City of Washington on the 24th day of May, one thousand eight hundred and thirty-four.

I. N. H. EATAN,  
Commissioner on the part of the United States.

GEORGE COLBERT, his x mark. [L. S.]  
ISAAC ALBERSON, his x mark. [L. S.]  
MARTIN COLBERT. [L. S.]  
HENRY LOVE. [L. S.]  
BENJAMIN LOVE, [L. S.]

Witnesses:

CHARLES F. LITTLE,  
Secretary to Commission.  
BEN REYNOLDS,  
Indian Agent.  
G. W. LONG.  
JAMES STANDEFER.  
THOMAS S. SMITH.  
SAM'L SWARTWONT.  
W. M. GORDON,  
F. W. ARMSTRONG, C. Agent.  
JOHN M. MILLARD.

The undersigned, appointed by the Chickasaw Nation of Indians, in the two-fold capacity of Delegate and Interpreter, hereby declare that in all that is set forth in the above Articles of convention and agreement, have been by him fully and accurately interpreted and ex-

plained, and that the same has been approved by the entire delegation—May 24th, 1834.

BENJAMIN LOVE,  
Delegate and Interpreter.  
CHARLES F. LITTLE,  
Secretary to Commission.  
BEN REYNOLDS,  
Indian Agent.

Articles supplementary to those concluded and signed by the United States Commissioner and the Chickasaw Delegation on the twenty-fourth day of May, one thousand eight hundred and thirty-four, which, being agreed to by the President and Senate of the United States, are to stand as part of said Treaty.

#### Article 1.

It is represented that the old Chiefs, Levi Colbert and Isaac Alberson, who having rendered many and valuable services to their Nation, desire on account of their health, to visit some watering place, during the present year, for recovery and restoration. It is agreed, that there be paid to the Agent for these purposes, and to discharge some debts, which are due and owing from the Nation, the sum of three thousand dollars, out of the appropriation of one thousand eight hundred and thirty-three for carrying into effect the "Treaty of Pontotoc" which sum, so far as used,, is to be hereafter reimbursed to the Nation by said Levy Colbert and Isaac Alberson, and by the Nation, to the United States, as other advances are to be reimbursed from the sale of their lands.

#### Article II.

The Chickasaw people express a desire that the Government shall, at the expense of the United States, educate some of their children, and they urge the justice of their application. on the ground that they have ever been faithful and friendly to the people of this country, that they have never raised the Tomahawk to shed the blood of an American, and have given up heretofore to their white brothers extensive and valuable portions of their country, at a price wholly inconsiderable and inadequate; and from which the United States have derived great wealth and important advantages; Therefore, with the advice and consent of the President and Senate of the United States. It is consented that three thousand dollars for fifteen years be appropriated and applied, under the direction of the Secretary of War, for the education and instruction within the United

States, of such children, male and female or either, as the seven persons named in the Treaty, to which this is a supplement, and their successors, with the approval of the Agent, from time to time, may select and recommend.

### Article III.

The Chickasaw Nation desire to close finally all the business they have on the east side of the Mississippi, that their great father may be no more troubled with their complaints, and to this end, they ask the Government to receive from them a tract of land of four miles square, heretofore reserved under the fourth Article of their "Treaty of 1818" and to pay them, within three months from the date of this arrangement, the Government price of one dollar and a quarter per acre for said reserve; and accordingly the same is agreed to, provided a satisfactory relinquishment of title from the parties interested be filed with the Secretary of War previous to the payment being made.

### Article IV.

Benjamin Reynolds, Agent at the time of paying their last annuity had stolen from him by a negro slave of the Chickasaws a box containing one thousand dollars: the Chiefs of the Chickasaw people satisfied of the facts, and hence unwilling to receive the last amount from their Agent, ask, and it is agreed, that the sum so stolen and lost shall be passed to the credit of their Nation by the United States, to be drawn on hereafter for their National purposes.

### Article V.

The Chickasaw people are aware that one Clerk is insufficient to the bringing of their lands early into the market, and rather than encounter the delay which must ensue, they prefer the increased expenses of an additional one. It is therefore stipulated, that the President shall appoint another Clerk at the same annual compensation agreed upon by the "Treaty of Pontotoc," who shall be paid after the manner prescribed therein. But whenever the President shall be of the opinion that the services of any Officer employed under this Treaty, for the sale of lands, can be dispensed with, he will, in justice to the Chickasaws, to save them from unnecessary expenses, discontinue the whole, or such as can be dispensed with: Signed the 24th of May, 1834.

I. N. H. Eaton, Commissioner on the part of the United States.

George Colbert,	-	-	-	-	-	his x mark.	(L. S.)
Isaac Alberson,	-	-	-	-	-	his x mark.	(L. S.)
Martin Colbert,	-	-	-	-	-		(L. S.)

Henry Love, - - - - -	(L. S.)
Benjamin Love, - - - - -	(L. S.)
Witnesses:	

CHARLES F. LITTLE,  
 Secretary to Commission.  
 BEN REYNOLDS,  
 Indian Agent.  
 G. W. LONG.  
 JAMES STANDEFER.  
 THOMAS S. SMITH.  
 SAMUEL SWARTWONT.  
 WM. GORDON.  
 F. W. ARMSTRONG,  
 C. Agent.  
 JOHN M. MILLARD.

### Choctaws and Chickasaws.

(Concluded January 17, 1837. Ratified March 24, 1837.)

Articles of convention and agreement made on the seventeenth day of January, one thousand eight hundred and thirty-seven, between the undersigned Chiefs and Commissioners, duly appointed and empowered by the Choctaw Tribe of red people, and John McLish, Pitman Colbert, James Brown and James Perry, delegates of the Chickasaw Tribe of Indians, duly authorized by the Chiefs and Head of said people for that purpose, subject to the approval of the President and Senate of the United States.

#### Article I.

It is agreed by the Choctaws that the Chickasaws shall have the privilege of forming a district within the limits of their country, to be held on the same terms that the Choctaws now hold it, except the right of disposing of it, which is held in common with the Choctaws and Chickasaws, to be called the Chickasaw District of the Choctaw Nation, to have an equal representation in their General Council, and to be placed on an equal footing in every other respect with any of the other districts of said Nation, except a voice in the management of the consideration which is given for these rights and privileges; and the Chickasaw people to be entitled to all the rights and privileges of the Choctaws, with the exception of participating in the Choctaw annuities and the consideration to be paid for these rights and privileges, and to be subject to the same laws to which the Choctaws are but the Chickasaws reserve to themselves the sole right and privilege

of controlling and managing the residue of their funds, as far as is consistent with the late Treaty between said people and the Government of the United States, and of making such regulations and selecting such officers for that purpose as they may think proper.

#### **Article II.**

The Chickasaw district shall be bounded as follows, viz: Beginning on the north bank of Red river, at the mouth of Island Bayou, about eight or ten miles below the mouth of False Wachitta, thence running north along the main channel of said bayou to its source; thence along the dividing ridge between the Wachitta and Low Blue rivers to the road leading from Fort Gibson to Fort Wachitta; thence along said road to the line dividing Mushalatubbee and Pushmatahaw districts; thence eastwardly along said district line to the source of Brushy Creek; thence down said creek to where it flows into the Canadian river, ten or twelve miles above the mouth of the south fork of the Canadian; thence west along the main Canadian river to its source, if in the limits of the United States or those limits, and thence due south to Red river, and down Red river to the beginning.

#### **Article III.**

The Chickasaws agree to pay the Choctaws as a consideration for these rights and privileges the sum of five hundred and thirty thousand dollars; thirty thousand of which shall be paid at the time, and in the manner that the Choctaw annuity of 1837 is paid; and the remaining five hundred thousands dollars to be invested in some safe and secure stocks, under the direction of the Government of the United States, redeemable within a period of not less than twenty years; and the Government of the United States shall cause the interest arising therefrom to be paid annually to the Choctaws in the following manner; twenty thousand dollars of which to be paid as the present Choctaw annuity is paid for four years, and the residue to be subject to the control of the General Council of the Choctaws; and after the expiration of the four years, the whole of said interest to be subject to the entire control of the said Council.

#### **Article IV.**

To provide for the future adjustment of all complaints or dissatisfactions which may arise to interrupt the peace and harmony, which have so long and so happily existed between the Choctaws and Chickasaws, it is hereby agreed by the parties, that all questions relative to the construction of this agreement shall be referred to the Choctaw Agent, to be by him decided; reserving, however, to either

party, should it feel itself aggrieved thereby, the right of appealing to the President of the United States, whose decision shall be final and binding; but as considerable time might elapse before the decision of the President could be had, in the mean time the decision of the said Agent shall be binding.

#### Article V.

It is hereby declared to be the intention of the parties hereto, that equal rights and privileges shall pertain to both Choctaws and Chickasaws to settle in whatever district they may think proper, and to be eligible to all the different offices of the Choctaw Nation, and to vote on the same terms in whatever district they may settle, except that the Choctaws are not to vote in any wise for officers in relation to the residue of the Chickasaw fund.

In testimony whereof the parties hereto, have hereunto subscribed their names and affixed their seals at Doaksville, near Fort Towson, in the Choctaw country, on the day and year first above written.

In the presence of

WILLIAM ARMSTRONG,  
Acting Superintendent Western Territory.  
HENRY R. CARTER,  
Conductor of the Chickasaw Delegation.  
JOSIAH S. DOAK.  
VINCENT. B. TIMS.  
DANIEL McCURTAIN,  
United States Interpreter.  
P. J. HUMPHREYS.  
J. T. SPRAGUE,  
Lieut. U. S. Marine Corps.  
THOMAS LAFLOOR, (his x mark),  
Chief of Oakafalaya District.  
NETUCHACHUE, (his x mark),  
Chief of Pushmatahaw District.  
JOSEPA KINCAID, (his x mark).  
Chief of Mushalatubbee District.

#### COMMISSIONERS OF THE CHOCTAW NATION.

P. P. PITCHLYNN,	(L. S.)
GEORGE W. HASKINS,	(L. S.)
ISRAEL FOLSOM,	(L. S.)
R. M. JONES,	(L. S.)
SILAS D. FISHER,	(L. S.)
SAMUEL WOWSTER,	(L. S.)

JOHN McKENNY,	(his x mark.)
EYACHAHOFNA,	(his x mark.)
NATHANIEL FOLSOM,	(his x mark.)
LEWIS BRASHEARS,	(his x mark.)
JAMES FLETCHER,	(his x mark.)
GEORGE PUSLEY,	(his x mark.)

## CAPTAINS.

OAKCHIA,	(his x mark.)
THOMAS HAYS,	(his x mark.)
PISTAMBEE,	(his x mark.)
HOLAHTAHOMA,	(his x mark.)
EYOTAH,	(his x mark.)
ISAAC PERRY,	(his x mark.)
NOWAHAMBEE,	(his x mark.)

## CHICKASAW DELEGATION.

J. McLISH.	
PITMAN COLBERT.	
JAMES BROWN,	(his x mark.)
JAMES PERRY,	(his x mark.)

**MILLARD FILLMORE**, President of the United States of America:

To All and Singular, to Whom These Presents Come, **GREETING**:

**WHEREAS**, A Treaty was made and concluded at the city of Washington, on the 22nd day of June, 1852, between Kenton Harper, Commissioner on the part of the United States, and Colonel Edmund Pickens, Benjamin S. Love and Sampson Folsom, Commissioners duly appointed for that purpose by the Chickasaw Tribe of Indians, which Treaty is in the words and figures following, to-wit:

Articles of Treaty concluded at Washington on the 22d day of June, 1852, between Kenton Harper, Commissioner on the (part of the) United States, and Colonel Edmund Pickens, Benjamin S. Love and Sampson Folsom, Commissioners duly appointed for that purpose by the Chickasaw Tribe of Indians.

**Article I.**

The Chickasaw Tribe of Indians acknowledge themselves to be under the guardianship of the United States, and as a means of securing the protection guaranteed to them by former Treaties, it is

agreed that an Agent of the United States shall continue to reside among them.

#### **Article II.**

The expenses attending the sale of the lands ceded by the Chickasaws to the United States, under the Treaty of 1832, having for some time past exceeded the receipts, it is agreed that the remnant of the lands so ceded, and yet unsold, shall be disposed of as soon as practicable, under the direction of the United States, in such manner and in such quantities as in his judgment shall be least expensive to the Chickasaws and most conducive to their benefit; Provided, that a tract of land, including the graveyard near the town of Pontotoc, where many of the Chickasaws and their white friends are buried, and not exceeding four acres in quantity, shall be and is hereby set apart and conveyed to the said town of Pontotoc, to be held sacred for the purpose of a public burial ground forever.

#### **Article III.**

It is hereby agreed that the question of right of the Chickasaws, so long as contended for by them, to a reservation of four miles square on the river Sandy, in the State of Tennessee, and particularly described in the 4th Article of the Treaty concluded at Oldtown, on the 19th day of October, 1818, shall be submitted to the Secretary of the Interior, who shall decide what amount, if anything, shall be paid to the Chickasaws for said reservation, Provided, however, that the amount so to be paid shall not exceed one dollar and twenty-five cents per acre.

#### **Article IV.**

The Chickasaws allege that in the management and disbursement of their funds by the Government, they have been subjected to losses and expenses which properly should be borne by the United States. With the view, therefore, of doing justice in the premises, it is hereby agreed that there shall be, at as early a day as practicable, an account stated under the direction of the Secretary of the Interior, exhibiting in detail all the moneys which, from time to time have been placed in the Treasury, to the credit of the Chickasaw Nation, resulting from the Treaties of 1832 and 1834, and all the disbursements made therefrom; and said account as stated, shall be submitted to the Chickasaws, who shall have the privilege, within a reasonable time of filing exceptions thereto, and any exceptions so filed shall be referred to the Secretary of the Interior, who shall adjudicate the same according to the principles of law and equity, and his decision shall be final and conclusive on all concerned. It is also alleged by the Chickasaws that there are numerous cases in which moneys held in trust by the United States

for the benefit of the Orphan and Incompetent Chickasaws have been wrongfully paid out to persons having no right to receive the same.

It is therefore further agreed that all such cases shall be investigated by the Agent of the United States under the direction of the Secretary of the Interior, and if it shall appear to the satisfaction of said Secretary that any of the Orphans and Incompetents have been defrauded by such wrongful payment, the amount thus misapplied shall be accounted for by the United States as if no such payment had been made.

#### **Article V.**

The Chickasaws are desirous that the whole amount of their National fund shall remain with the United States, in trust, for the benefit of their people, and that the same shall on no account be diminished.

It is therefore agreed that the United States shall continue to hold said fund in trust, as aforesaid, and shall constantly keep the same invested in safe and profitable stocks, the interest upon which shall be annually paid to the Chickasaw Nation; Provided, that so much of said fund as the Chickasaws may require for the purpose of enabling them to effect the permanent settlement of their Tribe, as contemplated by the Treaty of 1834, shall be subject to the control of their General Council.

#### **Article VI.**

The powers and duties conferred on certain persons particularly mentioned in the 4th Article of the Treaty of 1834, and their successors in office, shall hereafter be vested in and performed by the General Council of the Chickasaws, or such Officers as may be by said Council appointed for that purpose, and no Certificate or Deed given or executed by the persons aforesaid from which the approval of the President of the United States has been once withheld, shall be hereafter approved, unless the same shall first receive the sanction of the Chickasaw Council, or the Officers appointed as aforesaid, and of the Agent of the United States for said Chickasaw Nation.

#### **Article VII.**

No claim or account shall hereafter be paid by the Government of the United States out of the Chickasaw fund, unless the same shall have first been considered and allowed by the Chickasaw General Council; Provided, however, that this clause shall not affect payments upon claims under existing contracts, made by the authority of the Chickasaw General Council, or interfere with the due administration of the

Acts of Congress regulating trade and intercourse with the Indian Tribes.

**Article VIII.**

It is further agreed, That regular semi-annual accounts of the receipts and disbursements of the Chickasaw fund shall be furnished the Chickasaw Council by the Government of the United States.

**Article IX.**

The sum of fifteen hundred dollars shall be paid the Chickasaw Nation, in full of all expenses incurred by their Commissioners in negotiating this Treaty.

In witness whereof the contracting parties have hereunto set their hands and seals, the day and year above written.

KENTON HARPER,	(SEAL.)
Commissioner for United States.	
EDMUND PICKENS, his x mark.	(SEAL.)
BENJAMIN S. LOVE,	(SEAL.)
SAMPSON FOLSOM.	(SEAL.)
Commissioners for the Chickasaws.	

In presence of:

CHARLES E. MIX,  
Chief Clerk Office Indian Affairs.  
L. R. SMOOT.  
F. R. CRUTTENDEN.  
H. MILLER.  
AARON V. BROWN, Interpreter.

AND, WHEREAS, The said Treaty having been to the Senate of the United States for its constitutional action thereon, the Senate did, on the thirteenth day of August, one thousand eight hundred and fifty-two, amend the same by a resolution in the words and figures following, to-wit:

In Executive Session, Senate of the United States, August 13th, 1852:

Resolved, (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the Articles of a Treaty concluded at Washington on the 22nd day of June, eighteen hundred and fifty-two, between Kenton Harper, Commissioner on the part of the United States, and Colonel Edmund Pickens, Benjamin S. Love and Sampson Folsom, Commissioners duly appointed for that purpose by the Chickasaw Tribe of Indians, with the following:

## AMENDMENTS.

At the end of the fourth Article add the following: Provided that the provisions of this Article shall not be so construed as to impose any obligation on the United States to reimburse any expenditures hereto made in conformity with the stipulations contained in the Treaties of 1832 and 1834; and, Provided, further, that the United States shall not be liable to repay monies held in trust for the benefit of orphan and incompetent Chickasaws, in any case in which payment of such monies has been made upon the recommendation or certificate of the persons appointed for that purpose in the fourth Article of the Treaty of 1834, or of their successors, and in other respects in conformity with the provisions of that Article; and Provided, further, that the United States shall not be held responsible for any reservation of land, or of any sale, lease, or other disposition of the same, made, sold, leased, or otherwise disposed of in conformity with the several provisions of said Treaties of 1832 and 1834.

After Article IX add the following new Article:

**Article X.**

And it is further stipulated, that in no case hereafter shall any money due or to be paid under this Treaty, or any former Treaty between the same contracting parties, be paid to any agent or attorney, but shall in all cases be paid directly to the party or parties primarily entitled thereto.

Attest:

ASBURY DICKENS, Secretary.

AND WHEREAS, The said amendments have been submitted and explained to the Chickasaw Indians in council assembled, the said Chickasaws did, on the sixteenth day of October, one thousand eight hundred and fifty-two, assent to said Treaty as amended by the Senate, in the words following, to-wit:

WHEREAS, By an Act of the General Council of the Chickasaws, passed February 7, 1852, Col. Edmund Pickens, Benjamin S. Love and Sampson Folsom, were appointed Commissioners on behalf of the Chickasaw people to negotiate a Treaty with the United States, and the said Commissioners having on June 22, 1852, concluded a Treaty with Kenton Harper, Commissioner, on the part of the United States, and the said Treaty having been ratified on August 13, 1852, by the Senate of the United States, with certain amendments thereto, and said amendments having been duly considered and fully understood by the Council assembled, that the said Chickasaws do consent to and ratify said amendments, and hereby make the same as binding on the

Chickasaw people as though the same had been a part of the original Treaty.

APPROVED by the Council unanimously, October 16, 1852.

JAMES N. McLISH,  
President of Council.

DOUGHERTY COLBERT, F. C.

Attest: H. COLBERT, Secretary.

Chickasaw Agency, December 25, 1852.

I hereby certify that the foregoing Act of the Council, ratifying certain amendments to a Treaty concluded at Washington on June 22, 1852, has been officially communicated to me by D. Colbert, Financial Chief of the Chickasaws, as an Act passed by the Chickasaw Council, and that the same is authentic.

Given under my hand the day and year above written.

A. J. SMITH,  
Chickasaw Agent.

Now, therefore, be it known that I, Millard Fillmore, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the thirteenth day of August, one thousand eight hundred and fifty-two, accept, ratify and confirm the said Treaty as amended.

In testimony whereof, I have caused the seal of the United States to be affixed, having signed the same with my hand.

Done at the City of Washington, this twenty-fourth day of February, in the year of our Lord, one thousand eight hundred and fifty-three, and of the Independence of the United States, the seventy-seventh.

By the President; (Signed:) MILLARD FILLMORE.

(Signed:) EDWARD EVERETT,

Secretary of the State.

**Treaty Between the United States and the Choctaw and Chickasaw Indians.**

FRANKLIN PIERCE, President of the United States of America,

To all and singular to whom these presents shall come, Greeting:

WHEREAS, A Treaty was made and concluded at the City of Washington, on the twenty-second day of June, one thousand eight hundred and fifty-five, by George W. Mannypenny, Commissioner on the part of the United States, Peter P. Pitchlynn, Israel Folsom, Samuel Garland and Dixon W. Lewis, Commissioners on the part of the

Choctaws; and Edmund Pickens and Sampson Folsom, Commissioners on the part of the Chickasaws, which Treaty in the words following to-wit:

Articles of Agreement and Convention between the United States and the Choctaw and Chickasaw Tribes of Indians, made and concluded at the City of Washington, the twenty-second day of June, A. D., one thousand eight hundred and fifty-five, by George W. Mannypenny, Commissioner on the part of the United States; Peter P. Pitchlynn, Israel Folsom, Samuel Garland and Dixon W. Lewis, Commissioners on the part of the Choctaws; and Edmund Pickens and Sampson Folsom, Commissioners on the part of the Chickasaws.

WHEREAS, The political connection heretofore existing between the Choctaw and Chickasaw Tribes of Indians has given rise to unhappy and injurious dissensions and controversies among them, which render necessary a re-adjustment of their relations to each other and to the United States; and Whereas, the United States desire that the Choctaw Indians shall relinquish all claim to any territory west of the one hundredth degree of west longitude, and, also, to make provision for the permanent settlement within the Choctaw country of the Wichita and certain other Tribes or Bands of Indians, for which purpose the Choctaws and Chickasaws are willing to lease on reasonable terms to the United States, that portion of their common territory which is west of the ninety-eighth degree of west longitude; and Whereas, the Choctaws contend that, by a just and fair construction of the Treaty of September 27, 1830, they are of right entitled to the net proceeds of the lands ceded by them to the United States under said Treaty, and have proposed that the question of their right to the same, together with the whole subject-matter of their unsettled claims, whether National or Individual, against the United States, arising under the various provisions of said Treaty, shall be referred to the Senate of the United States for final adjudication and adjustment; and Whereas, it is necessary for the simplification and better understanding of the relations between the United States and the Choctaw Indians, that all their subsisting Treaty stipulations be embodied in one comprehensive instrument:

Now, therefore, the United States of America, by the Commissioner, George W. Mannypenny, the Choctaws, by their Commissioners Peter P. Pitchlynn, Israel Folsom, Samuel Garland and Dixon W. Lewis, and the Chickasaws by their Commissioners, Edmund Pickens and Sampson Folsom, do hereby agree and stipulate as follows, viz :

**Article I.**

The following shall constitute and remain the boundaries of the Choctaw and Chickasaw country, viz: Beginning at a point on the Arkansas River, one hundred paces east of old Fort Smith, where the western boundary line of the State of Arkansas crosses the said river, and running thence due south to Red River; thence up Red River to the point where the meridian of one hundred degrees west longitude crosses the same; thence north along said meridian to the main Canadian river; thence down said river to its junction with the Arkansas River; thence down said river to the place of beginning.

And pursuant to an Act of Congress approved May 28, 1830, the United States do hereby forever secure and guarantee the lands embraced within the said limits to the members of the Choctaw and Chickasaw Tribes, their heirs and successors, to be held in common; so that each and every member of either Tribe shall have an equal, undivided interest in the whole; Provided, however, no part thereof shall ever be sold without the consent of both Tribes; and that said land shall revert to the United States if said Indians and their heirs become extinct or abandon the same.

**Article II.**

A District for the Chickasaws is hereby established, bounded as follows, to-wit: Beginning on the north bank of Red River, at the mouth of Island Bayou, where it empties into Red River, about twenty-six miles on a straight line, below the mouth of False Wachitta; thence running a northwesterly course along the main channel of said Bayou, to the junction of three prongs of said Bayou, nearest the dividing ridge between Wachitta and Low Blue Rivers, as laid down on Captain R. L. Hunter's map; thence northerly along the eastern prong of Island Bayou to its source: thence due north to the Canadian River; thence west along the main Canadian to the ninety-eighth degree of west longitude; thence south to Red River; and thence down Red River to beginning; Provided, however, if the line running due north, from the eastern source of Island Bayou, to the main Canadian, shall not include Allen's or Wapanucka Academy within the Chickasaw District, then an offset shall be made from said line, so as to leave said Academy two miles within the Chickasaw District, north, west and south from the lines of boundary.

**Article III.**

The remaining of the country held in common by the Choctaws and Chickasaws shall constitute the Choctaw District, and their officers and people shall at all times have the right of safe conduct and free passage through the Chickasaw District.

**Article IV.**

The Government any laws now in operation, and not incompatible with this instrument, shall be and remain in full force and effect within the limits of this Chickasaw District, until the Chickasaws shall adopt a constitution, and enact Laws, superceding, abrogating, or changing the same. And all judicial proceedings within said District, commencing prior to the adoption of a Constitution and Laws by the Chickasaws, shall be conducted and determined according to existing Laws.

**Article V.**

The members of either the Choctaw or the Chickasaw Tribes shall have the right, freely, to settle within the jurisdiction of the other, and shall thereupon be entitled to all the rights, privileges and immunities of citizens thereof; but no member of either Tribe shall be entitled to participate in the funds belonging to the other Tribe. Citizens of both Tribes shall have the right to institute and prosecute suits in the courts of either, under such regulations as may from time to time be prescribed by their respective Legislatures.

**Article VI.**

Any person duly charged with a criminal offense against the Laws of either the Choctaw or Chickasaw Tribe, and escaping into the jurisdiction of the other, shall be promptly surrendered upon the demand of the proper authorities of the Tribe within whose jurisdiction the offense shall be alleged to have been committed.

**Article VII.**

So far as may be compatible with the Constitution of the United States and the Laws made in pursuance thereof, regulating trade and intercourse with the Indian Tribes, the Choctaws and Chickasaws shall be secured in the unrestricted right of self-government, and full jurisdiction over persons and property within their respective limits; excepting however, all persons with their property who are not by birth, adoption, or otherwise, citizens or members of either the Choctaw or Chickasaw Tribe; and all persons, not being citizens or members of either Tribe, found within their limits, shall be considered intruders, and be removed from and kept out of the same by the United States Agent, assisted, if necessary, by the military, with the following exceptions, viz: Such individuals as are now or may be in the employment of the Government, and their families; those peacefully traveling or temporarily sojourning in the country or trading therein under license from the proper authority of the United States,

and such as may be permitted by the Choctaws or Chickasaws, with the assent of the United States Agent, to reside within their limits, without becoming citizens or members of either of said Tribes.

#### **Article VIII.**

In consideration of the foregoing stipulations, and immediately upon the ratification of this convention, there shall be paid to the Choctaws, in such manner as their National Council shall direct, out of the National fund of the Chickasaws, held in trust by the United States, the sum of one hundred and fifty thousand dollars.

#### **Article IX.**

The Choctaw Indians do hereby absolutely and forever quit-claim and relinquish to the United States all their right, title and interest in and to any and all lands west of the one hundredth degree of west longitude, and the Choctaws and Chickasaws do hereby lease to the United States all that portion of their common territory west of the ninety-eighth degree of west longitude, for the permanent settlement of the Wichita and such other Tribes or Bands of Indians as the Government may desire to locate therein; excluding, however, all the Indians of New Mexico, and also those whose usual ranges at present are north of the Arkansas River, and whose permanent locations are north of the Canadian River, but including those Bands whose permanent ranges are south of the Canadian or between it and the Arkansas, which Indians shall be subject to the exclusive control of the United States under such rules and regulations, not inconsistent with the rights and interests of the Choctaws and Chickasaws, as may from time to time be prescribed by the President for their government; provided, however, the territory so leased shall remain open to settlement by Choctaws and Chickasaws as heretofore.

#### **Article X.**

In consideration of the foregoing relinquishment and lease, and as soon as possible after the ratification of this convention, the United States will pay to the Choctaws the sum of six hundred thousand dollars, and to the Chickasaws the sum of two hundred thousand dollars, in such manner as their General Councils shall respectively direct.

#### **Article XI.**

The Government of the United States not being prepared to assent to the claim set up under the Treaty of September twenty-seventh, eighteen hundred and thirty, and so earnestly contended for by the Choctaws as a rule of settlement, but justly appreciating the

sacrifices, faithful services and general good conduct of the Choctaw people, and being desirous that their rights and claims against the United States shall receive a just, fair and liberal consideration, it is therefore stipulated the following questions be submitted for adjudication to the Senate of the United States:

First—Whether the Choctaws are entitled to, or shall be allowed, the proceeds of the sale of the lands ceded by them to the United States by the Treaty of September the twenty-seventh, eighteen hundred and thirty, deducting therefrom the cost of their survey and sale, and all just and proper expenditures and payments under the provisions of said Treaty; and if so, what price per acre shall be allowed to the Choctaws for the lands remaining unsold, in order that a final settlement with them may be promptly effected; or,

Second—Whether the Choctaws shall be allowed a gross sum in further and full satisfaction of all their claims, National and Individual, against the United States; and, if so, how much.

#### **Article XII.**

In case the Senate shall award to the Choctaws the net proceeds of the lands ceded as aforesaid, the same shall be received by them in full satisfaction of all their claims against the United States, whether National or Individual, arising under any former Treaty; and the Choctaws shall thereupon become liable and bound to pay all such Individual claims as may be adjudged by the proper authorities of the Tribe to be equitable and just—the settlement and payment to be made with the advice and under the direction of the United States Agent for the Tribe; and so much of the fund, awarded by the Senate to the Choctaws, as the proper authorities thereof shall ascertain and determine to be necessary for the payment of the just liabilities of the Tribe, shall on their requisition be paid over to them by the United States. But should the Senate allow a gross sum in further and full satisfaction of all their claims, whether National or Individual, against the United States, the same shall be accepted by the Choctaws, and they shall thereupon become liable for and bound to pay all the Individual claims as aforesaid; it being expressly understood that the adjudication and decision of the Senate shall be final.

#### **Article XIII.**

The amounts secured by existing Treaty stipulations, viz: Permanent annuity of three thousand dollars, under the Second Article of the Treaty of eighteen hundred and five; six hundred dollars per annum for the support of light horsemen, under the Thirteenth Article of the Treaty of eighteen hundred and twenty; permanent annuity of six

thousand dollars for education, under the Second Article of the Treaty of eighteen hundred and twenty-five; six hundred dollars per annum, permanent provision for the support of a blacksmith, under the Sixth Article of the Treaty of eighteen hundred and twenty: and three hundred and twenty dollars, permanent provision for iron and steel, under the Ninth Article of the Treaty of eighteen hundred and twenty-five, shall continue to be paid to, or expended for the benefit of, the Choctaws, as heretofore, or the same may be applied to such objects of general utility as may from time to time be designated by the General Council of the Tribe, with the approbation of the Government of the United States. And the funds now held in trust by the United States for the benefit of the Choctaws under former Treaties, or otherwise, shall continue to be so held; together with the sum of five hundred thousand dollars out of the amount payable to them under Articles Eight and Ten of this agreement, and also whatever balance shall remain, if any, of the amount that shall be allowed the Choctaws by the Senate, under the Twelfth Article hereof, after satisfying the just liabilities of the Tribe. The sums so to be held in trust and shall constitute a general Choctaw fund, yielding an annual interest of not less than five per centum; no part of which shall be paid out as annuity, but shall be regularly and judiciously applied, under the direction of the General Council of the Choctaws to the support of their Government, for purposes of education, and such other objects as may be best calculated to promote and advance the improvement, welfare and happiness of the Choctaw people and their descendants.

#### **Article XIV.**

The United States shall protect the Choctaws and Chickasaws from domestic strife, from hostile invasion, and from aggression by other Indians and white persons not subject to their jurisdiction and laws: and for all injuries resulting from such invasion or aggression, full indemnity is hereby guaranteed to the party or parties injured, out of the Treasury of the United States, upon the same principle and according to the same rules upon which white persons are entitled to indemnity for injuries or aggressions upon them committed by Indians.

#### **Article XV.**

The Choctaws and Chickasaws shall promptly apprehend and deliver up all persons accused of any crime or offense against the Laws of the United States, or any State thereof, who may be found within their limits, on demand of any proper Officer of a State, or of the United States.

**Article XVI.**

All persons licensed by the United States to trade with the Choctaws or Chickasaws shall be required to pay to the respective Tribes a moderate annual compensation for the land and timber used by them, the amount of such compensation, in each case, to be assessed by the proper authorities of said Tribe, subject to the approval of the United States Agent.

**Article XVII.**

The United States shall have the right to establish and maintain such military posts, post roads and Indian Agencies as may be deemed necessary within the Choctaw and Chickasaw country, but no greater quantity of land or timber shall be used for said purposes than shall be actually requisite; and if in the establishment or maintenance of such posts, post roads and Agencies, the property of any Choctaw or Chickasaw shall be taken, injured or destroyed, just and adequate compensation shall be made by the United States. Only such persons as are, or may be in the employment of the United States, or subject to the jurisdiction and Laws of the Choctaws or Chickasaws, shall be permitted to farm or raise stock within the limits of any of said military posts or Indian Agencies. And no offender against the Laws of either of said Tribes shall be permitted to take refuge therein.

**Article XVIII.**

The United States, or any incorporated company, shall have the right of way for railroads or lines of telegraph through the Choctaw and Chickasaw country; but for any property taken or destroyed in the construction thereof, full compensation shall be made to the party or parties injured, to be ascertained and determined in such manner as the President of the United States shall direct.

**Article XIX.**

The United States shall, as soon as practicable, cause the eastern and western boundary lines of the tract of country described in the First Article of this Convention, and the western boundary of the Chickasaw District, as herein defined, to be run and permanently marked.

**Article XX.**

That this Convention may conduce as far as possible to the restoration and preservation of kind and friendly feeling among the Choctaws and Chickasaws, a general amnesty of all past offenses committed within their country is hereby declared.

And in order that their relations to each other and to the United States may hereafter be conducted in a harmonious and satisfactory manner, there shall be but one Agent for the two Tribes.

**Article XXI.**

This Convention shall supersede and take the place of all former Treaties between the United States and the Choctaws, and, also, of all treaty stipulations between the United States and the Chickasaws, and between the Choctaws and Chickasaws. inconsistent with this agreement, and shall take effect and be obligatory upon the contracting parties from the date hereof, whenever the same shall be ratified by the respective Councils of the Choctaw and Chickasaw Tribes, and by the President and Senate of the United States.

**Article XXII.**

It is understood and agreed that the expenses of the respective Commissioners of the two Tribes, signing these articles of agreement and convention, in coming to and returning from this city, and while here, shall be paid by the United States.

In testimony whereof, the said George W. Mannypenny, Commissioner on the part of the United States, and the said Commissioners on the part of the Choctaws and of the Chickasaws, have hereunto set their hands and seals.

Done in triplicate, at the City of Washington, on this twenty-second day of June, in the year of our Lord one thousand eight hundred and fifty-five.

GEORGE W. MANNYPENNY, (L. S.)  
United States Commissioner.

P. P. PITCHLYNN, (L. S.)

ISRAEL FOLSOM, (L. S.)

SAMUEL GARLAND, (L. S.)

DICKINSON W. LEWIS, (L. S.)

Choctaw Commissioners.

EDMUND PICKENS, his x mark. (L. S.)

SAMPSON FOLSOM, (L. S.)

Chickasaw Commissioners.

Executed in the presence of:

A. O. P. NICHOLSON.

JAMES G. BERRETT.

DOUGLAS H. COOPER,

United States Indian Agent.

AND. WHEREAS, The said Treaty having been submitted to the General Council of the Chickasaw Tribe, the General Council did, on the third day of October, A. D. one thousand eight hundred and fifty-five, assent to, ratify, and confirm the same, with the following amendment: "Add to the 19th Article: By Commissioners to be appointed by the contracting parties hereto," by an instrument in writing, in the words and figures following, to-wit:

WHEREAS, Articles of agreement and convention were made and concluded on the twenty-second day of June, A. D. one thousand eight hundred and fifty-five, by and between George W. Mannypenny, Commissioner on the part of the United States, Peter P. Pitchlynn, Israel Folsom, Samuel Garland, and Dickinson W. Lewis, Commissioners on the part of the Choctaws; and Edmund Pickens, and Sampson Folsom, Commissioners on the part of the Chickasaws, at the City of Washington, in the District of Columbia, the preamble whereof is in the words and figures following, to-wit: "Whereas, the political connection heretofore existing between the Choctaw and Chickasaw Tribes of Indians has given rise to unhappy and injurious dissensions and controversies among them, which render necessary a re-adjustment of their relations to each other and to the United States, and Whereas, the United States desire that the Choctaw Indians shall relinquish all claim to any territory west of the one hundredth degree of west longitude, and also make provision for the permanent settlement within the Choctaw country of the Wichita and certain other Tribes or Bands of Indians, for which purpose the Choctaws and Chickasaws are willing to lease, on reasonable terms, to the United States, that portion of their common territory which is west of the ninety-eighth degree of west longitude; and Whereas, the Choctaws contend that by a just and fair construction of the Treaty of September 27, 1830, they are of right entitled to the net proceeds of the lands ceded by them to the United States under said Treaty, and have proposed that the question of their right to the same, together with the whole subject matter of their unsettled claims, whether National or Individual, against the United States, arising under the various provisions of said Treaty, shall be referred to the Senate of the United States for final adjudication and adjustment; and Whereas, it is necessary, for the simplification and better understanding of the relations between the United States and the Choctaw Indians, that all their subsisting Treaty stipulations be embodied in one comprehensive instrument; and Whereas, in the twenty-first Article thereof, it is, among other things, recited that said agreement shall take effect and be obligatory upon the contracting parties from the date hereof, whenever the same shall be ratified by the respective councils of the Choctaw and Chicka-

saw Tribes of Indians and by the President and Senate of the United States.

Now therefore, be it known, that the Chickasaws, in General Council assembled, having duly considered said Articles of agreement and convention, and each and every clause thereof, and being satisfied therewith, do, upon their part, hereby assent to ratify, and confirm the same, as stipulated and required, with the following amendment: Add to the nineteenth Article: By Commissioners to be appointed by the contracting parties hereto.

Done and approved at Tishomingo, in the Chickasaw District of the Choctaw Nation, this third day of October in the year of our Lord one thousand eight hundred and fifty-five.

Passed the Council.

JOEL KEMP,  
President.  
D. COLBERT,  
F. C.

Attest: CYRUS HARRIS,  
Clerk of the Council.

AND, WHEREAS, The Chickasaws in General Council assembled, did, on the 13th day of December, A. D. 1855, recede from and rescind the said amendment, and did ratify and confirm the said Treaty, and every part thereof, by an instrument in writing, in the words and figures following, to-wit:

WHEREAS, the Chickasaws in General Council assembled, after having duly considered the stipulations contained in a certain convention and agreement, made and entered into at the City of Washington, on the 22d day of June, A. D. 1855, between George W. Mannypenny, Commissioner on the part of the United States; Peter P. Pitchlynn, Israel Folsom, Samuel Garland and Dickinson W. Lewis, Commissioners on the part of the Choctaws, Edmund Pickens and Sampson Folsom, Commissioners on the part of the Chickasaws, did, on the third day of October, A. D. 1855, at Tishomingo, in the Chickasaw District, Choctaw Nation, assent to, ratify and confirm each and every part of said convention and agreement, with the following amendment, viz: "Add to the 19th Article: By Commissioners to be appointed by the contracting parties hereto;" and, Whereas, said amendment was not duly considered and concurred in by the Choctaws in General Council assembled; but said agreement and convention, and every part thereof, was assented to, ratified, and confirmed by said Council without amendment. Now, therefore, be it known, That the Chickasaws, in General Council assembled, having reconsidered said proposed amendment, do hereby recede from, and rescind the same, hereby assenting

to, ratifying, and confirming said agreement and convention, and every part thereof.

Done and approved at the Council House, at Tishomingo, Chickasaw District, Choctaw Nation, this 13th day of December, A. D. 1855.

Approved, December 13, 1855.

J. McCOY,

President of the Council.

DOUGHERTY COLBERT,

F. C.

Attest: CYRUS HARRIS, Secretary.

Signed in presence of:

JACKSON FRAZIER.

Chief of the Chickasaw District, Choctaw Nation.

DOUGLAS H. COOPER,

U. S. Indian Agent.

AND, WHEREAS, The said Treaty having been submitted to the General Council of the Choctaw Tribe, the said General Council did, on the 16th day of November, A. D. one thousand eight hundred and fifty-five, consent to and ratify the same by an instrument in the words and figures following, to-wit:

WHEREAS, Articles of agreement and convention were made and concluded on the twenty-second day of June A. D. one thousand eight hundred and fifty-five, by and between George W. Mannypenny, Commissioner on the part of the United States; Peter P. Pitchlynn, Israel Folsom, Samuel Garland and Dickinson W. Lewis, Commissioners on the part of the Choctaws, Edmund Pickens and Sampson Folsom, on the part of the Chickasaws, at the City of Washington, in the District of Columbia, the preamble whereof is in the words and figures following, viz: Whereas, The political connection heretofore existing between the Choctaw and Chickasaw Tribes of Indians has given rise to unhappy and injurious dissensions and controversies among them, which render a re-adjustment of their relations to each other and to the United States; and, Whereas, The United States desire that the Choctaw Indians shall relinquish all claims to any territory west of the one hundredth degree of west longitude, and, also, to make provision for the permanent settlement within the Choctaw country, of the Wichita and certain other Tribes or Bands of Indians, for which purpose the Choctaws and Chickasaws are willing to lease on reasonable terms, to the United States, that portion of their common territory which is west of the ninety-eighth degree of west longitude, and Whereas, the Choctaws contend that, by a just and fair construction of the Treaty of September 27, 1830. they are of right entitled to the net proceeds of the lands ceded by them to the United States under said Treaty and

have proposed that the question of their right to the same, together with the whole subject-matter of their unsettled claims, whether National or Individual, against the United States, arising under the various provisions of said Treaty, shall be referred to the Senate of the United States for final adjudication and adjustment; and Whereas, it is necessary for the simplification and better understanding of the relations between the United States and the Choctaw Indians, that all their subsisting Treaty stipulations be embodied in one comprehensive instrument; and Whereas, in the Twenty-first Article thereof, it is, among other things, recited that said agreement shall take effect and be obligatory upon the contracting parties from the date hereof, whenever the same shall be ratified by the respective Councils of the Choctaw and Chickasaw Tribes and by the President and Senate of the United States;

Now, therefore, be it known, that the Choctaws, in General Council assembled, having duly considered said Articles of agreement and convention, and every clause thereof, and being satisfied therewith, do upon their part hereby assent to, ratify and confirm the same as stipulated and required.

Done and approved at the Council House, at Fort Towson, in the Choctaw Nation, this sixteenth day of November, in year of our Lord one thousand eight hundred and fifty-five.

TANDY WALKER,

President of the Senate.

KENNEDY M. CURTAIN,

Speaker of the House of Representatives.

APPROVED:

GEORGE W. HARKINS,

Chief of Ahpuck District.

N. COCHNANER,

Chief of Pishemathan District.

ADAM CHRISTY,

Speaker and Acting Chief of Moosholatubbee District.

Signed in presence of:

DOUGLASS H. COOPER,

U. S. Indian Agent for Choctaw Tribe.

AND, WHEREAS, the said Treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did on the twenty-first day of February, A. D. one thousand eight hundred and fifty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to-wit:

In Executive Session, Senate of the United States, February 21, 1856.

Resolved, (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the Articles of agreement and convention between the United States and the Choctaw and Chickasaw Tribes of Indians, made and concluded at the City of Washington, the twenty-second day of June, Anno Domini one thousand eight hundred and fifty-five, by George W. Mannypenny, Commissioner on the part of the United States; Peter P. Pitchlynn, Israel Folsom, Samuel Garland and Dickinson W. Lewis, Commissioners on the part of the Choctaws, and Edmund Pickens and Sampson Folsom Commissioners on the part of the Chickasaws.

Attest:

ASBURY DICKENS, Secretary.

Now, therefore, be it known that I, Franklin Pierce, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the twenty-first day of February, one thousand eight hundred and fifty-six, accept, ratify and confirm said Treaty.

In testimony whereof I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the City of Washington, this fourth day of March, A. D. one thousand eight hundred and fifty-six, and of the Independence of the United States, the eightieth.

By the President:

FRANKLIN PIERCE,

(SEAL.)

W. L. MARCY, Secretary of State.

**Treaty Between the United States of America and the Choctaw and Chickasaw Indians.**

(Concluded April 28, 1866.)

Ratification advised, with amendments, June 28, 1866.

Amendments accepted, July 2, 1866.

Proclaimed, July 10, 1866.

ANDREW JOHNSON, President of the United States of America.

To all and singular to whom these presents shall come, Greeting:

WHEREAS, A Treaty was made and concluded at the City of Washington in the District of Columbia, on the twenty-eighth day of April, in the year of our Lord, one thousand eight hundred and sixty-six, by and between Dennis M. Cooly, Elijah Sells and E. S. Parker, Commissioners on the part of the United States, and Alfred Wade, Allen Wright, James Riley and John Page, Commissioners on

the part of the Choctaw Nation of Indians, and Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter and Robert H. Love, Commissioners on the part of the Chickasaw Nation of Indians, all of which Commissioners were duly authorized thereto, which Treaty is in the words and figures following, to-wit:

Articles of Agreement and Convention between the United States and the Choctaw and Chickasaw Nations of Indians, made and concluded at the City of Washington, the twenty-eighth day of April, in the year eighteen hundred and sixty-six, by Dennis-N. Cooly, Elijah Sells and E. S. Parker, Special Commissioners on the part of the United States, and Alfred Wade, Allen Wright, James Riley and John Page, Commissioners on the part of the Choctaws, and Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter and Robert H. Love, Commissioners on the part of the Chickasaws.

#### **Article I.**

Permanent peace and friendship are hereby established between the United States and said Nations, and the Choctaws and Chickasaws do hereby bind themselves respectively to use their influence and to make every exertion to induce Indians of the plains to maintain peaceful relations with each other, with other Indians, and with the United States.

#### **Article II.**

The Choctaws and Chickasaws hereby covenant and agree that henceforth neither slavery, nor involuntary servitude, otherwise than in punishment of crime, whereof the parties shall have been duly convicted in accordance with the laws applicable to all members of the particular Nation, shall ever exist in said Nations.

#### **Article III.**

The Choctaws and Chickasaws, in consideration of the sum of \$300,000.00, hereby cede to the United States the territory west of the 98th degree, west longitude, known as the Leased District, provided that the said sum shall be invested and held by the United States at an interest not less than five per cent., in trust for the said Nations, until the Legislatures of the Choctaw and Chickasaw Nations respectively shall have made such laws, rules and regulations as may be necessary to give all persons of African descent, resident in the said Nations at the date of the Treaty of Fort Smith, and their descendants, heretofore 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, monies, 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 land of said Nations on the same terms as the Choctaws and Chickasaws, to be selected on the survey of said land, after the Choctaws and Chickasaws and Kansas Indians have made their selections as herein provided; and immediately on the enactment of such laws, rules, and regulations, the said sum of \$300,000 shall be paid to the said Choctaw and Chickasaw Nations in the proportion of three-fourths to the former and one-fourth to the latter, less such sum, at the rate of one hundred dollars per capita, as shall be sufficient to pay such persons of African descent before referred to as. within ninety days after the passage of such laws, rules, and regulations, shall elect to remove and actually remove from the said Nations respectively. And should the said laws, rules, and regulations not be made by the Legislatures of the said Nations respectively, within two years from the ratification of this Treaty, then the said sum of three hundred thousand dollars shall cease to be held in trust for the said Choctaw and Chickasaw Nations, and be held for the use and benefit of such of said persons of African descent as the United States shall remove from the said territory in such manner as the United States shall deem proper, the United States agreeing, within ninety days from the expiration of the said two years, to remove from said Nations all such persons of African descent as may be willing to remove; those remaining or returning after having been removed from said Nations to have no benefit of said sum of three hundred thousand dollars, or any part thereof, but shall be upon the same footing as other citizens of the United States in the said Nations.

#### Article IV.

The said Nations further agree that all negroes, not otherwise disqualified or disabled, shall be competent witnesses in all civil and criminal suits and proceedings in the Choctaw and Chickasaw Courts, any law to the contrary notwithstanding; and they fully recognize the right of the Freedmen to a fair remuneration on reasonable and equitable contracts for their labor, which the law should aid them to enforce. And they agree, on the part of their respective Nations, that all laws shall be equal in their operation upon Choctaws, Chickasaws and Negroes, and that no distinction affecting the latter shall at any time be made, and that they shall be treated with kindness and be protected against injury; and they further agree, that while the said Freedmen, now in the Choctaw and Chickasaw Nations, remain in said Nations respectively, they shall be entitled to as much land as they may cultivate for the support of themselves and families, in cases where they do not support themselves and families by hiring, not interfering with existing improvements without the consent of

the occupant, it being understood that in the event of the making of the laws, rules, and regulations aforesaid, the forty acres aforesaid shall stand in place of the land cultivated as last aforesaid.

#### Article V.

A general amnesty of all past offenses against the Laws of the United States, committed before the signing of this Treaty by any member of the Choctaw or Chickasaw Nation, is hereby declared; and the United States will especially request the States of Missouri, Kansas, Arkansas and Texas to grant the like amnesty as to all offenses committed by any member of the Choctaw or Chickasaw Nations. And the Choctaws and Chickasaws, anxious for the restoration of kind and friendly feelings among themselves, do hereby declare an amnesty for all past offenses against their respective Government, and no Indian or Indians shall be proscribed, or any act of forfeiture or confiscation passed against those who may have remained friendly to the United States, but they shall enjoy equal privileges with other members of said Tribes; and all laws heretofore passed inconsistent herewith are hereby declared inoperative.

#### Article VI.

The Choctaws and Chickasaws hereby grant a right of way through their lands to any company or companies which shall be duly authorized by Congress or by the Legislatures of said Nations, respectively, and which shall, with the express consent and approbation of the Secretary of the Interior, undertake to construct a railroad through the Choctaw and Chickasaw Nations from the north to the south thereof, and from the east to west side thereof, in accordance with the provisions of the 18th Article of the Treaty of June 22, 1855, which provides that for any property taken or destroyed in the construction thereof, full compensation shall be made to the party or parties injured, to be ascertained and determined in such manner as the President of the United States shall direct. But such railroad company or companies, with its or their agents and employes, shall be subject to the laws of the United States relating to intercourse with Indian Tribes, and also to such rules and regulations as may be prescribed by the Secretary of the Interior for that purpose. And it is also stipulated and agreed that the Nation through which the road or roads aforesaid shall pass may subscribe to the stock of the particular company or companies such amount or amounts as they may be able to pay for in alternate sections of unoccupied lands for a space of six miles on each side of said road or roads, at a price per acre to be agreed upon between said Choctaw and Chickasaw Nations and the said company or companies, subject to the approval of the President of the

United States; Provided, however, that said lands, thus subscribed, shall not be sold, or demised, or occupied by any one not a citizen of the Choctaw or Chickasaw Nations, according to their Laws and recognized usages; Provided, that the officers, servants and employes of such companies necessary to the construction and management of said road or roads shall not be excluded from such company as their respective functions may require, they being subject to the provisions of the Indian Intercourse Law, and such rules and regulations as may be established by the Secretary of the Interior; And provided, also, that the stock thus subscribed by either of said Nations shall have the force and effect of a first mortgage bond on all that part of said road, appurtenances and equipments situated and used within said Nations respectively, and shall be a perpetual lien on the same, and said Nations shall have the right from year to year, to elect or receive their equitable proportion of declared dividends of profits on their said stock, or interest on the par value at the rate six per cent. per annum.

2. And it is further declared, in this connection, that as fast as sections of twenty miles in length are completed, with the rails and ready for use, with all water and other stations necessary to the use thereof, as a first class road, the said company or companies shall become entitled to patents for the alternate sections aforesaid, and may proceed to dispose thereof in the manner herein provided for, subject to the approval of the Secretary of the Interior.

3. And it is further declared, also, in case of one or more of said alternate sections being occupied by any member or members of said Nations respectively, so that the same cannot be transferred to the said company or companies, that the said Nation or Nations, respectively, may select any unoccupied section or sections, as near as circumstances will permit, to the said width of six miles on each side of said road or roads, and convey the same as an equivalent for the section or sections so occupied as aforesaid.

#### Article VII.

The Choctaws and Chickasaws agree to such legislation as Congress and the President of the United States may deem necessary for the better administration of justice and the protection of the rights of person and property within the Indian Territory; Provided, however, such legislation shall not in anywise interfere with or annul their present Tribal organization or their respective Legislatures or Judiciaries, or the rights, laws, privileges or customs of the Choctaw and Chickasaw Nations respectively.

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**Article VIII.**

The Choctaws and Chickasaws also agree that a Council consisting of delegates selected by each Nation or Tribe lawfully resident within the Indian Territory, to be organized as follows:

1. After the ratification of this Treaty, and as soon as may be practicable by the Secretary of the Interior, and prior to the first session of said Assembly, a census of each Tribe, lawfully resident in said Territory, shall be taken, under the direction of the Superintendent of Indian Affairs, by competent persons, to be appointed by him, whose compensation shall be fixed by the Secretary of the Interior and paid by the United States.

2. The Council shall consist of one member from each Tribe or Nation whose population shall exceed five hundred, and an additional member for each one thousand Indians, native or adopted, or each fraction of a thousand greater than five hundred, being members of any Tribe lawfully resident in said Territory, and shall be selected by the Tribes or Nations respectively who may assent to the establishment of said General Assembly; and if none should be thus formally selected by any Nation or Tribe, it shall be represented in said General Assembly by the Chief or Chiefs and head men of said Tribes, to be taken in the order of their rank as recognized in Tribal usage in the number and proportions above indicated.

3. After the said census shall have been taken and completed, the Superintendent of Indian Affairs shall publish and declare to each Tribe the number of members of said Council to which they shall be entitled under the provisions of this Article; and the persons so to represent the said Tribes shall meet at such time and place as he shall designate, but thereafter the time and place of the sessions of the General Assembly shall be determined by itself; Provided, that no session in any one year shall exceed the term or thirty days; and, provided, that the special sessions may be called whenever, in the judgment of the Secretary of the Interior, the interests of said Tribes shall require it.

4. The General Assembly shall have power to legislate upon all subjects and matters pertaining to the intercourse and relations of the Indian Tribes and Nations resident in the said territory, the arrest and extradition of criminals escaping from one Tribe to another, the administration of justice between members of the several Tribes of said territory, and persons other than Indians and members of said Tribe or Nations, the construction of works of internal improvement, and the common defense and safety of the Nations of the said territory. All laws enacted by said Council shall take effect at the times therein provided unless suspended by the Secretary of the Interior or the

President of the United States. No law shall be enacted inconsistent with the Constitution of the United States or the Laws of Congress or existing Treaty stipulations with the United States; nor shall said Council legislate upon matters pertaining to the legislative, judicial or other organization laws or customs of the several Tribes or Nations, except herein provided for.

5. Said Council shall be presided over by the Superintendent of Indian Affairs, or in case of his absence from any cause, the duties of the Superintendent enumerated in this Article shall be performed by such person as the Secretary of the Interior shall indicate.

6. The Secretary of the Interior shall appoint a Secretary of said Council, whose duty it shall be to keep an accurate record of the proceedings of said Council, and to transmit a true copy thereof duly certified by the Superintendent of Indian Affairs, to the Secretary of the Interior, immediately after the sessions of said Council shall terminate. He shall be paid five hundred dollars, as an annual salary, by the United States.

7. The members of the said Council shall be paid by the United States four dollars per diem while in actual attendance thereon, and four dollars mileage for every twenty miles going and returning therefrom by the most direct route, to be certified by the Secretary of said Council and the presiding officer.

8. The Choctaws and Chickasaws also agree that a court or courts may be established in said territory with such jurisdiction and organization as Congress may prescribe: Provided that the same shall not interfere with the local judiciary of either of said Nations.

9. Whenever Congress shall authorize the appointment of a delegate from said territory it shall be the province of said Council to elect one from among the Nations represented in said Council.

10. And it is further agreed that the Superintendent of Indian Affairs shall be the executive of the said territory, with the title of Governor of the said territory of Oklahoma, and that there shall be a Secretary of the said territory to be appointed by the said Superintendent; that the duty of the said Governor, in addition to those already imposed on the Superintendent of Indian Affairs, shall be such as properly belong to an executive officer charged with the execution of the laws, which the said Council is authorized to enact under the provisions of this Treaty; and that for this purpose he shall have authority to appoint Marshal of said territory and an Interpreter; the said Marshal to appoint such deputies, to be paid by fees, as may be required to aid him in the execution of his proper functions; and be the Marshal of the principal court of said territory that may be established under the provisions of this Treaty.

11. And the said Marshal and the said Secretary shall each be entitled to a salary of \$500 per annum, to be paid by the United States, and such fees in addition thereto, as shall be established by said Governor, with the approbation of the Secretary of the Interior; it being understood that the said fee lists may at any time be corrected and altered by the Secretary of the Interior, as the experience of the system proposed herein to be established shall show to be necessary, and shall in no case exceed the fees paid to Marshals of the United States for similar services.

The salary of the Interpreter shall be \$500.00, to be paid in like manner by the United States.

12. And the United States agree that in the appointment of Marshals and Deputies, preference [and] qualifications being equal, shall be given to competent members of the said Nations, the object being to create a laudable ambition to acquire the experience necessary for political offices of importance in the respective Nations.

13. AND WHEREAS, It is desired by the said Choctaw and Chickasaw Nations, That the said Council should consist of an Upper and Lower House, it is hereby agreed that whenever a majority of the Tribes or Nations represented in said Council shall desire the same, or the Congress of the United States shall so prescribe, there shall be, in addition to the Council now provided for, and which shall then constitute the Lower House, and the Upper House, consisting of one member from each Tribe entitled to representation in the Council now provided for—the relations of the two Houses to each other being such as prevail in the States of the United States; each House being authorized to choose its presiding officer and clerk to perform the duties appropriate to such offices; and it being the duty, in addition, of the clerks of each House to make out and transmit to the Territorial Secretary, fair copies of the proceedings of the respective Houses immediately after their respective sessions, which copies shall be dealt with by the said Secretary as is now provided in the case of copies of the proceedings of the Council mentioned in this Act, and the said clerks shall each be entitled to the same per diem as members of the respective Houses, and the presiding officers to double that sum.

#### Article IX.

Such sums of money as have, by virtue of Treaties existing in the year 1861, been invested for the purpose of education, shall remain so invested, and the interest thereof, including any arrears which may have accrued, shall be applied for the same purpose, in such manner as shall be designated by the legislative authorities of the Choctaw and Chickasaw Nations respectively.

**Article X.**

The United States reaffirms all obligations arising out of Treaty stipulations or Acts of legislation with regard to the Choctaw and Chickasaw Nations, entered into prior to the late rebellion, and in force at that time, not inconsistent herewith; and further agrees to renew the payment of all annuities and other monies accruing under such Treaty stipulations and Acts of legislation, from and after the close of the fiscal year ending on the 30th of June, in the year eighteen hundred and sixty-six.

**Article XI.**

WHEREAS, The land occupied by the Choctaw and Chickasaw Nations, and described in the Treaty between the United States and said Nations of June 22, 1855, is now held by the members of said Nations in common, under the provisions of said Treaty, and Whereas, it is believed that the holding of said land in severalty, will promote the general civilization of said Nations, and tend to advance their permanent welfare and the best interests of their individual members, it is hereby agreed that, should the Choctaw and Chickasaw people, through their respective Legislative Councils, agree to the survey and dividing their land on the system of the United States, the land aforesaid east of the ninety-eighth degree of west longitude shall be, in view of the arrangements hereinafter mentioned, surveyed and laid off in ranges, townships, sections and parts of Sections; and that for the purpose of facilitating such surveys and for the settlement and distribution of said land as hereinafter provided, there shall be established at Boggy Depot, in the Choctaw Territory, a land office; and that in making the said surveys and conducting the business of the said office, including the appointment of all necessary agents and surveyors, the same system shall be pursued which has heretofore governed in respect to the public lands of the United States, it being understood that the said surveys shall be made at the cost of the United States and by their agents and surveyors, as in the case of their own public lands, and that the officers and employes shall receive the same compensation as is paid to the officers and employes in the land offices of the United States in Kansas.

**Article XII**

The maps of said surveys shall exhibit, as far as practicable, the outlines of the actual occupancy of members of the said Nations, respectively; and when they are completed, shall be returned to the said Land Office at Boggy Depot for the inspection by all parties interested, when notice for ninety days shall be given of such return, in such manner as the legislative authorities of the said Nations, respect-

ively, shall prescribe, or in the event of the said authorities failing to give such notice in a reasonable time, in such manner as the Register of said Land Office shall prescribe, calling upon all parties interested to examine said maps, to the end that errors, if any, in the location of such occupancies may be corrected.

#### **Article XIII.**

The notice required in the above Article shall be given, not only in the Choctaw and Chickasaw Nations, but by publication in newspapers printed in the States of Mississippi and Tennessee, Louisiana, Texas, Arkansas, and Alabama, to the end that such Choctaws and Chickasaws as yet remain outside of the Choctaw and Chickasaw Nations, may be informed and have opportunity to exercise the rights hereby given to resident Choctaws and Chickasaws; provided, that before any such absent Choctaw and Chickasaw shall be permitted to select for him or herself, or others, as hereinafter provided, he or she shall satisfy the Register of the Land Office of his or her intention, or the intention of the party for whom the selection is to be made, to become bona fide residents in the said Nation within five years from the time of selection; and should the said absentee fail to remove into said Nation, and occupy and commence an improvement on the land selected within the time aforesaid, the said selection shall be cancelled, and the land thereafter shall be discharged from all claim on account thereof.

#### **XIV.**

At the expiration of the ninety days aforesaid, the legislative authorities of the said Nations, respectively shall have the right to select one-quarter section of land in each of the counties of said Nations, respectively, in trust, for the establishment of seats of justice therein, and also as many quarter sections as the said Legislative Councils may deem proper for the permanent endowment of schools, seminaries and colleges in said Nation. provided such selection shall not embrace or interfere with any improvement in the actual occupation of any member of the particular Nation without his consent; and provided the proceeds of sale of the quarter sections selected for seats of justice shall be appropriated for the erection or improvement of public buildings in the county in which it is located.

#### **XV.**

At the expiration of the ninety day's notice aforesaid, the selection which is to change the tenure of the land in the Choctaw and Chickasaw Nations from a holding in common to a holding in severalty shall take place, when every Choctaw and Chickasaw shall have the

right to one-quarter section of land, whether male or female, adult or minor, and if in actual possession or occupancy of land improved or cultivated by him or her, shall have a prior right to the quarter section in which his or her improvement lies; and every infant shall have selected for him or her a quarter section of land in such location as the father of such infant, if there be a father living, and if no father living, then the mother, or guardian, and should there be neither father, mother, nor guardian, then as the Probate Judge of the county, acting for the best interest of such infant, shall select.

#### **Article XVI.**

Should an actual occupant of land desire, at any time prior to the commencement of the surveys aforesaid, to abandon his improvement, and select and improve other land, so as to obtain the prior right of selection thereof, he or she shall be at liberty to do so; in which event the improvement so abandoned shall be open to selection by other parties; Provided that nothing herein contained shall authorize the nullification of improvements so as to increase the quantity of land beyond what a party would be entitled to at the date of this Treaty.

#### **XVII.**

No selection to be made under this Treaty shall be permitted to deprive or interfere with the continued occupation by the missionaries established in the respective Nations, of their several missionary establishments; it being the wish of the parties hereto to promote and foster an influence, so largely conducive to civilization and refinement. Should any missionary who has been engaged in missionary labor for five consecutive years before the date of this Treaty in the said Nations, or either of them, or three consecutive years prior to the late rebellion, and who, if absent from the Nations, may desire to return, wish to select a quarter section of land, with a view to a permanent home for himself and family, he shall have the privilege of doing so, provided no selection shall include any public buildings, schools or seminary; and a quantity of land not exceeding six hundred and forty acres, to be selected according to legal subdivisions, in one body, and to include their improvements, is hereby granted to every religious society or denomination which has erected, or which with the consent of the Indians, may hereafter erect buildings within the Choctaw and Chickasaw country for missionary or educational purposes; but no land thus granted, nor the buildings which have been or may be erected thereon, shall ever be sold or otherwise disposed of, except with the consent of the Legislatures of said Nations respectively, and approval of the Secretary of the Interior; and whenever such lands or

buildings shall be sold or disposed of, the proceeds thereof shall be applied, under the direction of the Secretary of the Interior, to the support and maintenance of other similar establishments for the benefits of the Choctaws and Chickasaws, and such other persons as may hereafter become members of their Nations, according to their laws, customs and usages.

#### **Article XVIII.**

In making a selection for children, the parent shall have a prior right to select land adjacent to his own improvements or selection, provided such selection shall be made within thirty days from the time at which selections under this Treaty commence.

#### **Article XIX**

The manner of selecting as aforesaid shall be by an entry with the Register of the Land Office; and all selections shall be made to conform to the legal subdivisions of the said lands, as shown by the surveys aforesaid on the maps aforesaid; it being understood that nothing herein contained is to be construed to confine a party selecting to one section, but he may take contiguous parts of sections by legal subdivisions in different sections, not exceeding together a quarter section.

#### **Article XX.**

Prior to any entries being made under the foregoing provisions, proof of improvements, or actual cultivation, as well as the number of persons for whom a parent or guardian, or Probate Judge of the county proposes to select, and of their right to select, and of his or her authority to select for them, shall be made to the Register and Receiver of the Land Office, under the regulations to be prescribed by the Secretary of the Interior.

#### **Article XXI.**

In every township the sections of land numbered 16 and 36 shall be reserved for the support of schools in said township; Provided, that if the same has been already occupied by a party or parties having the right to select it, or it shall be so sterile as to be unavailable, the legislative authorities of the particular Nations shall have the right to select such other unoccupied sections as they may think proper.

#### **Article XXII.**

The right of selection hereby given shall not authorize the selection of any land required by the United States as a military post, or Indian Agency, not exceeding one mile square, which, when abandoned, shall revert to the Nation in which the land lies.

**Article XXIII.**

The Register of the Land Office shall inscribe in a suitable book or books, in alphabetical order, the name of every individual for whom a selection shall be made, his or her age and a description of the land selected.

**Article XXIV.**

WHEREAS, It may be difficult to give each occupant of an improvement a quarter section of land, or even a smaller subdivision which shall include such improvement, in consequence of such improvements lying in towns, villages or hamlets, the legislative authorities of the respective Nations shall have power where, in their discretion, they think it expedient, to lay off in town lots any section or part of a section so occupied, to which lots the actual occupants, being citizens of the respective Nations, shall have pre-emptive right, and upon paying into the Treasury of the particular Nation the price of the land as fixed by the respective Legislatures, exclusive of the value of said improvement, shall receive a conveyance thereof. Such occupant shall not be prejudiced thereby in his right to his selection elsewhere. The town lots which may be unoccupied shall be disposed of for the benefit of the particular Nation, as the legislative authorities may direct from time to time. When the number of occupants of the same quarter section shall not be such as to authorize the legislative authorities to lay out the same, or any part thereof, into town lots, they may make such regulations for the disposition thereof, as they may deem proper, either by subdivision of the same, so as to accommodate the actual occupants, or by giving the right of prior choice to the first occupant in point of time, upon paying the others for their improvements, to be valued in such way as the legislative authorities shall prescribe, or otherwise. All occupants retaining their lots under this section, and desiring, in addition, to make a selection, must pay for the lots so retained, as in the case of town lots. And any Choctaw or Chickasaw who may desire to select a sectional division, other than that on which his homestead is, without abandoning the latter, shall have the right to purchase the homestead sectional division at such price as the respective Legislatures may prescribe.

**Article XXV.**

During ninety days from the expiration of ninety days' notice aforesaid, the Choctaws and Chickasaws shall have the exclusive right to make selections, as aforesaid, and at the end of that time the several parties shall be entitled to patents for their respective selections to be issued by the President of the United States, and countersigned by the Chief executive of the Nation in which the land lies, and

recorded in the records of the Executive Office of the particular Nations ; and copies of the said patents, under seal shall be evidence in any court of law or equity.

**Article XXVI.**

The right here given to Choctaws and Chickasaws respectively, shall extend to all persons who have become citizens by adoption or intermarriage of either of said Nations, or who may hereafter become such.

**Article XXVII.**

In the event of disputes arising in regard to the rights of parties to select particular quarter sections or other divisions of said land, or in regard to the adjustment of boundaries, so as to make them conform to the legal divisions and subdivisions, such disputes shall be settled by the Register of the Land Office and the Chief executive officer of the Nation in which the land lies in a summary way, after hearing the parties and if said Register and chief officer cannot agree, the two to call in a third party, who shall constitute a third referee, the decision of any two of whom shall be final, without appeal.

**Article XXVIII.**

Nothing contained in any law of either of the said Nations shall prevent parties entitled to make selections contiguous to each other and the Choctaw and Chickasaw Nations hereby agree to repeal all laws inconsistent with this provision.

**Article XXIX.**

Selections made under this Treaty shall, to the extent of one quarter section, including the homestead or dwelling, be inalienable for the period of twenty-one years from the date of such selection, and upon the death of the party in possession shall descend according to the Laws of the Nation where the land lies; and in the event of his or her death without heirs, the said quarter section shall escheat to and become the property of the Nation.

**Article XXX.**

The Choctaw and Chickasaw Nations will receive into their respective districts east of the ninety-eighth degree of west longitude, in the proportion of one-fourth in the Chickasaw and three-fourths in the Choctaw Nation, civilized Indians from the Tribes known by general name of the Kansas Indians, being Indians to the north of the Indian Territory, not exceeding 10,000 in number, who shall have in the Choctaw and Chickasaw Nations, respectively, the same rights as the Choctaws and Chickasaws of whom they shall be the fellow citi-

zens, governed by the same laws and enjoying the same privileges, with the exception of the right to participate in the Choctaw and Chickasaw annuities and other monies, and in the public domain, should the same or the proceeds thereof be divided per capita among said Choctaws and Chickasaws, and among others the right to select land as herein provided for Choctaws and Chickasaws, after the expiration of the ninety days during which the selections of land are to be made, as aforesaid, by said Choctaws and Chickasaws; and the Choctaw and Chickasaw Nations pledge themselves to treat the said Kansas Indians in all respects with kindness and forbearance aiding them in good faith to establish themselves in their new homes, and to respect all their customs and usages not inconsistent with the Constitution and Laws of the Choctaw and Chickasaw Nations respectively. In making selections after the advent of the Indians, and the actual occupancy of land in said Nation, such occupancy shall have the same effect in their behalf as the occupancies of Choctaws and Chickasaws; and after the said Choctaws and Chickasaws have made their selections as aforesaid, the said persons of African descent mentioned in the third Article of the Treaty, shall make their selection as therein provided, in the event of the making of the laws, rules and regulations aforesaid, after the expiration of ninety days from the date at which the Kansas Indians are to make their selections as therein provided, and the actual occupancy of such persons of African descent shall have the same effect in their behalf as the occupancies of the Choctaws and Chickasaws.

#### Article XXXI.

AND WHEREAS, sometime must necessarily elapse before the surveys, maps and selections herein provided for, can be completed so as to permit the said Kansas Indians to make their selections in their order, during which time the United States may desire to remove the said Indians from their present abiding places, it is hereby agreed that the said Indians may at once come into the Choctaw and Chickasaw Nations, settling themselves temporarily as citizens of the said Nations, respectively upon such lands as suits them and is not already occupied.

#### Article XXXII.

At the expiration of two years, or sooner, if the President of the United States shall so direct, from the completion of the surveys and maps aforesaid, the officers of the Land Offices aforesaid shall deliver to the executive departments of the Choctaw and Chickasaw Nations, respectively, all such documents as may be necessary to elucidate the land title as settled according to this Treaty, and forward copies thereof, with the field notes, records, and other papers pertaining to said

titles, to the Commissioner of the General Land Office: and thereafter grants of lands and patents therefor shall be issued in such manner as the legislative authorities of said Nations may provide for all the unselected portions of the Choctaw and Chickasaw districts as defined by the Treaty of June 22, 1855.

**Article XXXIII.**

All lands selected as herein provided shall thereafter be held in severalty of the respective parties and the unselected lands shall be the common property of the Choctaw and Chickasaw Nations in their corporate capacities, subject to the joint control of their legislative authorities.

**Article XXXIV.**

Should any Choctaw or Chickasaw be prevented from selecting for him or herself during the ninety days aforesaid, the failure to do so shall not authorize another to select the quarter section containing his improvement, but he may at any time make his selection thereof, subject to having his boundaries made to conform to legal subdivisions.

**Article XXXV.**

Should the selections aforesaid not be made before the transfer of the Land Records to the executive authorities of said Nations respectively, they shall be made according to such regulations as the legislative authorities of the two Nations, respectively, may prescribe, to the end that full justice and equity may be done to the citizens of the respective territories.

**Article XXXVI.**

Should any land that has been selected under the provisions of this Treaty be abandoned and left uncultivated for the space of seven years by the party selecting the same, or his heirs except in the case of infants under the age of twenty-one years, or married women, or persons non compos mentis, the legislative authorities of the Nation, where such land lies, may either rent the same for the benefit of those interested, or dispose of the same otherwise for their benefit, and may pass all laws necessary to give effect to this provision.

**Article XXXVII.**

In consideration of the right of selection hereinbefore accorded to certain Indians other than the Choctaws and Chickasaws, the United States agree to pay to the Choctaw and Chickasaw Nations, out of the funds of Indians removing into said Nations, respectively, under the provisions of this Treaty, such sum as may be fixed by the Legislatures of said Nations, not exceeding one dollar per acre, to be

divided between the said Nations in the proportion of one-fourth to the Chickasaw Nation and three-fourths to the Choctaw Nation, with the understanding that at the expiration of twelve months the actual number of said immigrating Indians shall be ascertained, and the amount paid that may be actually due at the rate aforesaid; and should still further immigrations take place from among said Kansas Indians, still further payments shall be made accordingly from time to time.

**Article XXXVIII.**

Every white person who, having married a Choctaw or Chickasaw, resides in the said Choctaw or Chickasaw Nations, or who has been adopted by the legislative authorities, is to be deemed a member of said Nation, and shall be subject to the Laws of the Choctaw and Chickasaw Nations according to his domicile, and to prosecution and trial before their tribunals, and to punishment according to their laws in all respects, as though he was a native Choctaw or Chickasaw.

**Article XXXIX.**

No person shall be licensed to trade with the Choctaws or Chickasaws except by the agents, with the advice and consent of the legislative authorities of the Nation he may propose to trade in; but no license shall be required to authorize any member of the Choctaw or Chickasaw Nations to trade in the Choctaw or Chickasaw country, who is authorized by the proper authority of the Nation, nor to authorize Choctaws or Chickasaws to sell flour, meal, meat, fruit and other provisions, stock, wagons, agricultural implements, or tools brought from the United States into the said country.

**Article XL.**

All restrictions contained in any Treaty heretofore made, or in any regulations of the United States upon the sale or other disposition of personal chattel property by Choctaws or Chickasaws, are hereby removed.

**Article XLI.**

All persons who are members of the Choctaw or Chickasaw Nations, and are not otherwise disqualified or disabled, shall hereafter be competent witnesses in all civil and criminal suits and proceedings in any courts of the United States, any law to the contrary notwithstanding.

**Article XLII.**

The Choctaw and Chickasaw Nations shall deliver up persons accused of crime against the United States, or any of them, who may be found within their limits, on the requisition of the Governor of any State, or the United States.

**Article XLIII.**

The United States promise and agree that no white person, except officers, agents and employes of the Government and of any internal improvement company, or persons traveling through, or temporarily sojourning in the said Nations or either of them, shall be permitted to go into said territory, unless formally incorporated and naturalized by the joint action of the authorities of both Nations into one of the said Nations of Choctaws and Chickasaws, according to their laws, customs or usages, but this Article is not to be construed to affect parties heretofore adopted, or to prevent the employment temporarily of white persons who are teachers, mechanics or skilled in agriculture, or to prevent the legislative authorities of the respective Nations from authorizing such works of internal improvement as they may deem essential to the welfare and prosperity of the community, or be taken to interfere with or invalidate any action which has heretofore been had in this connection by either of the said Nations.

**Article XLIV.**

Postoffices shall be established and maintained by the United States at convenient places in the Choctaw and Chickasaw Nations, to and from which the mails shall be carried at reasonable intervals, at the rates of postage prevailing in the United States.

**Article XLV.**

All the rights, privileges and immunities heretofore possessed by said Nations or individuals thereof, or to which they were entitled under the Treaties and legislation heretofore made and had connection with them, shall be, and are hereby declared to be, in full force, so far as they are consistent with the provisions of this Treaty.

**Article XLVI.**

Of the monies stipulated to be paid to the Choctaws and Chickasaws under this Treaty for the cession of the Leased District, and the admission of the Kansas Indians among them, the sum of \$150,000 shall be advanced and paid to the Choctaws, and \$50,000 to the Chickasaws, through their respective Treasurers, as soon as practicable after the ratification of this Treaty, to be repaid out of said monies or any other monies of said Nations in the hands of the United States; the residue, not affected by any provision of this Treaty, to remain in the Treasury of the United States at an annual interest of not less than five per cent., no part of which shall be paid out as annuity, but shall be annually paid to the Treasurer of said Nations respectively, to be regularly and judiciously applied, under the direction of their respective Legis-

lative Councils, to the support of their Government, the purposes of of education, and such other objects as may be best calculated to promote and advance the welfare and happiness of said Nations and their people respectively.

#### **Article XLVII.**

As soon as practicable after the lands shall have been surveyed and assigned to the Choctaws and Chickasaws in severalty, as herein provided, upon application of their respective Legislative Councils, and with the assent of the President of the United States, all the annuities and funds invested and held in trust by the United States for the benefit of said Nations, respectively, shall be capitalized or converted into money, as the case may be; and the aggregate amounts thereof belonging to each Nation shall be equally divided and paid per capita to the individuals thereof, respectively, to aid and assist them in improving their homesteads and increasing or acquiring flocks and herds, and thus encourage them to make proper efforts to maintain successfully the new relations which the holding of their lands in severalty will involve; Provided, nevertheless, that there shall be retained by the United States such sum as the President shall deem sufficient of the said monies to be invested, that the interest thereon may be sufficient to defray the expenses of the government of said Nations respectively, together with a judicious system of education, until these objects can be provided for by a proper system of taxation; and whenever this shall be done to the satisfaction of the President of the United States the monies so retained shall be divided in the manner and for the purpose above mentioned.

#### **XLVIII.**

Immediately after the ratification of this Treaty, there shall be paid out of the fund of the Choctaws and Chickasaws in the hands of the United States, twenty-five thousand dollars to the Choctaw and twenty-five thousand dollars to the Chickasaw Commissioners, to enable them to discharge obligations incurred by them for various incidental and other expenses, to which they have been subjected, and for which they are now indebted.

#### **Article XLIX.**

And it is further agreed that a commission, to consist of a person or persons to be appointed by the President of the United States, shall be appointed immediately on the ratification of this Treaty, who shall take into consideration and determine the claim of such Choctaws and Chickasaws as allege that they have been driven during the late rebellion from their homes in the Choctaw [and Chickasaw]

Nations on account of their adhesion to the United States, for damages, with power to make such award as may be consistent with equity and good conscience, taking into view all circumstances, whose report, when ratified by the Secretary of the Interior, shall be final and authorize the payment of the amount from any monies of said Nations in the hands of the United States, as the said commissioners may award.

#### Article L.

WHEREAS, Joseph G. Heald and Reubin Wright, of Massachusetts, were licensed traders in the Choctaw country at the commencement of the rebellion and claimed to have sustained large losses on account of said rebellion, by the use of their property by said Nation, and that large sums of money are due them for goods and property taken, or sold to the members of said Nation, and money advanced to said Nation; and,

WHEREAS, Other loyal citizens of the United States may have just claims of the same character, it is hereby agreed and stipulated that the President of the United States shall within three months from the ratification of this Treaty, appoint a Commission, to consist of one or more discreet persons, to investigate said claims, and fully examine the same and such sum or sums of money as shall by the report of said Commission, approved by the Secretary of the Interior, be found due to such persons, not exceeding ninety thousand dollars, shall be paid by the United States to the persons entitled thereto, out of any money belonging to said Nation, in the possession of the United States; Provided that no claim for goods or property of any kind shall be allowed or paid, in whole or part, which shall have been used by said Nation or any member thereof in aid of the rebellion, with the consent of said claimants; Provided, also, that if the aggregate of said claim thus allowed and approved shall exceed said sum of ninety thousand dollars, then that sum shall be applied pro rata in payment of the claims so allowed.

#### Article LI.

It is further agreed that all Treaties and parts of Treaties inconsistent herewith, be and the same are hereby declared null and void. In testimony whereof, the said Dennis N. Cooly, Elijah Sells and E. S. Parker, Commissioners on behalf of the United States, and the said Commissioners on behalf of the Choctaw and Chickasaw Nations, have hereunto set their hands and seals the day and year first above written.

D. N. COOLY, Commissioner Indian Affairs.

[SEAL.]

ELIJAH SELLS, Superintendent Indian Affairs

[SEAL.]

E. S. PARKER, Special Commissioner. [SEAL.]  
 Commissioners for United States.  
 ALFRED WADE, [SEAL.]  
 ALLEN WRIGHT, [SEAL.]  
 JAMES REILEY, [SEAL.]  
 JOHN PAGE, [SEAL.]  
 Choctaw Commissioners.  
 WINCHESTER COLBERT, [SEAL.]  
 his  
 EDMUND x PICKENS, [SEAL.]  
 mark.  
 HOLMES COLBERT. [SEAL.]  
 COLBERT CARTER, [SEAL.]  
 ROBERT H. LOVE, [SEAL.]  
 Chickasaw Commissioners.  
 CAMPBELL LEFLORE, [SEAL.]  
 Secretary Choctaw Delegation.  
 E. S. MITCHELL.  
 Secretary Chickasaw Delegation.

In the presence of :

JNO. H. B. LATROBE.  
 P. P. PITCHLYNN,  
 Principal Chief Choctaws.  
 DOUGLAS H. COOPER.  
 J. HARLAN.  
 CHARLES E. MIX.

AND, WHEREAS the said Treaty having been submitted to the Senate of the United States for its Constitutional action thereon, the Senate did on the twenty-eight day of June, one thousand six hundred and sixty six, advise and consent to the ratification of the same, by a resolution, with amendments in the words and figures following, to-wit.

In the Executive Session, Senate of the United States, June 28, 1866.

RESOLVED, (two thirds of the Senators present concurring) That the Senate advise and consent to the ratification of the Articles of agreement and convention between the United States and the Choctaw and Chickasaw Nation of Indians, made and concluded at the city of Washington, the twenty-eighth day of April, in the year eighteen hundred and sixty-six, by Dennis N. Cooly, Elijah Sells and E. S. Parker, special Commissioners on the part of the United States, and

Alfred Wade, Allen Wright, James Reiley and John Page, Commissioners on the part of the Choctaws, and Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter, and Robert H. Love, Commissioners on the part of the Chickasaws, with the following

AMENDMENTS:

1st. At the end of Article 5 add the following: The people of the Choctaw and Chickasaw Nations stipulate and agree to deliver to any duly authorized agent of the United States, all public property in their possession which belong[s] to the late so called "Confederate States of America" or the United States, without any reservation wha[t]soever, particular by ordnance, ordnance stores, and arms of all kinds.

2d. Article 9, lines 4 and 5, strike out the words, "Including any arrears which may have accrued."

3d. Article 39, lines 1, 2 and 3, strike out the following: "Be licensed to trade with the Choctaws, or Chickasaws, except by the Agent, with the advice and consent" and insert in lieu thereof, "No person shall expose goods or other articles for sale as a trader, without a permit."

4th. Strike out Article 42 and insert in lieu thereof, the following as a substitute: "The Choctaw and Chickasaw Nations shall deliver up persons accused of crime against the United States, who may be found within their respective limits on the requisition of the Governor of any State, for a crime committed against the laws of said State, and upon the requisition of the Judge of the District Court of the United States, for the district within which the crime was committed."

5th. Article 46, line 13, strike out the words "not less than."

6th. Article 49, line 3, after the words "United States" insert: "not exceeding three."

7th. Article [50], lines 11 to and including line 15, strike out the the following words: "That the President of the United States shall, within three months from the ratification of this Treaty, appoint a commission, to consist of one or more discreet persons," and insert in lieu thereof: "That the commission provided for in the proceeding [preceeding] Article shall."

ATTEST:

J. W. FORNEY, Secretary.

AND WHEREAS, the foregoing amendments having been fully explained and interpreted to the respective Commissioners of the

Choctaw and Chickasaw Nations of Indians herein before named, they did, on the second day of July, one thousand eight hundred and sixty-six, give their free and voluntary assent, to said amendments, in the words and figures following, to-wit:

WHEREAS, The Senate of the United States did, on the 28th day of June, A. D. 1866, advise and consent to the ratification of the Articles of agreement and convention between the United States and the Choctaw and Chickasaw Nations of Indians, made and concluded at the city of Washington the twenty-eighth day of April, in the year eighteen hundred and sixty-six, by Dennis N. Cooley, Elijah Sells, and E. S. Parker, Special Commissioners on the part of the United States, and Alfred Wade, Allen Wright, James Reiley, and John Page, Commissioners on the part of the Choctaws, and Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter and Robert H. Love, Commissioners on the part of the Chickasaws, with the following amendments, to-wit:

1st. At the end of Article 5, add the following: "The people of the Choctaw and Chickasaw Nations stipulate and agree to deliver up to any duly authorized agent of the United States all public property in their possession which belong[s] to the late so called "Confederate States of America," or the United States, without any reservation whatsoever, particularly ordnance, ordnance stores, and arms of all kinds."

2d. Article 9, lines 4 and 5, strike out the words: "including any arrears which may have accrued."

3d. Article 39, lines 1, 2 and 3, strike out the following: "Be licensed by the to trade with the Choctaws or Chickasaws except by the agent, with the advice and consent," and insert in lieu thereof: "No person shall expose goods or other articles for sale as a trader without a permit."

4th. Strike out Article 42, and insert in lieu thereof the following as a substitute: "The Choctaw and Chickasaw Nations shall deliver up persons accused of crime against the United States, who may be found within their respective limits on the requisition of the Governor of any State for crime committed against the laws of said State, and upon the requisition of the Judge of the District Court of the United States for the district within which the crime was committed."

5th. Article 46, line 13, strike out the words "not less than."

6th. Article 49, line 3, after the words "United States" insert: "not exceeding three."

7th. Article [50,] lines 11, to and including line 15, strike out the following words: "that the President of the United States shall, within three months from the ratification of this Treaty, appoint a

commission to consist of one or more discreet persons," and insert in lieu thereof: "that the commission provided for in the preceding Article shall."

Now, therefore, we, the commissioners on the part of the said Choctaws and Chickasaws, do hereby assent and agree to the said amendments above written, the same having been interpreted to us, and being fully understood by us.

Witness our hands and seals this 2d day of July, A. D. 1866, at Washington, D. C.

ALFRED WADE, [SEAL]  
 ALLEN WRIGHT, [SEAL]  
 JAMES RILEY, [SEAL]  
 JOHN PAGE, [SEAL]  
 WINCHESTER COLBERT, [SEAL]  
 Choctaw Commissioners.

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 EDMUND x PICKENS, [SEAL]  
 mark  
 HOLMES COLBERT, [SEAL]  
 COLBERT CARTER, [SEAL]  
 ROBERT H. LOVE, [SEAL]  
 Chickasaw Commissioners.

In presence [of:]

JNO. H. B. LATROBE,  
 CHARLES E. MIX,  
 P. P. PITCHLYNN.  
 Principal Chief Choctaw Nation.  
 DOUGLAS H. COOPER.  
 ALFRED H. JACKSON.  
 W. R. IRWIN.  
 LEWIS S. HAYDEN.  
 E. S. MITCHELL,  
 Secretary Chickasaw Commission.

Now, therefore, be it known that I, Andrew Johnson, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the twenty-eighth day of June, one thousand eight hundred and sixty-six, accept ratify and confirm the said Treaty, with the amendments aforesaid.

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 { SEAL }  
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In testimony whereof, I have signed my name, and have caused the seal of the United States to be hereto affixed.

Done at the City of Washington, this tenth day of July, one thousand eight hundred and (sixty)-six, and of the Independence of the United States of America the ninety-first.

By the President:

ANDREW JOHNSON.

WILLIAM H. SEWARD.

Secretary of State.

I, M. V. CHEADLE, National Secretary of the Chickasaw Nation and Custodian of the Seal of said office, with right to use the same, do hereby certify that the above and all of the foregoing, as contained in this volume, are the true and correct copies of the Original Laws and Acts of the Legislature of the Chickasaw Nation, and of the Constitution of the said Nation, and of the Treaties made and entered into and concluded between the United States of America and the Choctaw and Chickasaw Tribes of Indians, and of the aforesaid Laws as are now revised and codified by duly authorized authority of the said Chickasaw Nation, and that the same are duly entitled to force and credit as such.

Given under my hand and seal of office this first day of June, A. D. 1889.

[SEAL]

M. V. CHEADLE,

National Secretary of the Chickasaw Nation.

**An Act Passed by Congress Taking Effect in January,  
1898, Governing the Tribal Courts of the  
Indian Territory.**

**Jurisdiction of United States Courts, Indian Territory, Etc.**

Provided further, That on and after January first, eighteen hundred and ninety-eight, the United States Courts in said Territory shall have original and exclusive jurisdiction and authority to try and determine all civil causes in Law and Equity thereafter instituted and all criminal causes for the punishment of any offense committed after January first, eighteen hundred and ninety-eight, by any person in said Territory, and the United States Commissioners in said Territory shall have and exercise the powers and jurisdiction already conferred upon them by existing Laws of the United States as respects all persons and property in said Territory; and the Laws of the United States and the State of Arkansas in force in the Territory shall apply to all persons therein, irrespective of race, said Courts exercising jurisdiction thereof as now conferred upon them in the trial of like causes; and any citizen of any one of said Tribes otherwise qualified who can speak and understand the English language may serve as a juror in any of said Courts.

**Continuance of Authority—"Rolls of Citizenship."**

That said Commission shall continue to exercise all authority heretofore conferred on it by Law to negotiate with the Five Tribes, and any agreement made by it with any one of said Tribes, when ratified, shall operate to suspend any provisions of this Act if in conflict therewith as to said nation: Provided, That the words "rolls of citizenship," as used in the Act of June tenth, eighteen hundred and ninety-six, making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian Tribes for the fiscal year ending June thirtieth, eighteen hundred and ninety-seven, shall be construed to mean the last authenticated rolls of each Tribe which have been approved by the Council of the Nation, and the descendants of those appearing on such rolls, and such additional names and their descendants as have been subsequently added, either by the Council of such Nation, the duly authorized Courts thereof, or the Commission under the Act of June tenth, eighteen hundred and ninety-six.

**Names Stricken From Rolls—Right of Appeal.**

And all other names appearing upon such rolls shall be open to investigation by such Commission for a period of six months after the passage of this Act. And any name appearing on such rolls and not confirmed by the Act of June tenth, eighteen hundred and ninety-six, as herein construed, may be stricken therefrom by such Commission where the party affected shall have ten days previous notice that said

Commission will investigate and determine the right of such party to remain upon such roll as a citizen of such nation: Provided, also, That any one whose name shall be stricken from the roll by such commission shall have the right of appeal, as provided in the Act of June tenth, eighteen hundred and ninety-six.

**Acts Etc., of the Five Tribes to be Certified to the President.**

That on and after January first, eighteen hundred and ninety-eight, all Acts, Ordinances, and Resolutions of the Council of either of the aforesaid Five Tribes passed shall be certified immediately upon their passage to the President of the United States and shall not take effect, if disapproved by him, or until thirty days after their passage: Provided, That this Act shall not apply to resolutions for adjournment, or any Acts, or Resolutions, or Ordinances in relation to negotiations with Commissioners heretofore appointed to treat with said Tribes.

**Additional Judge for Territory.**

That there shall be appointed by the President, by and with the advice and consent of the Senate, one additional Judge for said Territory; and the Appellate Court of said Territory shall designate the places in the several Judicial Districts therein at which and the times when such Judge shall hold Court, and Courts shall be held at the places now provided by Law and at the town of Wagoner and at such other places as shall be designated by said Appellate Court; and said Judge shall be a member of the Appellate Court, and shall have all authority, exercise all powers, perform like duties, and receive the same salary as other Judges of said Courts, and shall serve for a term of four years from the date of appointment: Provided, That no one of said Judges shall sit in the hearing of any case in said Appellate Court which was decided by him.

**Completion of Survey.**

For completion of the survey of the lands in the Indian Territory, one hundred thousand dollars, or so much thereof as may be necessary, to be immediately available: Provided, That the surveys herein authorized, or any part of them in the Indian Territory, shall be made under the supervision of the Director of the Geological Survey by such persons as may be employed by or under him for that purpose; and such surveys shall be executed under instructions to be issued by the Secretary of the Interior, and subdivisional surveys shall be executed under the rectangular system, as now provided by Law.

**Filing Plats.**

Provided further, That when any surveys shall have been so made and plats and field notes thereof prepared, they shall be approved and certified by the Director of the Geological Survey, and two copies

thereof shall be returned, one for filing in the Indian Office and one in the General Land Office; and such surveys, field notes, and plats shall have the same legal force and effect as heretofore given to the Acts of surveyors general: Provided further, That all laws inconsistent with the provisions hereof are hereby declared to be inoperative as respects such surveys.

#### **Resurvey of Chickasaw Nation by Geological Survey.**

For resurvey of the lands of the Chickasaw Nation, Indian Territory, one hundred and forty-one thousand five hundred dollars, to be immediately available: Provided, That such resurveys shall be made under the supervision of the Director of the Geological Survey by such persons as may be employed by or under him for that purpose; and such surveys shall be executed under instructions to be issued by the Secretary of the Interior, and subdivisional surveys shall be executed under the rectangular system, as now provided by law.

#### **Filing Plats.**

Provided further, That when any surveys shall have been so made and plats and field notes thereof prepared they shall be approved and certified to by the Director of the Geological Survey, and two copies of the field notes shall be returned, one for filing in the Indian Office and one in the General Land Office, and twenty photolithographic copies of the plats shall be returned, one for filing in the Office of Indian Affairs and one in the General Land Office, which shall be certified to by the Director of the Geological Survey, and the others filed in the General Land Office, with the facsimile of the signature of the Director of the Geological Survey; and the same provision shall also extend to the plats to be filed of the surveys already made or to be made under the supervision of the Director of the Geological Survey within the Indian Territory, and such surveys, field notes, and plats shall have the same legal force and effect as heretofore given to the Acts of Surveyors-General: Provided further, That all laws inconsistent with the provisions hereof are hereby declared to be inoperative as respects such surveys, and in making the resurvey the former land survey is to be disregarded, the latter now being declared null and void.

#### **Boundary Monuments.**

Provided further, That hereafter in the Public-Land Surveys of the Indian Territory iron or stone posts shall be erected at each township corner, upon which shall be recorded the usual marks required to be placed on township corners by the laws and regulations governing Public-Land Surveys.

# THE CURTIS BILL.

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**As Agreed to in Conference, Passed Both Houses, and Signed by the President of the United States. The Bill Treats Specifically on All Provisions Affecting Townsites and All Lands in the Indian Territory; Contains, Also, the Agreement Made and entered Into by a Commission to the Five Civilized Tribes and the Choctaw and Chickasaw Tribes of Indians, and Known as "The Atoka Agreement," and is Entitled**

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**An Act for the Protection of the People of the Indian Territory, and Other Purposes.**

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that in all criminal prosecutions in the Indian Territory against officials for embezzlement, bribery, and embracery the word "officer," when the same appears in the criminal laws heretofore extended over and put in force in said Territory, shall include all officers of the several Tribes or Nations of Indians in said Territory.

SEC. 2. That when in the progress of any civil suit, either in law or equity, pending in the United States court in any district in said Territory, it shall appear to the court that the property of any Tribe is in any way affected by the issues being heard, said court is hereby authorized and required to make said Tribe a party to said suit by service upon the Chief or Governor of the Tribe, and the suit shall thereafter be conducted and determined as if said Tribe had been an original party to said action.

SEC. 3. That said courts are hereby given jurisdiction in their respective districts to try cases against those who may claim to hold as members of a tribe and whose membership is denied by the Tribe, but who continue to hold said lands and tenements notwithstanding the objection of the Tribe; and if it be found upon trial that the same are held unlawfully against the Tribe by those claiming to be members thereof, and the membership and right are disallowed by the Commission to the Five Tribes or the United States Court, and the judgment has become final, then said court shall cause the parties charged with unlawfully holding said possessions to be removed from the same and cause the lands and tenements to be restored to the person or persons or Nation or Tribe of Indians entitled to the possession of the

same: provided always, that any person being a non-citizen in possession of lands holding the possession thereof under an agreement, lease or improvement contract with either of said Nations or Tribes, or any citizen thereof, executed prior to January 1, 1898, may, as to lands not exceeding in amount 160 acres, in defense of any action for the possession of said lands show that he is and has been in peaceable possession of such lands, and that he has while in such possession made lasting and valuable improvements thereon, and that he has not enjoyed the possession thereof a sufficient length of time to compensate him for such improvements. Thereupon the court or jury trying said cause shall determine the fair and reasonable value of such improvements and the fair and reasonable rental value of such lands for the time the same shall have been occupied by such person, and if the improvements exceed in value the amount of rents with which such persons should be charged the court in its judgement shall specify such time as will, in the opinion of the court, compensate such person for the balance due, and award him possession for such time unless the amount be paid by claimant within such reasonable time as the court shall specify. If the finding be that the amount of rents exceeds the value of the improvements, judgment shall be rendered against the defendant for such sum, for which execution may issue.

SEC. 4. That all persons who have heretofore made improvements on lands belonging to any one of the said Tribes of Indians, claiming rights of citizenship, whose claims have been decided adversely under the Act of Congress approved June 10, 1896, shall have possession thereof until and including December 31, 1898; and may, prior to that time, sell or dispose of the same to any member of the Tribe owning the land who desires to take the same in his allotment: Provided, that this section shall not apply to improvements which have been appraised and paid for, or payment tendered by the Cherokee Nation under the agreement with the United States approved by Congress March 3, 1893.

SEC. 5. That before any action by any Tribe or person shall be commenced under section 3 of this Act it shall be the duty of the party bringing the same to notify the adverse party to leave the premises for the possession of which the action is about to be brought, which notice shall be served at least thirty days before commencing the action by leaving a written copy with the defendant, or, if he cannot be found, by leaving the same at his last known place of residence or business with any person occupying the premises over the age of 12 years, or, if his residence or business address cannot be ascertained, by leaving the same with any person over the age of 12 years upon the premises sought to be recovered and described in said notice; and if there be no person

with whom said notice can be left, then by posting same on the premises.

SEC. 6. That the summons shall not issue in such action until the Chief or Governor of the Tribe, or person or persons bringing suit in his own behalf, shall have filed a sworn complaint, on behalf of the Tribe or himself, with the Court, which shall, as near as practicable, describe the premises so detained, and shall set forth a detention without the consent of the person bringing said suit or the Tribe, by one whose membership is denied by it: Provided, that if the Chief or Governor refuse or fail to bring suit in behalf of the Tribe then any member of the Tribe may make complaint and bring said suit.

SEC. 7. That the Court in granting a continuance of any case, particularly under section 3, may, in its discretion, require the party applying therefor to give an undertaking to the adverse party, with good and sufficient securities, to be approved by the Judge of the Court, conditioned for the payment of all damages and costs and defraying the rent which may accrue if judgment be rendered against him.

SEC. 8. That when a judgment for restitution shall be entered by the Court the Clerk shall, at the request of the plaintiff or his attorney, issue a writ of execution thereon, which shall command the proper officer of the Court to cause the defendant or defendants to be forthwith removed and ejected from the premises and the plaintiff given complete and undisputed possession of the same. The writ shall also command the said officer to levy upon the property of the defendant or defendants subject to execution, and also collect therefrom the costs of the action and all accruing costs in the service of the writ. Said writ shall be executed within thirty days.

SEC. 9. That the jurisdiction of the Court and municipal authority of the city of Fort Smith for police purposes in the State of Arkansas is hereby extended over all that strip of land in the Indian Territory lying and being situate between the corporate limits of the said city of Fort Smith and the Arkansas and Poteau Rivers, and extending up the said Poteau River to the mouth of Mill Creek; and all the laws and ordinances for the preservation of the peace and health of said city, as far as the same are applicable, are hereby put in force therein: Provided, that no charge or tax shall ever be made or levied by said city against said land or the Tribe or Nation to whom it belongs.

SEC. 10. That all actions for restitution of possession of real property under this Act must be commenced by the service of a summons within two years after the passage of this Act, where the wrongful detention or possession began prior to the date of its passage; and all actions which shall be commenced hereafter, based upon wrongful detention or possession committed since the passage of this Act

must be commenced within two years after the cause of action accrued. And nothing in this Act shall take away the right to maintain an action for unlawful and forcible entry and detainer given by the Act of Congress passed May 2, 1890 (Twenty-sixth United States Statutes, page 95.)

SEC. 11. That when the roll of citizenship of any one of said Nations or Tribes is fully completed as provided by law, and the survey of the lands of said Nation or Tribe is also completed, the Commission heretofore appointed under Acts of Congress, and known as the "Dawes Commission," shall proceed to allot the exclusive use and occupancy of the surface of all the lands of said Nation or Tribe susceptible of allotment among the citizens thereof, as shown by said roll, giving to each, so far as possible his fair and equal share thereof, considering the nature and fertility of the soil, location and value of same; but all oil, coal, asphalt and mineral deposits in the lands of any Tribe are reserved to such Tribe, and no allotment of such lands shall carry the title to such oil, coal, asphalt or mineral deposits; and all townsites shall also be reserved to the several Tribes, and shall be set apart by the commission heretofore mentioned as incapable of allotment. There shall also be reserved from allotment a sufficient amount of lands now occupied by schools, churches, parsonages, charitable institutions and other public buildings for their present actual and necessary use, and no more, not to exceed five acres for each school and one acre for each church and each parsonage, and for such new schools as may be needed; also sufficient land for burial grounds where necessary. When such allotment of the lands of any Tribe has been by them completed, said commission shall make full report thereof to the secretary of the interior for his approval: provided, that nothing herein contained shall in any way affect any vested legal rights which may have been heretofore granted by Act of Congress, nor be so construed as to confer any additional rights upon parties claiming under any such act of Congress: provided further, that whenever it shall appear that any member of a Tribe is in possession of lands, his allotment may be made out of the lands in his possession, including his home if the holder so desires: provided further, that if the person to whom an allotment shall have been made shall be declared, upon appeal as herein provided for, by any of the Courts of the United States in or for the aforesaid Territory, to have been illegally accorded rights of citizenship, and for that or any other reason declared to be not entitled to any allotment, he shall be ousted and ejected from said lands: that all persons known as intruders who have been paid for their improvements under existing laws and have not surrendered possession thereof who may be found under the revisions of this act to be entitled to citizenship shall, within ninety days thereafter, refund the amount so paid them, with 6 per centum

interest, to the Tribe entitled thereto; and upon their failure so to do said amount shall become a lien upon all improvements owned by such person in such Territory, and may be enforced by such Tribe: and unless such person makes such restitution no allotments shall be made to him: provided further, that the lands allotted shall be non-transferable until after full title is acquired and shall be liable for no obligations contracted prior thereto by the allottee, and shall be non-taxable while so held: provided further, that all towns and cities heretofore incorporated or incorporated under the provisions of this Act are hereby authorized to secure, by condemnation or otherwise, all the lands actually necessary for public improvements, regardless of tribal lines; and when the same cannot be secured otherwise than by condemnation, then the same may be acquired as provided in sections 907 and 912, inclusive, of Mansfield's Digest of the Statutes of Arkansas.

SEC. 12. That when report of allotments of lands of any Tribe shall be made to the Secretary of the Interior, as hereinbefore provided, he shall make a record thereof and when he shall confirm such allotments the allottees shall remain in peaceable and undisturbed possession thereof, subject to the provisions of this act.

SEC. 13. That the Secretary of the Interior is hereby authorized and directed from time to time to provide rules and regulations in regard to the leasing of oil, coal, asphalt and other minerals in said Territory, and all such leases shall be made by the Secretary of the Interior; and any lease for any such minerals otherwise made shall be absolutely void. No lease shall be made or renewed for a longer period than fifteen years, nor cover the mineral in more than 640 acres of land, which shall conform as nearly as possible to the surveys. Lessees shall pay on each oil, coal, asphalt or other mineral claim at the rate of \$100 per annum, in advance, for the first and second years \$200 per annum, in advance for the third and fourth years, and \$500, in advance, for each succeeding year thereafter, as advanced royalty on the mine or claim on which they are made. All such payments shall be a credit on royalty when each said mine is developed and operated and its production is in excess of such guaranteed annual advanced payments; and all lessees must pay said annual advanced payments on each claim, whether developed or undeveloped; and should any lessee neglect or refuse to pay such advanced annual royalty for the period of sixty days after the same becomes due and payable on any lease, the lease on which default is made shall become null and void, and the royalties paid in advance shall then become and be the money and property of the Tribe. Where any oil, coal, asphalt or other mineral is hereafter opened on land allotted, sold or reserved, the value of the use of the necessary surface for prospecting or mining, and the damage done to the other land and improvements, shall be ascertained under

the direction of the Secretary of the Interior and paid to the allottee or owner of the land by the lessee or party operating the same, before operations begin: provided, that nothing herein contained shall impair the rights of any holder or owner of a leasehold interest in any oil, coal rights, asphalt or mineral which have been assented to by Act of Congress, but all such interest shall continue unimpaired hereby, and shall be assured to such holders or owners by leases from the Secretary of the Interior for the term not exceeding fifteen years, but subject to payment of advance royalties as herein provided, when such leases are not operated, to the rate of royalty on coal mined, and the rules and regulations to be prescribed by the Secretary of the Interior, and preference shall be given to such parties in renewals of such leases: and provided further, that when, under the customs and laws heretofore existing and prevailing in the Indian Territory, leases have been made of different groups or parcels of oil, coal, asphalt or other mineral deposits, and possession has been taken thereunder improvements and made for the development of such oil, coal, asphalt or other mineral deposits, by lessees or their assigns, which have resulted in the production of oil, coal, asphalt or other mineral in commercial quantities by such lessees or their assigns, then such parties in possession shall be given preference in the making of new leases, in compliance with the directions of the Secretary of the Interior; and in making new leases due consideration shall be made for the improvements of such leases, and in all cases of the leasing or renewal of leases of oil, coal, asphalt and other mineral deposits preference shall be given to parties in possession who have made improvements. The rate of royalty to be paid by all lessees shall be fixed by the Secretary of the Interior.

SEC 14. That the inhabitants of any city or town in said Territory having 200 or more residents therein may proceed, by petition to the United States court in the district in which such city or town is located, to have the same incorporated as provided in chapter 29 of Mansfield's Digest of the Statutes of Arkansas, if not already incorporated thereunder; and the Clerk of said Court shall record all papers and perform all the Acts required of the Recorder of the County, or the Clerk of the County Court or the Secretary of State, necessary for the incorporation of any city or town, as provided in Mansfield's Digest, and such city or town government, when so authorized and organized, shall possess all the powers and exercise all the rights of similar municipalities in said State of Arkansas. All male inhabitants of such cities and towns over the age of 21 years, who are citizens of the United States or of either of said Tribes, who have resided therein more than six months next before any election held under this Act, shall be qualified voters at such elections. That mayors of such cities

and towns, in addition to their other powers, shall have the same jurisdiction in all civil and criminal cases arising within the corporate limits of such cities and towns as, co-extensive with, United States commissioners in the Indian Territory, and may charge, collect and retain the same fees as such commissioners now collect and account for to the United States; and the Marshal or other Executive Officer of such city or town may execute all processes issued in the exercise of the jurisdiction hereby conferred, and charges and collect the same fees for similar services as are allowed to constables under the laws now in force in said Territory.

All elections shall be conducted under the provisions of chapter 56 of said Digest; entitled "Elections," so far as the same may be applicable: and all inhabitants of such cities and towns, without regard to race, shall be subject to all laws and ordinances of such city or town or town governments, and shall have equal rights and privileges and protection therein. Such city or town governments, shall in no case have any authority to impose upon or levy any tax against any lands in said cities or towns until after title is secured from the Tribe; but all other property, including all improvements on town lots, which for the purposes of this Act shall be deemed and considered personal property, together with all occupations and privileges, shall be subject to taxation. And the councils of such cities and towns, for the support of the same and for school and other public purposes, may provide by ordinance for the assessment, levy and collection annually of a tax upon such property, not to exceed in the aggregate 2 per centum of the assessed value thereof, in manner provided in chapter 129 of said Digest, entitled "Revenue," and for such purposes may also impose a tax upon occupations and privileges.

Such councils may also establish and maintain free schools in such cities and towns, under the provisions of sections 6258 to 6276, inclusive, of said digest, and may exercise all the powers conferred upon special School Districts in cities and towns in the State of Arkansas by the laws of said State when the same are not in conflict with the provisions of this Act.

For the purpose of this section all the Laws of said State of Arkansas herein referred to, so far as applicable, are hereby put in force in said Territory; and the United States Court therein shall have jurisdiction to enforce the same, and to punish any violation thereof, and the city or town councils shall pass such ordinances as may be necessary for the purpose of making the Laws extended over them applicable to them and for carrying the same into effect: provided, that nothing in this Act or in the Laws of the State of Arkansas, shall authorize or permit the sale, or exposure for sale, of any intoxicating

liquor in said Territory, or the introduction thereof into said Territory : and it shall be the duty of the district attorneys in said Territory and the officers of such municipalities to prosecute all violators of the Laws of the United States relating to the introduction of intoxicating liquors into said Territory, or to their sale, or exposure for sale, therein: provided further, that owners and holders of leases or improvements in any city or town shall be privileged to transfer the same.

SEC. 15. That there shall be a commission in each town for each one of the Chickasaw, Choctaw, Creek and Cherokee Tribes, to consist of one member to be appointed by the executive of the Tribe, who shall not be interested in town property, other than his home; one person to be appointed by the Secretary of Interior, and one member to be selected by the town. And if the executive of the Tribe or the town fail to select members as aforesaid, they may be selected and appointed by the Secretary of the Interior.

Said commissions shall cause to be surveyed and laid out town-sites where towns with a present population of 200 or more are located, conforming to the existing survey so far as may be, with proper and necessary streets, alleys and public grounds, including parks and cemeteries, giving to each town such Territory as may be required for its present needs and reasonable prospective growth; and shall prepare correct plats thereof, and file one with the Secretary of the Interior, one with Clerk of the United States Court, one with the authorities of the Tribe and one with the town authorities. And all town lots shall be appraised by said commission at their true value, excluding improvements and separate appraisement shall be made of all improvements thereon; and no such appraisement shall be effective until approved by the Secretary of the Interior, and in case of disagreement by the members of such commission as to the value of any lot, said Secretary may fix the value thereof.

The owner of the improvements upon any town lot, other than fencing, tillage or temporary buildings, may deposit in the United States treasury, St. Louis, Missouri, one-half of such appraised value; 10 per centum within two months and 15 per centum more within six months after notice of appraisement, and the remainder in three equal annual installments thereafter, depositing with the Secretary of the Interior one receipt for each payment, any one with the authorities of the Tribe, and such deposit shall be deemed a tender to the Tribe of the purchase money for such lot.

If the owner of such improvements on any lot fails to make deposit of the purchase money as aforesaid, then such lot may be sold in the manner herein provided for the sale of unimproved lots; and when the purchaser thereof has complied with the requirements herein

for the purchase of improved lots he may, by petition, apply to the United States Court within whose jurisdiction the town is located for condemnation and appraisalment of such improvements, and petitioner shall, after judgment, deposit the value so fixed with the Clerk of the Court: and thereupon the defendant shall be required to accept same in full payment for his improvements or remove same from the lot within such time as may be fixed by the Court.

All town lots not improved as aforesaid shall belong to the Tribe, and shall be in like manner appraised, and, after approval by the Secretary of the Interior, and due notice, sold to the highest bidder at public auction by said commission, but not for less than their appraised value, unless ordered by the Secretary of the Interior: and purchasers may in like manner make deposits of the purchase money with like effect, as in case of improved lots.

The inhabitants of any town may, within one year after the completion of the survey thereof, make such deposit of \$10 per acre for parks, cemeteries and other public grounds laid out by said commission with like effect as for improved lots; and such parks and public grounds shall not be used for any purpose until such deposits are made.

The person authorized by the Tribe or Tribes may execute or deliver to any such purchaser, without expense to him, a deed conveying to him the title to such lands or town lots; and thereafter the purchase money shall become the property of the Tribe; and all such moneys shall, when titles to all the lots in the towns belonging to any Tribe have been thus perfected, be paid per capita to the members of the Tribe: provided, however, that in those townsites designated and laid out under the provisions of this Act where coal leases are now being operated and coal is being mined there shall be reserved from appraisalment and sale of all lots occupied by houses of miners actually engaged in mining, and only while they are so engaged, and in addition thereto a sufficient amount of land, to be determined by the appraisers, to furnish homes for the men actually engaged in working for the lessees operating said mines and a sufficient amount for all buildings and machinery for mining purposes: and provided further, that when the lessees shall cease to operate said mines then, and in that event, the lots of land so reserved shall be disposed of as provided for in this Act.

SEC. 16. That it shall be unlawful for any person, after the passage of this Act, except as hereinafter provided, to claim, demand or receive, for his own use or for the use of anyone else, any royalty on oil, coal, asphalt or other mineral, or on any timber or lumber or any other kind of property whatsoever or any Tribes or rents on any lands or property belonging to any one of said

Nations in said Territory, or for anyone to pay to any individual any such royalty or rents or any consideration therefor whatsoever; and all royalties and rents hereafter payable to the Tribe shall be paid, under such rules and regulations as may be prescribed by the Secretary of the Interior, into the treasury of the United States to the credit of the Tribe to which they belong: provided, that where any citizen shall be in possession of only such amount of agriculture or grazing lands as would be his just and reasonable share of the lands of his Nation or Tribe and that to which his wife and minor children are entitled, he may continue to use the same or receive the rents thereon until allotment has been made to him: provided further, that nothing herein contained shall impair the right of any member of a Tribe to dispose of any timber contained on his, her or their allotment.

SEC. 17. That it shall be unlawful for any citizen of any one of said Tribes to inclose or in any manner, by himself or through another, directly or indirectly, to hold possession of any greater amount of lands or other property belonging to any such Nation or Tribe and than that which would be his approximate share of the lands belonging to such Nation or Tribe and that of his wife and his minor children as per allotment herein provided; and any person found in such possession of lands or other property in excess of his share and that of his family, as aforesaid, or having the same in any manner inclosed, at the expiration of nine months after the passage of this Act, shall be deemed guilty of a misdemeanor.

SEC. 18. That any person convicted of violating any of the provisions of sections 16 and 17 of this Act shall be deemed guilty of a misdemeanor and punished by a fine of not less than \$100, and shall stand committed until such fine and costs are paid (such commitment not to exceed one day for every \$2 of said fine and costs,) and shall forfeit possession of any property in question, and each day on which such offense is committed or continues to exist shall be deemed a separate offense. And the United States District Attorneys in said Territory are required to see that the provisions of said sections are strictly enforced and they shall at once proceed to dispossess all persons of such excessive holding of lands and to prosecute them for so unlawfully holding the same.

SEC. 19. That no payments of any moneys on any account whatever shall hereafter be made by the United States to any of the Tribal governments or to any officer thereof for disbursement, but payments of all sums to members of said Tribes shall be made under direction of the Secretary of the Interior by an officer appointed by him; and per capita payments shall be made direct to each individual in lawful money of the United States, and the same shall not be liable to the payment of any previously contracted obligation.

SEC. 20. That the commission hereinbefore named shall have authority to employ, with approval of the Secretary of the Interior, all assistance necessary for the prompt and efficient performance of all duties herein imposed, including competent surveyors to make allotments, and to do any other needed work, and the Secretary of the Interior may detail Competent Clerks to aid them in the performance of their duties.

SEC. 22. That in making rolls of citizenship of the several Tribes, as required by law, the commission to the Five Civilized Tribes is authorized and directed to take the roll of Cherokee citizens of 1880 (not including freedmen) as the only roll intended to be confirmed by this and preceding Acts of Congress, and to enroll all persons now living whose names are found on said roll, and all descendants born since the date of said roll to persons whose names are found thereon; and all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood, have been lawfully admitted to citizenship by the Tribal authorities, and who were minors when their parents were so admitted; and they shall investigate the right of all other persons whose names are found on any other rolls and omit all such as may have been placed thereon by fraud or without authority of law, enrolling only such as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to citizenship under Cherokee laws.

It shall make a roll of Cherokee freedmen in strict compliance with the decree of the Court of claims rendered the 3d day of February, 1896.

Said Commission is authorized and directed to make correct rolls of the citizens by blood of all the other Tribes, eliminating from the Tribal rolls such names as may have been placed thereon by fraud or without authority of law, enrolling such only as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to Choctaw and Chickasaw citizenship under the treaties and the laws of said Tribes.

Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article 14 of the Treaty between the United States and the Choctaw Nation concluded September 27, 1830, and to that end they may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior.

The roll of Creek freedmen made by J. W. Dunn, under authority of the United States, prior to March 14, 1867, is hereby confirmed, and

said Commission is directed to enroll all persons now living whose names are found on said rolls, and all descendants born since the date of said roll to persons whose names are found thereon, with such other persons of African descent as may have been rightfully admitted by the lawful authorities of the Creek Nation.

It shall make a correct roll of all Choctaw freedmen entitled to citizenship under the Treaties and Laws of the Choctaw Nation and all their descendants born to them since the date of the Treaty.

It shall make a correct roll of Chickasaw freedmen entitled to any rights or benefits under the Treaty made in 1866 between the United States and the Choctaw and Chickasaw Tribes and their descendants born to them since the date of said Treaty and forty acres of land including their present residences and improvements, shall be allotted to each, to be selected, held and used by them until their rights under said Treaty shall be determined in such manner as shall be hereafter provided by Congress.

The several Tribes may, by agreement, determine the right of persons who for any reason may claim citizenship in two or more Tribes, and to allotment of lands and distribution of moneys belonging to each Tribe; but if no such agreement be made, then such claimant shall be entitled to such rights in one Tribe only, and may elect in which Tribe he will take such right; but if he fail or refuse to make such selection in due time, he shall be enrolled in the Tribe with whom he has resided, and there be given such allotment and distributions, and not elsewhere.

No person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship: provided, however, that nothing contained in this Act shall be so construed as to militate against any rights or privileges which the Mississippi Choctaws may have under the Laws of or the Treaties with the United States.

Said Commission shall make such rolls descriptive of the persons thereon, so that they may be thereby identified, and it is authorized to take a census of each of said Tribes, or to adopt any other means by them deemed necessary to enable them to make such rolls. They shall have access to all rolls and records of the several Tribes, and the United States Court in the Indian Territory shall have jurisdiction to compel the officers of the Tribal Governments and custodians of such rolls and records to deliver same to said Commission, and on their refusal or failure to do so to punish them as for contempt; as also to require all citizens of said Tribes, and persons who should be so enrolled, to appear before said Commission for enrollment, at such times and places as may be fixed by said Commission, and to enforce

obedience of all others concerned, so far as the same may be necessary, to enable said Commission to make rolls as herein required, and to punish anyone who may in any manner or by any means obstruct said work.

The rolls so made, when approved by the Secretary of the Interior, shall be final and the persons whose names are found thereon, with their descendants thereafter born to them, with such persons as may intermarry according to Tribal laws, shall alone constitute the several Tribes which they represent.

The members of said Commission shall, in performing all duties required of them by law, have authority to administer oaths, examine witnesses and send for persons and papers; and any person who shall willfully and knowingly make any false affidavit or oath to any material fact or matter before any member of said Commission or before any other officer authorized to administer oaths, to any affidavit or other paper to be filed or oath taken before said Commission, shall be deemed guilty of perjury, and on conviction thereof shall be punished as for such offense.

SEC. 23. That where members of one Tribe, under intercourse laws, usages or customs, have made homes within the limits and on the lands of another Tribe they may retain and take allotment, embracing same under such agreement as may be made between such Tribes respecting such settlers; but if no such agreement be made the improvements so made shall be appraised, and the value thereof, including all damages incurred by such settler incident to enforced removal, shall be paid to him out of any funds belonging to the Tribe, or such settler, if he so desire, may make private sale of his improvements to any citizen of the Tribe owning the lands: Provided, that he shall not be paid for improvements made on lands in excess of that to which he, his wife and minor children are entitled under this Act.

SEC. 24. That all leases of agricultural or grazing land belonging to any Tribe made after the 1st day of January, 1898, by the Tribe or any member thereof shall be absolutely void, and all such grazing leases made prior to said date shall terminate on the 1st day of April, 1899, and all such agricultural leases shall terminate on January 1, 1900; but this shall not prevent individuals from leasing their allotments when made to them as provided in this Act, nor from occupying or renting their proportionate shares of the Tribal Lands until the allotments herein provided for are made.

SEC. 25. That all moneys paid into the United States Treasury at St. Louis, Mo., under provisions of this Act shall be placed to the credit of the Tribe to which they belong; and the assistant United States Treasurer shall give triplicate receipts therefor to the depositor.

SEC. 26. That before any allotment shall be made of lands in the Cherokee Nation, there shall be segregated therefrom by the Commission heretofore mentioned, in separate allotments or otherwise, the 157,600 acres purchased by the Delaware Tribe of Indians from the Cherokee Nation under agreement of April 8, 1867, subject to the judicial determination of the rights of said descendants and the Cherokee Nation under said agreement. That the Delaware Indians residing in the Cherokee Nation are hereby authorized and empowered to bring suit in the Court of Claims of the United States within sixty days after the passage of this Act, against the Cherokee Nation, for the purpose of determining the rights of said Delaware Indians in and to the lands and funds of said Nation under their contract and agreement with the Cherokee Nation dated April 8, 1867; or the Cherokee Nation may bring a like suit against said Delaware Indians; and jurisdiction is conferred on said Court to adjudicate and fully determine the same, with right of appeal to either party to the Supreme Court of the United States.

SEC. 29. That on and after the passage of this Act the Laws of the various Tribes or Nations of Indians shall not be enforced at Law or in equity by the Courts of the United States in the Indian Territory.

SEC. 30. That the Secretary of the Interior is authorized to locate one Indian inspector in the Indian Territory, who may, under his authority and direction, perform any duties required of the Secretary of the Interior by Law, relating to affairs therein.

SEC. 31. That on the 1st day of July, 1898, all Tribal Courts in the Indian Territory shall be abolished, and no officer of said Courts shall thereafter have any authority whatever to do or perform any act theretofore authorized by any law in connection with said Courts, or to receive any pay for same; and all civil and criminal causes then pending in any such Court shall be transferred to the United States Court in said Territory by filing with the Clerk of the Court the original papers in the suit: provided, that this section shall not be in force as to the Chickasaw, Choctaw and Creek Tribes or Nations until the 1st day of October, 1898.

SEC. 32. That the agreement made by the Commission to the Five Civilized Tribes with Commissions representing the Choctaw and Chickasaw Tribes of Indians on the 23d day of April, 1897, as herein amended, is hereby ratified and confirmed, and the same shall be of full force and effect if ratified before the 1st day of December, 1898, by a majority of the whole number of votes cast by the members of said Tribes at an election held for that purpose; and the executives of said Tribes are hereby authorized and directed to make public proclamation that said agreement shall be voted on at the next general elec-

tion, or at any special election to be called by such executives for the purpose of voting on said agreement; and at the election held for such purpose all male members of each of said Tribes qualified to vote under his Tribal laws shall have the right to vote at the election precinct most convenient to his residence, whether the same be within the bounds of his Tribe or not: Provided, that no person whose right to citizenship in either of said Tribes or Nations is now contested in original or appellate proceedings before any United States Court shall be permitted to vote at said election: Provided further, that the votes cast in both said Tribes or Nations shall be forthwith returned duly certified by the precinct officers to the National Secretaries of said Tribes or Nations, and shall be presented by said National Secretaries to a Board of Commissioners consisting of the principal Chief and National Secretary of the Choctaw Nation, the Governor and National Secretary of the Chickasaw Nation and a member of the Commission to the Five Civilized Tribes, to be designated by the Chairman of said Commission; and said Board shall meet without delay at Atoka, in the Indian Territory, and canvass and count said votes and make proclamation of the result: and if said agreement as amended be so ratified, the provisions of this Act shall then only apply to said Tribes where the same do not conflict with the provisions of said agreement; but the provisions of said agreement, if so ratified, shall not in any manner affect the provisions of section 14 of this Act, which said amended agreement is as follows:

This agreement, by and between the Government of the United States, of the first part, entered into in its behalf by the Commission to the Five Civilized Tribes, Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss, and Alexander B. Montgomery, duly appointed and authorized thereunto, and the governments of the Choctaw and Chickasaw Tribes or Nations of Indians in the Indian Territory, respectively, of the second part, entered into in behalf of such Choctaw and Chickasaw governments, duly appointed and authorized thereunto, viz: Green McCurtain, J. S. Standley, N. B. Ainsworth, Ben Hampton, Wesley Anderson, Amos Henry, D. C. Garland and A. S. Williams, in behalf of the Choctaw Tribe or Nation, and R. M. Harris, I. O. Lewis, Holmes Colbert, P. S. Mosely, M. V. Cheadle, R. L. Murray, William Perry, A. H. Colbert and R. L. Boyd, in behalf of the Chickasaw Tribe or Nation.

#### ALLOTMENT OF LANDS.

Witnesseth, that in consideration of the mutual undertakings herein contained, it is agreed as follows:

That all the lands within the Indian Territory belonging to the Choctaw and Chickasaw Indians shall be allotted to the members of

said Tribes so as to give to each member of these Tribes so far as possible a fair and equal share thereof, considering the character and fertility of the soil and the location and value of lands.

That all the lands set apart for townsites, and the strip of land lying between the city of Fort Smith, Ark., and the Arkansas and Poteau Rivers, extending up said river to the mouth of Mill Creek; and 640 acres each, to include the buildings now occupied by the Jones Academy, Tuskahoma Female Seminary, Wheelock Orphan Seminary and Armstrong Orphan Academy, and ten acres for the capitol building of the Choctaw Nation; 160 acres each immediately contiguous to and including the buildings known as Bloomfield Academy, Lebanon Orphan Home, Harley Institute, Rock Academy and Collins Institute, and five acres for the capitol building in the Chickasaw Nation, and the use of one acre of land for each church house now erected outside of the towns, and eighty acres of land each for J. S. Murrow, H. R. Schernerhorn and the widow of R. S. Bell, who have labored as missionaries in the Choctaw and Chickasaw nations since the year 1866, with the same conditions and limitations as apply to lands allotted to members of the Choctaw and Chickasaw Nations, and to be located on lands not occupied by a Choctaw or Chickasaw, and a reasonable amount of land, to be determined by the townsite commission, to include all court houses and jails and other public buildings not hereinbefore provided for, shall be exempted from division. And all coal and asphalt in or under the lands allotted and reserved from allotment shall be reserved for the sole use of the members of the Choctaw and Chickasaw Tribes, exclusive of freedmen: provided, that where any coal or asphalt is hereafter opened on land allotted, sold or reserved, the value of the use of the necessary surface for prospecting or mining, and the damage done to the other land and improvements, shall be ascertained under the direction of the Secretary of the Interior and paid to the allottee or owner of the land by the lessee or party operating the same, before operations begin. That in order to such equal division, the lands of the Choctaws and Chickasaws shall be graded and appraised so as to give to each member, so far as possible, an equal value of the land: provided further, that the commission to the Five Civilized Tribes shall make a correct roll of the Chickasaw freedmen entitled to any rights or benefits under the Treaty made 1866 between the United States and the Choctaw and Chickasaw Tribes and their descendants born to them since the date of said Treaty, and forty acres of land, including their present residences and improvements, shall be allotted to each, to be selected, held and used by them until their rights under said Treaty shall be determined, in such manner as shall hereafter be provided by Act of Congress.

That the lands allotted to the Choctaw and Chickasaw freedmen are to be deducted from the portion to be allotted under this agreement to the members of the Choctaw and Chickasaw Tribes so as to reduce the allotment to the Choctaws and Chickasaws by the value of the same.

That the said Choctaw and Chickasaw freedmen who may be entitled to allotments of forty acres each shall be entitled each to land equal in value to forty acres of the average land of the two Nations.

That in the appraisement of the lands to be allotted the Choctaw and Chickasaw Tribes shall each have a representative, to be appointed by their respective executives, to co-operate with the commission to the Five Civilized Tribes, or anyone making appraisements under the direction of the Secretary of the Interior in grading and appraising the lands preparatory to allotment. And the land shall be valued in the appraisement as if in its original condition, excluding the improvements thereon.

That the appraisement and allotment shall be made under the direction of the Secretary of the Interior, and shall begin as soon as the progress of the surveys, now being made by the United States government, will admit.

That each member of the Choctaw and Chickasaw Tribes, including Choctaw and Chickasaw freedmen, shall, where it is possible, have the right to take his allotment on land, the improvements on which belong to him, and such improvements shall not be estimated in the value of his allotment. In the case of minor children, allotments shall be selected for them by their father, mother, guardian or the administrator having charge of their estate, preference being given in the order named, and shall not be sold during his minority. Allotments shall be selected for prisoners, convicts and incompetents by some suitable person akin to them, and due care taken that all persons entitled thereto have allotments made to them.

All the lands allotted shall be non-taxable while the title remains in the original allottee, but not to exceed twenty-one years from date of patent, and each allottee shall select from his allotment a homestead of 160 acres, for which he shall have a separate patent, and which shall be inalienable for twenty-one years from date of patent. This provision shall also apply to the Choctaw and Chickasaw freedman to the extent of his allotment. Selections for homesteads for minors to be made as provided herein in case of allotment, and the remainder of the lands allotted to said members shall be alienable for a price to be actually paid, and to include no former indebtedness or obligation—one-fourth of said remainder in one year, one-fourth in three years and the balance of said alienable lands in five years from the date of the patent.

That all contracts looking to the sale or incumbrance in any way of the land of an allottee, except the sale herein before provided, shall be null and void. No allottee shall lease his allotment, or any portion thereof, for a longer period than five years, and then without the privilege of renewal. Every lease which is not evidenced by writing, setting out specifically the terms thereof, or which is not recorded in the Clerk's office of the United States Court for the district in which the land is located, within three months after the date of its execution, shall be void, and the purchaser or lessee shall acquire no rights whatever by an entry or holding thereunder. And no such lease or any sale shall be valid as against the allottee unless providing to him a reasonable compensation for the lands sold or leased.

That all controversies arising between the members of said Tribes as to their right to have certain lands allotted to them shall be settled by the Commission making the allotments.

That the United States shall put each allottee in possession of his allotment and remove all persons therefrom objectionable to the allottee.

That the United States shall survey and definitely mark the ninety-eighth (98th) meridian of west longitude between Red and Canadian rivers before allotment of the lands herein provided for shall begin.

#### MEMBERS' TITLES TO LANDS.

That as soon as practicable, after the completion of said allotments, the principal chief of the Choctaw Nation and the Governor of the Chickasaw Nation shall jointly execute, under their hands and the seals of the respective Nations, and deliver to each of the said allottees patents conveying to him all the right, title and interest of the Choctaws and Chickasaws in and to the lands which shall have been allotted to him in conformity with the requirements of this agreement, excepting all coal and asphalt in or under said land. Said patents shall be framed in accordance with the provisions of this agreement, and shall embrace the land allotted to such patentee and no other land, and the acceptance of his patents by such allottee shall be operative as an assent on his part to the allotment and conveyance of all the lands of the Choctaws and Chickasaws in accordance with the provisions of this agreement, and as a relinquishment of all his right, title and interest in and to any and all parts thereof, except the land embraced in said patents, except also his interest in the proceeds of all lands, coal and asphalt, herein excepted from allotment.

That the United States shall provide by law for proper records of land titles in the Territory occupied by the Choctaw and Chickasaw Tribes.

## RAILROADS.

The rights of ways through the Choctaw and Chickasaw Nations to be surveyed and set apart and platted to conform to the respective Acts of Congress granting the same in cases where said rights of way are defined by such Acts of Congress, but in cases where the Acts of Congress do not define the same then Congress is memorialized to definitely fix the width of said rights of way for station grounds and between stations, so that railroads now constructed through said Nations shall have, as near as possible, uniform rights of way; and Congress is also requested to fix uniform rates of fare and freight for all railroads through the Choctaw and Chickasaw Nations; branch railroads now constructed and not built according to the Acts of Congress to pay the same rates for rights of ways and station grounds as main lines.

## TOWN SITES.

It is further agreed that there shall be appointed a Commission for each of the two Nations. Each Commission shall consist of one member, to be appointed by the executive of the Tribe for which said Commission is to Act, who shall not be interested in town property other than his home, and one to be appointed by the President of the United States. Each of said Commissions shall lay out townsites, to be restricted as far as possible to their present limits, where towns are now located in the Nation for which said Commission is appointed. Said Commission shall have prepared correct and proper plats of each town, and file one in the Clerk's office of the United States District Court for the District in which the town is located, and one with the principal Chief or Governor of the Nation in which the town is located, and one with the Secretary of the Interior, to be approved by him before the same shall take effect. When said towns are so laid out, each lot on which permanent, substantial and valuable improvements, other than fences, tillage and temporary houses, have been made shall be valued by the Commission provided for the Nation in which the town is located at the price a fee-simple title to the same would bring in the market at the time the valuation is made, but not to include in such value the improvements thereon. The owner of the improvements on each lot shall have the right to buy one residence and one business lot at 50 per centum of the appraised value of such improved property, and the remainder of such improved property at 62½ per centum of the said market value within sixty days from date of notice served on him that such lot is for sale, and if he purchase the same he shall within ten days from his purchase, pay into the Treasury of the United States one-fourth of the purchase price, and the balance in

three equal annual installments, and when the entire sum is paid shall be entitled to a patent for the same.

In case the two members of the Commission fail to agree as to the market value of any lot, or the limit or extent of said town, either of said Commissioners may report any such disagreement to the Judge of the District in which such town is located, who shall appoint a third member to Act with said Commission, who is not interested in town lots, who shall Act with them to determine said value.

If such owner of the improvements on any lot fails within sixty days to purchase and make the first payment on same, such lot, with the improvements thereon, shall be sold at public auction to the highest bidder, under the direction of the aforesaid Commission, and the purchaser at such sale shall pay to the owner of the improvements the price for which said lot shall be sold, less 62½ per cent of said appraised value of the lot, and shall pay the said 62½ per cent of said appraised value into the United States Treasury, under regulations to be established by the Secretary of the Interior, in four installments, as hereinbefore provided. The Commission shall have the right to reject any bid on such lot which they consider below its value.

All lots not so appraised shall be sold from time to time at public auction (after proper advertisement) by the commission for the Nation in which the town is located, as may seem for the best interest of the Nations and the proper development of each town, the purchase price to be paid in four installments as hereinbefore provided for improved lots. The Commission shall have the right to reject any bid for such lot which they consider below its value.

All the payments herein provided for shall be made under the direction of the Secretary of the Interior into the United States Treasury, a failure of sixty days to make any one payment to be a forfeiture of all payments made and all rights under the contract: provided, that the purchaser of any lot shall have the option of paying the entire price of the lot before the same is due.

No tax shall be assessed by any town government against any town lot unsold by the Commission, and no tax levied against a lot sold, as herein provided, shall constitute a lien on same till the purchase price thereof has been fully paid to the Nation.

The money paid into the United States Treasury for the sale of all town lots shall be for the benefit of the members of the Choctaw and Chickasaw Tribes (freedmen excepted), and at the end of one year from the ratification of this agreement, and at the end of each year thereafter, the funds so accumulated shall be divided, and paid to the Choctaws and Chickasaws (freedmen excepted), each member of the two Tribes to receive an equal portion thereof.

That no Law or ordinance shall be passed by any town which interferes with the enforcement of or is in conflict with the Laws of the United States in force in said Territory, and all persons in such towns shall be subject to said Laws, and the United States agrees to maintain strict Laws in the Territory of the Choctaw and Chickasaw Tribes against the introduction, sale, barter or giving away of liquors and intoxicants of any kind or quality.

That said Commission shall be authorized to locate, within a suitable distance from each townsite, not to exceed five acres, to be used as a cemetery, and when any town has paid into the United States Treasury, to be part of the fund arising from the sale of town lots, \$10 per acre therefor, such town shall be entitled to a patent for the same as herein provided for titles to allottees, and shall dispose of same at reasonable prices in suitable lots for burial purposes, the proceeds derived from such sales to be applied by the town government to the proper improvement and care of said cemetery.

That no charge or claim shall be made against the Choctaw or Chickasaw Tribes by the United States for the expenses of surveying and platting the lands and townsites, or for grading, appraising and allotting the lands or for appraising and disposing of the town lots as herein provided.

That the land adjacent to Fort Smith and lands for court houses, jails and other public purposes excepted from allotment shall be disposed of in the same manner and for the same purposes as provided for town lots herein, but not till the Choctaw and Chickasaw Councils shall direct such disposition to be made thereof, and said land adjacent thereto shall be placed under the jurisdiction of the city of Fort Smith, Ark., for police purposes.

There shall be set apart and exempted from appraisement and sale in the towns, lots upon which churches and parsonages are now built and occupied, not to exceed 50 feet front and 100 feet deep for each church or parsonage: provided, that such lots shall only be used for churches and parsonages, and when they ceased to be used shall revert to the members of the Tribes to be disposed of as other town lots: provided further, that these lots may be sold by the churches for which they are set apart if the purchase money therefor is invested in other lot or lots in the same town, to be used for the same purpose and with the same conditions and limitations.

It is agreed that all the coal and asphalt within the limits of the Choctaw and Chickasaw Nations shall remain and be the common property of the members of the Choctaw and Chickasaw Tribes (freedmen excepted), so that each and every member shall have an equal and undivided interest in the whole; and no patent provided for in this

agreement shall convey any title thereto. The revenues from coal and asphalt, or so much as shall be necessary, shall be used for the education of the children of the Indian blood of the members of said Tribes. Such coal and asphalt mines as are now in operation, and all others which may hereafter be leased and operated, shall be under the supervision and control of two Trustees, who shall be appointed by the President of the United States, one on the recommendation of the principal Chief of the Choctaw Nation, who shall be a Choctaw by blood, whose term shall be for four years, and one on the recommendation of the Governor of the Chickasaw Nation, who shall be a Chickasaw by blood, whose term shall be for two years; after which the term of appointees shall be four years. Said Trustees, or either of them, may, at any time, be removed by the President of the United States for good cause shown. They shall each give bond for the faithful performance of their duties, under such rules as may be prescribed by the Secretary of the Interior. Their salaries shall be fixed and paid by their respective Nations, each of whom shall make full report of all his Acts to the Secretary of the Interior quarterly. All such Acts shall be subject to the approval of said Secretary.

All coal and asphalt mines in the two Nations, whether now developed, or to be hereafter developed, shall be operated, and the royalties therefrom paid into the Treasury of the United States and shall be drawn therefrom under such rules and regulations as shall be prescribed by the Secretary of the Interior.

All contracts made by the National Agents of the Choctaw and Chickasaw Nations for operating coal and asphalt, with any person or corporation, which were, on April 23, 1897, being operated in good faith are hereby ratified and confirmed, and the lessee shall have the right to renew the same when they expire, subject to all the provisions of this Act.

All agreements heretofore made by any person or corporation with any member or members of the Choctaw or Chickasaw Nations, the object of which was to obtain such member or members' permission to operate coal or asphalt, are hereby declared void: Provided, that nothing herein contained shall impair the rights of any holder or owner of a leasehold interest in any oil, coal rights, asphalt, or mineral which have been assented to by Act of Congress, but all such interests shall continue unimpaired hereby and shall be assured by new leases from such Trustees of coal or asphalt claims described therein, by application to the Trustee within six months after the ratification of this agreement, subject, however, to payment of advance royalties herein provided for.

All leases under this agreement shall include the coal or asphaltum, or other mineral, as the case may be, in or under 960 acres, which shall be in a square as nearly as possible, and shall be for thirty years. The royalty on coal shall be fifteen cents per ton of 2000 pounds on all coal mined, payable on the 25th day of the month next succeeding that in which it is mined. Royalty on asphalt shall be sixty cents per ton, payable same as coal: Provided, that the Secretary of the Interior may reduce or advance royalties on coal and asphalt when he deems it for the best interests of the Choctaws and Chickasaws to do so. No royalties shall be paid except into the United States Treasury as herein provided.

All lessees shall pay on each coal or asphalt claim at the rate of \$100 per annum, in advance, for the first and second years; \$200 per annum, in advance, for the third and fourth years; and \$500 for each succeeding year thereafter. All such payments shall be treated as advanced royalty on the mine or claim on which they are made, and shall be a credit as royalty when each said mine is developed and operated, and its production is in excess of such guaranteed annual advanced payments on each claim whether developed or undeveloped: provided, however that should any lessee neglect or refuse to pay such advanced annual royalty for the period of sixty days after the same becomes due and payable on any lease, the lease on which default is made shall become null and void, and the royalties paid in advance thereon shall then become and be the money and property of the Choctaw and Chickasaw Nations.

In surface, the use of which is reserved to present coal operators, shall be included such lots in towns as are occupied by lessees' houses—either occupied by said lessees' employes or as offices or warehouses: provided, however, that in those townsites designated and laid out under the provision of this agreement where coal leases are now being operated and coal is being mined, there shall be reserved from appraisal and sale all lots occupied by houses of miners actually engaged in mining, and only while they are so engaged, and in addition thereto a sufficient amount of land, to be determined by the townsite board of appraisers, to furnish homes for the men actually engaged in working for the lessees operating said mines, and a sufficient amount for all buildings and machinery for mining purposes.

And provided further, that when the lessees shall cease to operate said mines, then and in that event the lots of land so reserved shall be disposed of by the coal trustees for the benefit of the Choctaw and Chickasaw Tribes.

That whenever the members of the Choctaw and Chickasaw Tribes shall be required to pay taxes for the support of schools, then

the fund arising from such royalties shall be disposed of for the equal benefit of their members (freedmen excepted) in such manner as the Tribes may direct.

It is further agreed that the United States Courts now existing, or that may hereafter be created, in the Indian Territory shall have exclusive jurisdiction of all controversies growing out of the titles, ownership, occupation, possession or use of real estate, coal and asphalt in the Territory occupied by the Choctaw and Chickasaw Tribes; and of all persons charged with homicide, embezzlement, bribery and embracery, breaches or disturbances of the peace, and carrying weapons, hereafter committed in the Territory of said Tribes, without reference to race or citizenship of the person or persons charged with such crime; and any citizen or officer of the Choctaw or Chickasaw Nations charged with such crime shall be tried and, if convicted, punished as though he were a citizen or officer of the United States.

And sections 1636 to 1644, inclusive, entitled "Embezzlement" and sections 1711 to 1718, inclusive, entitled "Bribery and Embracery," of Mansfield's Digest of the Laws of Arkansas, are hereby extended over and put in force in the Choctaw and Chickasaw Nations: and the word "officer," where the same appears in said Laws, shall include all officers of the Choctaw and Chickasaw governments; and the 15th section of the Act of Congress, entitled "An Act to Establish United States Courts in the Indian Territory, and for Other Purposes," approved March 1, 1889, limiting jurors to citizens of the United States, shall be held not to apply to United States Courts in the Indian Territory held within the limits of the Choctaw and Chickasaw Nations, and all members of the Choctaw and Chickasaw Tribes, otherwise qualified, shall be competent jurors in said Courts: provided, that whenever a member of the Choctaw and Chickasaw Nations is indicted for homicide, he may, within thirty days after such indictment and his arrest thereon, and before the same is reached for trial, file with the Clerk of the Court in which he is indicted, his affidavit that he cannot get a fair trial in said Court; and it thereupon shall be the duty of the judge of said court to order a change of venue in such case to the United States District Court for the Western district of Arkansas, at Fort Smith, Ark., or to the United States District Court for the Eastern District of Texas, at Paris, Texas, always selecting the Court that in his judgment is nearest or most convenient to the place where the crime charged in the indictment is supposed to have been committed, which Courts shall have jurisdiction to try the case; and in all said civil suits said Courts shall have full equity powers; and whenever it shall appear to said Court, at any stage in the hearing of any case, that the Tribe is in any way interested in the subject matter

in controversy, it shall have power to summon in said Tribe and make the same a party to the suit and proceed therein in all respects as if such Tribe were an original party thereto; but in no case shall suit be instituted against the Tribal Government without its consent.

It is further agreed that no Act, ordinance or resolution of the Council of either the Choctaw or Chickasaw Tribes, in any manner affecting the land of the Tribe or of the individuals, after allotment, or the moneys or other property of the Tribe or citizens thereof (except appropriations for the regular and necessary expenses of the government of the respective Tribes) or the rights of any persons to employ any kind of labor or the rights of any persons who have taken or may take the oath of allegiance to the United States shall be of any validity until approved by the President of the United States. When such Acts, ordinances or resolutions passed by the Council of either of said Tribes shall be approved by the Governor thereof, then it shall be the duty of the National Secretary of said Tribe to forward them to the President of the United States, duly certified and sealed, who shall, within thirty days after their reception, approve or disapprove the same. Said Acts, ordinances or resolutions, when so approved, shall be published in at least two newspapers having a bona fide circulation in the Tribe to be affected thereby, and when disapproved shall be returned to the Tribe enacting the same.

It is further agreed, in view of the modification of legislative authority and judicial jurisdiction herein provided, and the necessity of the continuance of the Tribal Governments so modified, in order to carry out the requirements of this agreement, that the same shall continue for the period of eight years from the 4th day of March, 1898. This stipulation is made in the belief that the Tribal Governments so modified will prove so satisfactory that there will be no need or desire for further change till the lands now occupied by the Five Civilized Tribes shall, in the opinion of Congress, be prepared for admission as a state to the Union. But this provision shall not be construed to be in any respect an abdication by Congress of power at any time to make needful rules and regulations respecting said Tribes.

That all per capita payments hereafter made to the members of the Choctaw or Chickasaw Nations shall be paid directly to each individual member by a bonded officer of the United States, under the direction of the Secretary of the Interior, which officer shall be required to give strict account for such disbursements to said Secretary.

That the following sum be and is hereby appropriated out of any money in the treasury not otherwise appropriated, for fulfilling treaty stipulations with the Chickasaw Nation of Indians, namely:

For arrears of interest, at 5 per centum per annum, from December 31, 1840, to June 30, 1889, on \$184,143.09 of the trust fund of the

Chickasaw Nation erroneously dropped from the books of the United States prior to December 31, 1840, and restored December 27, 1887, by award of the Secretary of the Interior, under the fourth article of the treaty of June 22, 1852, and for arrears of interest at 5 per centum per annum from March 11 1850. to March 3, 1890, on \$46,021.49 of the trust fund of the Chickasaw Nation erroneously dropped from the books of the United States March 11, 1850, and restored December 27, 1887, by the award of the Secretary of the Interior, under the fourth article of the treaty of June 22, 1852, \$558,520.54, to be placed to the credit of the Chickasaw Nation with the fund to which it properly belongs: provided, that if there be any attorneys' fees to be paid out of same, on contract heretofore made and duly approved by the Secretary of the Interior, the same is authorized to be paid by him.

It is further agreed that the final decision of the Courts of the United States in the case of the Choctaw Nation and the Chickasaw Nation against the United States and the Wichita and affiliated bands of Indians, now pending, when made shall be conclusive as the basis of settlement as between the United States and said Choctaw and Chickasaw Nations for the remaining lands in what is known as the "Leased District," namely, the land lying between the 98th and 100th degrees of west longitude and between the Red and Canadian rivers, leased to the United States by the Treaty of 1855, except that portion called the Cheyenne and Arapahoe country, heretofore acquired by the United States, and all final judgments rendered against said Nations in the courts of the United States in favor of the United States or any citizen thereof shall first be paid out of any sum hereafter found due said Indians for any interest they may have in the so-called Leased District.

It is further agreed that all of the funds invested, in lieu of investment, treaty funds or otherwise, now held by the United States in trust for the Choctaw and Chickasaw Tribes, shall be capitalized within one year after the Tribal governments shall cease, so far as the same may legally be done, and be appropriated and paid, by some officer of the United States appointed for the purpose, to the Choctaws and Chickasaws (freedmen excepted) per capita, to aid and assist them in improving their homes and lands.

It is further agreed that the Choctaws and Chickasaws, when their Tribal governments cease, shall become possessed of all the rights and privileges of citizens of the United States.

#### ORPHAN LANDS.

It is further agreed that the Choctaw Orphan Lands in the state of Mississippi, yet unsold, shall be taken by the United States at \$1.25 per acre, and the proceeds placed to the credit of the Choctaw

Orphan Fund in the Treasury of the United States, the number of acres to be determined by the general Land Office.

In witness whereof the said Commissioners do hereunto affix their names at Atoka, Indian Territory, this the 23d day of April, 1897.

GREEN MCCURTAIN,  
Principal Chief.

J. S. STANDLEY,

N. B. AINSWORTH,

BEN HAMPTON,

WESLEY ANDERSON,

AMOS HENRY

D. C. GARLAND,

Choctaw Commission.

R. M. HARRIS,  
Governor.

ISAAC O. LEWIS,

HOLMES COLBERT,

ROBERT L. MURRAY,

WILLIAM PERRY,

R. L. BOYD,

Chickasaw Commission.

FRANK C. ARMSTRONG,

Acting Chairman.

ARCHIBALD S. MCKENNON,

THOMAS B. CABANISS,

ALEXANDER B. MONTGOMERY,

Commission to the Five Civilized Tribes.

H. M. JACOWAY, JR.,

Secretary, Five Tribes Commission.

I, C. D. CARTER, National Secretary of the Chickasaw Nation and ex-officio custodian of the public records of said Nation, do hereby certify that the foregoing are true and correct copies of the treaties negotiated and concluded between the United States of America and the Chickasaw and Choctaw tribes of Indians; of the Constitution of the Chickasaw Nation, and of the Laws and Acts of the Legislature of the said Chickasaw Nation, as revised and codified by the legally qualified authority of said Nation, and that the same are duly entitled to all force and credit as such.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of this office to be affixed, at Tishomingo City, the capital of said Nation, on this the seventh day of March, in the year of our Lord, one thousand eight hundred and ninety-nine.

[ SEAL. ]

C. D. CARTER,  
National Secretary, Chickasaw Nation.

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