

L A W S

—AND—

JOINT RESOLUTIONS

—OF THE—

NATIONAL COUNCIL.

PASSED AND ADOPTED

—AT THE—

REGULAR SESSIONS OF THE NATIONAL COUNCIL,

—OF—

1876, 1877 and Extra Session of 1878.

1878:

Printed by Authority of National Council.

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ACTS AND RESOLUTIONS,
PASSED AND ENACTED AT THE REGULAR TERM, NOVEMBER,
1877, AND THE EXTRA SESSION OF 1878.

—:0:—

AN ACT granting license to A. P. Goodykoontz and others, to trade in general merchandise.

SECTION 1. *Be it enacted by the National Council,* That a license to trade in general merchandise, be granted to the following named persons, and at the various herein named places, to-wit:

A. P. Goodykoontz at Vinita or Downingville, J. Thompson & Son at Tahlequah, E. E. & C. Starr at Salisaw, and Luther S. Arnold to trade in drugs, Medicine, &c., at Vinita or Downingville

BENJ. LANDRUM, President of the Senate,

L. B. BELL, Clerk of Senate.

Concurred in with the following amendment—insert the names of J. B. Riley, T. B. Wright, Locust Grove, A. J. Raymond, Vinita, R. W. Lindsey, Choteau, and A. M. Bartles and A. J. Bartles, on Caney and Lightning Creek, Coo-wee-skoo-wee District.

Tahlequah, C. N., November 22, 1877.

JESSE THOMPSON, Pre'st. of Council,

J No. F. LYONS, Cl'k. of Council,

CONCURRED IN.

BENJ. LANDRUM, Pres't. of Senate,

L. B. BELL, Clerk of Council.

November 22, 1873.

Approved:

CHARLES THOMPSON.

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AN ACT readmitting A. E. Ivey to citizenship.

SECTION 1. *Be it enacted by the National Council,* That A. E. Ivey, a Cherokee Indian, be, and he is hereby readmitted to all the rights and privileges of Cherokee Citizenship.

Tablequah, C. N., November 26, 1877.

Approved :

CHARLES THOMPSON.

AN ACT to change the location of an election precinct in Delaware District.

SECTION 1. *Be it enacted by the National Council,* That the election precinct now established and located at James Keyser's, on Little Cabin Creek, in Delaware District, be, and the same is hereby removed to, or in the vicinity of McClellan's (formerly Thompson's) store building, on the East side of the M. K. & Texas Railroad, in Delaware District, and opposite to Downingville, in Coo-wee-skoo-wee District.

Tablequah, C. N., Nov. 26, 1877.

Approved:

CHARLES THOMPSON.

AN ACT readmitting James F. Rogers to citizenship.

SECTION 1. *Be it enacted by the National Council,* That James F. Rogers, a Cherokee Indian, be, and he is hereby readmitted to all the rights and privileges of a Cherokee citizen.

Tablequah, C. N., Nov. 26, 1877.

Approved:

CHARLES THOMPSON.

AN ACT allowing Judges and Clerks of Districts, blank forms free.

SECTION 1. *Be it enacted by the National Council,* That the Foreman of the Cherokee Advocate Office be, and he is hereby required to furnish Judges of District Courts and District Clerks, the necessary blank forms for the use of their respective offices, and charge the same to the Nation, the same as other work done for the Nation.

Tablequah, C. N., Nov. 26, 1877.

Approved :

CHARLES THOMPSON.

AN ACT authorizing the appointment of a Delegation to Washington City, D. C.

SECTION 1. *Be it enacted by the National Council,* That there be appointed in the manner provided by the 6th article, section 3, of the Constitution, a Delegation to consist of two (2) persons, and who shall have authority to represent the Cherokee Nation before the Government of the United States in Washington City, upon such subjects, and with such powers as may be hereafter conferred by law.

SEC. 2. *Be it further enacted,* That the persons appointed on said Delegation shall be allowed for their compensation while in actual service the sum of five dollars per diem each, and their necessary expenses.

SEC. 3. *Be it further enacted,* That the Principal Chief is hereby authorized to draw warrants for the sum of three thousand dollars on the General Fund, to meet the necessary expenses and per diem allowed as provided in the preceding section.

Tahlequah, C. N., Nov. 28, 1877.

Approved:

CHARLES THOMPSON.

AN ACT authorizing R. H. Fields and others to trade in general merchandise in the Cherokee Nation.

SECTION 1. *Be it enacted by the National Council,* That a license is hereby granted to R. H. Fields to trade in general merchandise at Tahlequah, and a license to O. W. Lipe to trade in general merchandise at Fort Gibson, and a license to Clem Hayden to trade in general merchandise at Choteau.

Tahlequah, C. N., Nov. 28, 1877.

Approved:

CHARLES THOMPSON.

AN ACT to amend an act intitled "Intermarriage of white men and foreigners."

SECTION 1. *Be it enacted by the National Council,* That chapter XII (twelve) article XV (fifteen) and section 75 (seventy-five) of the New Code of laws, be, and the same is hereby so amended as to strike off all of said

section in the last proviso, from the words "*this Nation*," where said words ends the third line in said proviso of said section seventy-five.

Tahlequah, C. N., Nov. 28, 1877.

Approved :

CHARLES THOMPSON.

AN ACT authorizing John W. Stapler & Son to trade in general merchandise.

SECTION 1. *Be it enacted by the National Council*, That John W. Stapler and James S. Stapler, be, and they are hereby authorized to transact a general merchandise business at Tahlequah, C. N., under the name and style of John W. Stapler & Son.

Tahlequah, C. N., Nov. 28, 1877.

Approved :

CHARLES THOMPSON.

AN ACT readmitting Mary Milner and her children to citizenship.

SECTION 1. *Be it enacted by the National Council*, That Mary Milner (formerly Mary Maxfield) and her children, Wm. I. Milner and Florence E. Milner, be, and they are hereby readmitted to all the rights and privileges of Cherokee citizenship.

Tahlequah, C. N., Nov. 28, 1877.

Approved :

CHARLES THOMPSON.

AN ACT readmitting Wm. W. Wheeler and family to citizenship.

SECTION 1. *Be it enacted by the National Council*, That William W. Wheeler, a Cherokee, be, and he is hereby readmitted to all the rights and privileges of citizenship in this Nation.

Tahlequah, C. N., Nov. 30, 1877.

BENJ. LANDRUM,
Pres't. of Senate,

L. B. BELL,

Cl'k. of Senate.

Concurred in with the following amendment: Insert after the name

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Wm. W. Wheeler, the words, family, consisting of Eugene C. Wheeler, J. P. Wheeler, Fannie Wheeler, Daisie Wheeler, and Carrie Wheeler.

JESSE THOMPSON, Speaker of Council.

JNO. F. LYONS, Cl'k. of Council.

AMENDMENT CONCURRED IN.

BENJ. LANDRUM, Pres't. of Senate,

L. B. BELL, Cl'k. of Senate.

November 30, 1877.

Approved :

CHARLES THOMPSON.

AN ACT to repeal an Act entitled "permits to hire citizens of the United States."

SECTION 1. *Be it enacted by the National Council,* That article XIV (fourteen), chapter XII (twelve) new code of laws, entitled "permits to hire citizens of the United States," be, and the same is hereby repealed.

Tablequah, C. N., Dec. 1, 1877.

Approved :

CHARLES THOMPSON.

AN ACT providing for the sale of certain lands in Kansas.

WHEREAS, At the last regular session of the United States Congress an Act was passed entitled "An Act to provide for the sale of certain lands in Kansas, and,

WHEREAS, The Bill provides for the sale of said lands to settlers, at the rate of one dollar and twenty-five cents per acre, and all of said lands remaining unsold after one year from the date at which they were so offered, shall be sold by the Secretary of the Interior for cash, at not less than one dollar per acre, and that the proceeds of said lands shall be paid

into the Treasury of the United States, and placed to the credit of the Cherokee Nation."

SECTION 1. *Be it enacted by the National Council,* That the conditions of the above quoted act of Congress, be, and they are hereby accepted, and the proceeds of the sale of said lands be applied to the payment of our outstanding indebtedness, as shown in the Treasurer's report for the last fiscal year, ending September 30, 1877.

SEC. 2. *Be it further enacted,* That the proceeds of the said lands sold under the provisions of this Act, and of the Act of Congress on the subject, shall, after having been paid into the Treasury of the United States, and placed to the credit of the Cherokee Nation, be paid to the Treasurer of the Cherokee Nation.

Tahlequah, C. N., Dec. 1, 1877.

Approved :

CHARLES THOMPSON.

AN ACT removing a precinct in Saline District.

SECTION 1. *Be it enacted by the National Council,* That the election precinct now established and located at the court house in Saline District, be, and the same is hereby removed to Stan Rowe's place, on the main road leading to the Orphan Asylum.

Tahlequah, C. N., December 1, 1877.

Approved :

CHARLES THOMPSON.

AN ACT in relation to the Male and Female Seminaries.

SECTION 1. *Be it enacted by the National Council,* That the Treasurer of the Board of the Trustees, or the Treasurer of the Board of Education, or each person or persons having charge of the funds of said Seminaries,

arising from pay. ent received for board of students received in said Seminaries, be, and they are hereby required to refund all monies now in their hands, or that may hereafter come into their hands on account of said Seminaries for board of students received there, such amount of such funds as have been paid in by parents or guardians, reserving on such amounts as will pay the board of students for the time they actually were in attendance at the said Seminaries and were furnished with board.

Tahlequah, C. N., Dec. 3, 1877.

Approved:

CHARLES THOMPSON.

AN ACT authorizing the payment of postal expenses of the "Cherokee Advocate" for the past year.

SECTION 1. *Be it enacted by the National Council,* That the sum of thirty-eight (38) dollars and eighty-six (86) cents, be, and the same is hereby appropriated out of any money in the General Fund, to pay the expenses of postage for the "Cherokee Advocate" mailed to subscribers for the last fiscal year, and the Principal Chief is authorized to draw a warrant accordingly, and that the said warrant shall be drawn in favor of J. W. Stapler, and shall be preferred.

Tahlequah, C. N., Dec. 3, 1877.

Approved:

CHARLES THOMPSON.

AN ACT to amend section 17, Article II, Chapter II, of the New Code of laws of the Cherokee Nation.

SECTION 1. *Be it enacted by the National Council,* That section 17, Article II, Chapter II, of the New Code of laws of the Cherokee Nation, be so amended as to read as follows:

SECTION. 17. In case any of the Judges of the Supreme Court are interested in any cause that may be pending before that tribunal for decision, or are related to any of the parties, who may object to such Judges presiding at the trial of a cause, and produce proof of such interest or relation-

ship, in the manner directed by law, it shall be the duty of the Chief Justice, on receiving such notice, to lay the notice before the Supreme Court for its action at its first meeting, and direct the docketing of the case agreeable to the rule established by the Court for the docketing of other cases, and the Court proving the objections well founded, it shall then be the duty of the Chief Justice to notify, in writing, the Principal Chief of such objection, and that they are sustained by the Supreme Court, the case then to be called once, and passed over, the papers not to be opened by the Court, but held for the Special Judges to be hereafter appointed, and to them transferred at the close of the regular session of the Court, or in the regular order of the calling the docket as the regular Court may elect; on the receipt of such notice by the Principal Chief, it shall be his duty, by and with the consent of the Senate, to select such a number of persons of good character and knowledge of the law as shall correspond with the number of Judges so interested or related as shall have been objected to, and specially commission said persons for the trial of such cause.

Section 47, Article X, Chapter XII of the New Code, and all other act or parts of acts that conflict with this Act, are hereby repealed.

Tablequah, C. N., Nov. 24, 1877.

L. B. BELL, Cl'k. of Senate.

BENJ. LANDRUM, Pres't. of Senate,

CONCURRED IN.

JNO. F. LYONS, Cl'k. of Council,

JESSE THOMPSON, Pre'st. of Council,

The Senate having reconsidered the foregoing Bill with message of Principal Chief objected to signing the same. It was on a vote being taken, sixteen Senators voting to pass the Bill, the same being two-thirds and more of the Senate, passed over the veto of the Principal Chief.

November 27, 1873.

L. B. BELL, Clerk of Senate.

BENJ. LANDRUM, Pres't. of Senate,

Concurred in by over two-thirds, December 4, 1877.

JESSE THOMPSON, Speaker of Council,

JON. F. LYONS, Clerk of Council.

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AN ACT increasing the duties of Medical Superintendent of Male and Female Seminaries, and increasing the salary and pay of same.

SECTION 1. *Be it enacted by the National Council,* That in addition to the duties already imposed on the Medical Superintendent of the Male and Female Seminaries, as provided for by the act of the National Council approved November 22, 1876.

It shall be the duty of said Medical Superintendent of the Male and Female Seminaries, to take charge of and treat in the same manner, all cases needing treatment in the Asylum for the blind, insane, and others, as is provided for by law, in the Male and Female Seminaries, and for which additional service, there is hereby appropriated, the sum of five hundred dollars, to be paid semi-annually on warrant of the Principal Chief, drawn on the fund for the insane, blind, and others, and all other acts or parts of acts, providing for medical attendance on inmates of the Asylum for the blind, insane, and others, be, and the same is hereby repealed.

Tahlequah, C. N., Nov. 28, 1877.

BENJ. LANDRUM, Pres't. of Senate,

L. B. BELL, Cl'k. of Senate.

November 20, 1877.

CONCURRED IN.

JESSE THOMPSON, Pre'st. of Council,

Jno. F. LYONS, Cl'k. of Council,

December 3, 1877—This Bill was returned from the Executive office on this day, with a message vetoing the same. The Senate reconsidering the Bill, passed the same over the Principal Chief—thirteen Senators voting to pass the Bill and five voting to sustain the veto.

BENJ. LANDRUM, Pres't. of Senate,

L. B. BELL, Clerk of Senate.

Action of the Senate concurred in by the necessary constitutional majority.

December 4, 1877.

JESSE THOMPSON, Speaker of Council.

JNO. F. LYONS, Cl'k. of Council.

AN ACT to further define the jurisdiction of the Courts.

SECTION 1. *Be it enacted by the National Council,* That chapter 3, article 2, section 31, of the New Code, be, and the same are hereby so amended and constructed, as to require the Judges of the Supreme Court to preside over all cases of murder and manslaughter, as referred to in said chapter, article and section, and which are hereby construed to mean cases that originated under the laws in force previous to the date of the New Code, (Nov. 1, 1875) as well as those cases that have arisen under or may arise hereafter under laws subsequent to said date of November 1st, 1875. Provided, that in the investigation, adjudication, and trial of all such cases, by the jury, the Court shall state to such jury, the particular law or laws, under which such cases originated, and are to be tried, whether under the laws existing previous to said date of Nov. 1, 1875, or under the laws subsequent to that date.

SEC. 2. *Be it further enacted,* That chapter 3, article 3, and section 36, of the New Code, be, and the same are hereby so construed that the term "felony" as applied to the jurisdiction of the Circuit Court, shall not apply to cases of murder or manslaughter, so that cases of manslaughter, as well as those of murder, shall be tried alone by Judges of the Supreme Court; (the Circuit Court shall have jurisdiction in all criminal cases (except those of murder and manslaughter) involving directly or indirectly the sum of one hundred dollars. And the District Courts shall have complete jurisdiction in all criminal cases whether felonious, or misdemeanors that may involve directly or indirectly the sum of one hundred (dollars) or a less amount.)

And hereafter all indictments for the prosecution of felonies or misde-

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meanors, shall state the probable amount claimed by the complainant, whether in damage, property or effects or money. And all laws or parts of laws conflicting with this law, are hereby repealed.

Tablequah, C. N., Dec. 4, 1877.

Approved :

CHARLES THOMPSON.

AN ACT admitting James Crutchfield to Cherokee citizenship.

SECTION 1. *Be it enacted by the National Council, That James Crutchfield, be, and he is hereby admitted to all of the rights and privileges of citizenship in this Nation.*

Tablequah, C. N., Dec. 4, 1877.

Approved :

CHARLES THOMPSON.

AN ACT defining manner of proceeding against officers charged with
“mal-practice” in office.

WHEREAS, the Principal Chief has, in his message to the National Council, recommended certain legislation in regard to the suspension of officers charged with “mal practice.” Therefore ;

SECTION 1. *Be it enacted by the National Council, That every complaint hereafter made against an officer of this Nation, involving his reputation as an officer, and made for the purpose of effecting his suspension and removal, shall be made in writing, and upon oath, and shall clearly set forth all the grounds or alleged facts upon which his accusers rely for suspension, conviction, and removal. The charges shall be duly signed by the complainants, and any testimony in support thereof, by the witnesses testifying, and such depositions shall be certified by the District Judge or Clerk before whom made.*

A certified copy of the charges with the testimony of the witnesses in support thereof, shall, without delay, be furnished by the Judge or Clerk,

before whom made, to the officer accused; and such accused officer shall have the right, for a period of ten (10) days after the receipt of such papers, to appear before the "Judge or Clerk," and disprove or rebut the same by his own affidavit, and that of witnesses, made and certified in form as herein required of his accusers, and such "Judge or Clerk" shall accord a fair and full hearing to both parties. He shall then carefully envelope, seal, and transmit to the Principal Chief, in two separate packages, all of the papers in the case—plainly directing such packages to the Principal Chief. The Envelope, or package containing the charges shall be marked, "charges against——," (naming the officer charged, his office and District.) That containing the defence or rebutting testimony shall, in like manner, be marked, "defence of——," (naming officer, office and District.)

If the party accused shall fail to respond, as herein provided, then he shall be deemed to have waived his right of defence at that time; and the case shall be made up and transmitted to the Principal Chief, the same as if he had responded. And the Principal Chief shall, without further delay, proceed to investigate and determine from the papers before him, whether the charges are well founded and sufficiently proven to warrant a suspension—and if by him deemed sufficient, he shall suspend accordingly, but if not sufficient, then he shall dismiss the case.

In every case of suspension of an officer of the Nation, by the Principal Chief, the Chief suspending, shall clearly set forth in his proclamation or order of suspension, all the grounds upon which he bases such suspension: And such officer shall have the right of defence before any preliminary examination before the Council Branch of the National Council, and on trial before the Senate sitting as a High Court of Impeachment; and shall be required to answer only on the grounds upon which he was suspended as set forth in the order or proclamation of the Chief. No officer shall be suspended for cause other than charged in the complaint, to which he has had opportunity to respond, as hereinbefore provided; and all laws and parts of laws conflicting herewith, are hereby repealed.

Tablequa, C. N., Dec. 5, 1877.

Approved:

CHARLES THOMPSON.

AN ACT providing for the appointment of a special Commission to try, and settle claims to Cherokee citizenship.

WHEREAS, it is of the utmost importance to the Cherokee Nation, that the claims of certain persons to citizenship hereof, be speedily and permanently settled by competent authority. Therefore;

SECTION 1. *Be it enacted by the National Council, That there be, and is hereby created, a Special Commission to be designated "The Commission on Citizenship."*

The Commission on Citizenship shall consist of three members, to be nominated and commissioned by the Principal Chief, with the advice and consent of the Senate; they shall constitute a "tribunal of last resort," in the hearing and determining of causes hereinafter designated—and none others. The National Council in joint session, shall elect one of the three Commissioners (elect) to act as president.

They shall, at the same time, elect one attorney for the Nation, who shall also be commissioned by the Principal Chief, and who, with the Solicitor General, shall act for the Nation in all cases undergoing adjudication by the Commission.

The Commission on Citizenship, and the attorney for the Nation, before entering upon their duties, shall qualify to support the Constitution and laws of the Cherokee Nation, and to discharge their duties without fear or favor, and to the best of their ability. The President of the Commission on Citizenship shall preside at the sessions of the same. In his absence or inability to serve, the senior (by age) member present shall preside. Any two members of the Commission shall be competent to transact business.

The Commission on Citizenship shall have authority to appoint and qualify one Clerk and one Interpreter, and to define their respective duties. They shall also have the right to command the presence and service of the Sheriff, or his deputy of the District wherein they may hold their session; whenever the services of such Sheriff or deputy shall not be available,

then they (the Commission) may, in their discretion, appoint some other citizen of the Nation as a substitute, and who shall act in lieu of a Sheriff.

The Commission on Citizenship shall have cognizance of, and exercise complete jurisdiction over all cases arising under the Constitution and laws of the Cherokee Nation involving the right to citizenship of said Nation, as hereinafter specified.

1st.—Of all cases wherein a claimant to citizenship has applied to the Supreme Court or to the National Council, and wherein the Court or Council has failed to adjudicate the same, whether it originated in the National Council or was transmitted thereto for review from the Supreme Court.

2nd.—Of all cases where the National Council has adjudicated the same by a decision adverse to the claimants, and where such rejected claimants have appealed from the jurisdiction of the Cherokee Nation to that of the United States subsequent to the date of the Cherokee treaty of July 19th, 1866—and whose cases have been reported by the United States Agent, under instructions from the Department of the Interior to the Principal Chief, and are now on file in his office.

3rd.—Of all cases where the claimants have ignored the authorities of the Cherokee Nation and appealed to those of the United States.

4th.—Of all cases where citizenship has been granted and there is presumptive evidence of fraud having been perpetrated to secure the same; or where citizens of the United States have married into this Nation in violation of the law prohibiting the marriage of persons previously married without having obtained a divorce.

5th.—Of all cases of persons of African descent, arising under the Cherokee treaty of July 19, 1866, where the applicant claims to have complied with the requirements of the treaty, but has failed to receive recognition as a citizen by competent authority.

In decreeing the right to citizenship in the Cherokee Nation, the Commission shall be governed by the provision contained in the 5th section, amendments to article 3, of the Constitution, to-wit:

“All native born Cherokees, all Indians and whites, legally members of the Nation by adoption, and freedmen who have been liberated by voluntary act of their former owners, or by law, as well as free colored persons who were in the country at the commencement of the rebellion, and are now resident therein, or who may return within six months from the 19th day of July, 1866, and their descendants who reside within the limits of the Cherokee Nation, shall be taken and deemed to be citizens of the Cherokee Nation.” And in addition thereto shall include all applicants “bona fide” residents, who are of Cherokee parentage, and who may be of not less than the half-blood.

The recognition of the right of citizenship in the Cherokee Nation, by virtue of the foregoing provisions, shall not be deemed as conferring the like right upon any person not an Indian, who may be connected with such person by blood or affinity, unless such person shall comply with the provisions of article 15, chapter 11, new code, relating to intermarriage.

The Commissioners on Citizenship may admit as evidence in any of the cases named herein, the oral testimony of witnesses under oath, the decisions, records, or other papers, or the certified copies thereof, in the Clerk's office of the National Council, or of the Supreme Court of the Cherokee Nation, or other affidavits taken before any Court of record in the United States, duly authenticated, pertaining to any case brought before it under this act, and shall give such weight as to the credibility of such evidence, in making up their judgment thereon, as they may deem it entitled to. They may, in their discretion, limit the number of witnesses that may be introduced to establish the same fact in any one case, and fix the period for hearing and determining the same.

The Commissioners shall keep in a book to be used for that purpose, a docket of all cases tried, with their decision thereon; a copy of such decision to be furnished to the claimant, whether admitted or not, and such decision shall be final.

The evidence in every case tried by the Commission, shall be carefully

arranged, labelled, and numbered to correspond with the docket, and be filed for preservation with the National records.

Any person who shall be guilty of attempting, by bribes, intimidation, perjury, or any manner of unlawful means, to establish the claim of any applicant for citizenship, or by such means, to defeat it, shall be deemed guilty of felony, and on conviction thereof by any Court of competent jurisdiction, shall suffer all the pains and penalties imposed for the commission of such offence in any other case. And if such person be an attorney, he shall likewise be forever barred from practicing before any of the Courts of this Nation.

The Commission on Citizenship shall, for the accommodation of parties, hold their session at Tahlequah and Fort Gibson, the time of meeting and continuance at either of said places to be fixed by themselves. Provided, however, that they shall, within ten (10) days after the approval of this Act, hold a preliminary meeting at Tahlequah, for the purpose of organizing; when they shall, by public notice, announce the time and place of holding their first session for the trial of cases.

The members of the Commission on Citizenship shall receive severally, for their services, the sum of four dollars per day, the Attorney, Clerk, and Interpreter the same, (four dollars per day) payment to be made from the General Fund, on preferred warrants of the Principal Chief, based on estimate for services rendered, duly certified by the President and Clerk, as the same shall be required by the Commission while in the discharge of duty. Witnesses summoned and appearing for the Nation, shall be allowed the same pay as is allowed witnesses in criminal cases, payable in the same manner, upon certificates issued, recorded and reported by the Clerk of the Commission.

The Commission shall, through the office of the Principal Chief, and not later than the second (2nd) Monday of November next, report the result of their proceedings for the information of the National Council. Provided; That all claimants for citizenship embraced within the provisions of this Act who shall refuse, or fail to bring their cases before the Commission on Citizenship, for adjudication, and all such as shall be rejected by the Commission, shall be held as intruders, and shall be reported by the Commission to the Principal Chief as such, and the Principal Chief shall at once demand of the Secretary of the Interior or, of the President of the United States their immediate expulsion from the limits of the Cherokee Nation.

Tahlequah, C. N.

Approved December 5, 1877.

CHARLES THOMPSON.

AN ACT creating a Board of Education, with power to control the Public and High schools, and the Cherokee Orphan Asylum: *

WHEREAS, The Constitution provides that "schools and the means of education shall be forever encouraged in the Nation," and,

WHEREAS, The present school system, after many years experience, proves to be imperfect, not producing beneficial results in proportion to the expenditures of funds for the support and maintenance of the same, and,

WHEREAS, The present management is not as economical as it might be, and to obviate all further difficulty in the operation of the school system, and to place the schools under such conditions, and under such management as will secure the greatest possible amount of good to the whole country, it is extremely necessary to adopt a system which will comprise all the schools in the Nation under one general plan, both as regards their management and support, as well as regards one systematic course of study, beginning in the primary or common schools, and completed in the High Schools or Seminaries. Therefore,

SECTION 1. *Be it enacted by the National Council,* That there be established a Board of Education to consist of three persons of liberal literary attainments, and free from immoral or intemperate habits, who shall be nominated by the Principal Chief, and confirmed by the Senate; one shall be appointed for one year, one for two years, and one for three years, and every year after, one member of the Board shall be thus appointed for the term of three years.

SEC. 2. The Board shall, as soon as practicable after appointment, proceed to organize, by electing one of their number President, and one Secretary, who shall hold their offices during the pleasure of a majority of the Board.

As soon as organized, the Secretary of the Board of Education shall notify in writing, the Secretary and Treasurer of the Boards of Trustees of Male and Female Seminaries, giving them at least ten (10) days notice, when the Board of Education will meet them in settlement, and the said Secretaries and Treasurers, are hereby required to turn over to said Board of Education, all papers, vouchers, books and monies, and property belonging to said offices, to the Board of Education. And the Treasurers and Boards of Trustees shall not be relieved from the penalties of their bonds until full and satisfactory settlement is made with said Board of Education.

SEC. 3. The regular meetings of said Board shall be twice a year, but the President can call a meeting at any time deemed necessary.

SEC. 4. The powers and duties of said Board shall be as follows: To

adopt rules and regulations not inconsistent with the laws of the Cherokee Nation, for its own government and for the government of the Seminaries, Orphan Asylum, and Common Schools; to prescribe and enforce rules for the examination of teachers, and for admission of pupils to the Seminaries; to prescribe and enforce courses of study in the Seminaries, Orphan Asylum, and Common Schools; To prescribe and enforce a series of uniform text books in all the schools; to grant or revoke, for immoral, intemperate or unprofessional conduct, certificates of all grades; to remove or discontinue any common school which does not maintain a daily average of ten (10) pupils during the winter term, and of thirteen (13) during the summer term, and to establish new schools in all neighborhoods which can maintain the above averages; to keep a record of its proceedings, and to authenticate its acts by the use of a seal; to make requisition on the Educative (Executive) Department, for funds as they may be needed for the support of the Seminaries and Orphan Asylum, as hereafter provided; to appoint teachers and superintendents for the Seminaries, and Orphan Asylum, under the regulations adopted by said Board.

SEC. 5. All funds needed for the support of the Seminaries and Orphan Asylum shall be drawn directly from the Treasurer of the Cherokee Nation by warrant of the Principal Chief.

SEC. 6. The Principal Chief shall issue his warrant upon requisition of the Board of Education; signed by the President and Secretary of the Board, and shall be accompanied by an itemized estimate, showing the cause and purpose of the expenditure.

SEC. 7. The teachers, superintendents, in the Seminaries and Orphan Asylum, shall be paid by warrant, based upon the certificate of the President and Secretary of the Board of Education. Common School teachers shall be paid by warrant of the Principal Chief, based upon the certificate of a majority of the Board of Directors, and approved by the Board of Education.

SEC. 8. It shall be the duty of the President of the Board to preside at all meetings of the Board, and he shall have an equal voice with his associates in determining all questions submitted for action of the Board, sign all requisitions for funds, and perform such other duties as may be imposed upon him by law or by the Board.

SEC. 9. It shall be the duty of the Secretary to keep a correct record of all transactions of the Board in a suitable book for the purpose, which book shall be open to inspection to any one who chooses to do so; to report to the Principal Chief on or before the 15th of October in each year, a statement of the condition of all the schools in the Cherokee Nation; to

accompany his report with a tabular statement, showing the number of schools in operation—number of children attending the same—the amount of unexpended appropriation, if any; to make up estimates of funds required for support of schools for ensuing year, that the National Council may have information upon which to base an appropriation; to notify the Board of Directors of each common school of the grade of their school as may be determined by the Board of Education; to furnish blanks necessary to enable teachers and Directors to do their duty, when necessary to purchase text books, and distribute the same upon requisition made by the teachers, and approved by the Board of Education.

SEC. 10. The Board of Education shall visit each Seminary and Orphan Asylum, at least twice a term, and carefully to examine into the management of the same, and perform such other duties as may be imposed by law.

SEC. 11. The President of the Board shall receive a salary of eight hundred dollars, the Secretary eight hundred dollars, the other, six hundred dollars per annum, to be paid quarterly by warrant of the Principal Chief, based upon requisition of the Board of Education.

SEC. 12. The schools of this Nation shall be deemed as consisting of two (2) classes, to be styled and known as Primary and High Schools. The Common Schools now in operation, and others of like grade that may be hereafter established, to be known as the Primary ones, and the two Seminaries now in operation, as the High Schools.

The Primary schools shall be deemed as consisting of three grades, to be styled and known as first, second and third grades. Said grades to be determined by the Board.

SEC. 13. The number of students in the Primary departments of the Seminaries shall be determined by the Board. No greater number shall be admitted than can be maintained without trenching too heavily upon the funds.

SEC. 14. The Board of Education shall constitute the Board of Examiners, and shall examine all applicants for position as teachers, as to their scholarship, moral character and fitness for teaching, and grade the same according to the standard fixed by said Board; Provided, however, that all persons who shall finish the present normal course of either Seminary or Orphan Asylum, shall be entitled to a permanent first class certificate, which certificate, however, shall be subject to revocation for intemperate, immoral or unprofessional conduct.

And provided, further, that any teacher desiring it, who shall pass a satisfactory examination in the branches embraced in said normal course, shall be entitled to a permanent first class certificate.

SEC. 15. The Board of Education shall, as soon as practicable, appoint to each Common School, three respectable citizens as a Board of Directors, who shall hold their office during good behavior, but shall not be entitled to any compensation.

The duties of said Board of Directors shall be as follows: To manage and controll the school property, see that provision is made for taking care of school books and other school material, locate the school house in the neighborhood; superintend its erection and repairs, employ the teachers; Provided, they shall not employ any teacher who has not a certificate in force from examining Board. To suspend or expell pupils for misconduct, to enforce the course of study, to visit the schools at least twice during each term, to certify to the length of time the teacher has taught, to the Board of Education.

SEC. 13. A school month is construed and taken to be twenty school days, or four weeks of five days each.

The school year shall consist of two terms of twenty weeks each, to open and close as may be directed by the Board of Education; Provided, that the Directors of the Common Schools, and the Superintendents of the High Schools, shall not allow the children of any persons, not citizens of the Cherokee Nation to receive instructions in any of the schools of the Cherokee Nation supported by the public school fund of the Cherokee Nation.

Tablequah, C. N., Nov. 26, 1877.

L. B. BELL, Cl'k. of Senate.

BENJ. LANDRUM, Pres't. of Senate,

CONCURRED IN.

JESSE THOMPSON, Pre'st. of Council,

JNO. F. LYONS, Cl'k. of Council,
December 3, 1877.

This Bill, this day returned by the Principal Chief with a message vetoing the same, was, after being reconsidered, passed by a constitutional majority.

L. B. BELL, Cl'k. of Senate.

BENJ. LANDRUM, Pres't. of Senate,

On motion of Mr. Severè to reconsider the Bill, the action of the Senate was concurred in by two-thirds of Council voting "yea," and the Bill was passed over the veto.

December 6, 1877.

JNO. F. LYONS, Cl'k. of Council.

JESSE THOMPSON, Speaker of Council.

ACTS AND RESOLUTIONS.

21

AN ACT providing for a loan out of the School Fund to pay officers salary.

SECTION 1. *Be it enacted by the National Council,* That the Treasurer of the Cherokee Nation, be, and he is hereby authorized and required to borrow from the School Fund, or any other fund in his hands, not otherwise appropriated, the sum of twenty-six thousand and fifty-four dollars and fifty-five cents, to pay the salaries of the officers of the Nation for the year ending November 17th, 1877; Provided, that he re-emburse said funds out of the first monies coming into his hands on account of the General Fund.

Tahlequah, C. N., December 5, 1877.

Approved:

CHARLES THOMPSON.

AN ACT readmitting Ida Ewens and family to Cherokee citizenship.

SECTION 1. *Be it enacted by the National Council,* That Ida Ewens, (formerly Harnage) a Cherokee Indian by blood, and (her children) C. E. and J. G. Ewens, be, and they are hereby readmitted to all the rights and privileges of Cherokee citizens. X

Tahlequah, C. N., Dec. 4, 1877.

Approved:

CHARLES THOMPSON.

AN ACT to amend article 2, chapter 1, laws of the Cherokee Nation (New Code.)

SECTION 1. *Be it enacted by the National Council,* That section 39, article 2, chapter 1, be, and the same is hereby amended so that all that part of said section of the second article of the first chapter, beginning after the word "May" in the sixth line of said section, shall be struck out, and insert the following words, to-wit: "Advertise and sell after ten (10) X

days notice shall have been given by publishing the same in the Cherokee Advocate newspaper, any and all property, or so much as may be necessary, belonging to, and being part of any business, saw mill, coal mine, or other business or employment on which a tax is levied, under or by authority of law, and is due, and not paid, and all such measures, rules and regulations deemed necessary and are adopted by the Treasurer for the collection of the taxes imposed by the laws of the Cherokee Nation, shall, after they have been published ninety (90) days in the Cherokee Advocate newspaper, have the force and effect of laws, and be a part of the Statute of the Cherokee Nation."

Also strike out all that part of section 36, article 2, chapter 1, beginning at and including the word "if," the same being in the 12th (15) line of said section on page 47, and ending with the word "share," the same being the last word in said section.

Also strike out section 37 of article 2, chapter 1, entire.

Tahlequah, C. N., Dec. 3, 1877.

BENJ. LANDELM,
Pres't. of Senate,

L. B. BELL,
Clk. of Senate.

Concurred in with the following amendment: That all cattle or other stock being driven through the Nation, shall be free from tax, except in cases where said cattle or other stock being drove through the Nation shall stop for grazing purposes, then and in that case, they shall be taxed as the law provides.

December 6, 1877.

JESSE THOMPSON,
Pre'st. of Council,

Jno. F. LYONS,
Clk. of Council,

Amendment Concurred in December 6, 1877.

BENJ. LANDRUM,
Pres. of Senate,

L. B. BELL,
Clk. of Senate.

Approved Dec. 7, 1877.

CHARLES THOMPSON.

AN ACT prohibiting citizens of the United States from killing game within the limits of the Cherokee Nation.

WHEREAS, It is in violation of the intercourse laws of the United States for persons not citizens of the Cherokee Nation to kill game of any kind within the limits of the same, and

WHEREAS, citizens of the United States in violation of said laws of the United States do continually trespass upon the public domain of the Cherokee Nation, and the guaranteed rights of the same. Therefore;

SECTION 1. *Be it enacted by the National Council,* That from and after the passage of this Act, it shall be the duty of the Sheriffs of the several Districts of this Nation to arrest all persons, not citizens of this Nation, and deliver the same, together with their arms, ammunition, traps, and other articles used in hunting, trapping and fishing, to the United States Indian Agent.

SEC. 2. *Be it further enacted,* That any citizen of this Nation who shall have in his employ a citizen of the United States, with or without a permit, who violates the provisions of this law, and fails to report the same to the Sheriff of the District, shall be deemed guilty of a misdemeanor, and on conviction in the District Court, be fined in a sum not less than ten nor more than twenty-five dollars, and upon failure of the party so con-

victed, to pay the fine so imposed, he shall be imprisoned for a term of not less than thirty days, at the discretion of the Court.

Tahlequah, C. N., Dec. 5, 1877.

Approved :

CHARLES THOMPSON.

AN ACT providing for the establishment and locating a public school at or near the residence of John Ross, in Flint District.

SECTION 1. *Be it enacted by the National Council,* That the superintendent of public schools, be, and he is hereby authorized and instructed to establish a public school at or near John Rosses residence, in Flint District whenever a comfortable house shall have been completed for that purpose.

Tahlequah, C. N..

Approved Dec. 5, 1877.

CHARLES THOMPSON,

Prin. Chief.

AN ACT admitting Geo. W. Welch and family to Cherokee citizenship.

SECTION 1. *Be it enacted by the National Council,* That G. W. Welch and family, viz: his wife, Nancy Welch, and children, Anna J., Eliza, Thomas J., Francis B., George, James M., and Arkansas Welch, be, and they are hereby admitted to the rights of Cherokee citizenship.

Tahlequah, C. N.

Approved December 5, 1877.

CHARLES THOMPSON,

Prin. Chief.

AN ACT amending chapter IX, article I, section I, New Code of laws.

SECTION 1. *Be it enacted by the National Council,* That chapter IX, article I, section I, ("New Code of Laws,") be so amended that whenever any guardian of minor, or orphan children shall remove out of the limits of the Cherokee Nation, that all his, or her rights and authority as such guardian shall cease, and the Judge of the District where such guardian held the appointment as such, shall, upon information that such guardian has removed beyond the limits of this Nation, immediately appoint some other competent and responsible person to act as guardian in place of the guardian so disqualified.

SEC. 2. *Be it further enacted,* That none of the rights of any minor or orphan shall be impaired in any estate or effects that such minor or orphan were justly entitled to, by the removal of any guardian out of the limits of this Nation.

Tahlequah, C. N., Dec. 5, 1877.

Approved :

CHARLES THOMPSON,
Prin. Chief.

AN ACT to re-admit Francis E. Eaton and family to Cherokee citizenship.

SECTION 1. *Be it enacted by the National Council,* That Francis E. Eaton, be, and she is hereby re-admitted to Cherokee citizenship, and her husband, Lysander F. Eaton, and her children, William David, Mary E., James, Taylor, and Albert Eaton, be, and they are hereby admitted to the rights of Cherokee citizenship; Provided, that this act shall not take effect until the said parties shall have permanently located in the Cherokee Nation.

Tahlequah, C. N.

Approved Dec. 5, 1877.

CHARLES THOMPSON,
Prin. Chief.

ACTS AND RESOLUTIONS.

AN ACT granting a license to John S. Scott to trade in general merchandise at Fort Gibson.

SECTION 1. *Be it enacted by the National Council,* That a license to trade in general merchandise be granted to John S. Scott at Fort Gibson, he complying with all the requirements of law in relation thereto.

Tablequah, C. N.

Approved December 6, 1877.

CHARLES THOMPSON,
Prin. Chief.

AN ACT to admit Martha Duncan to Cherokee citizenship.

SECTION 1. *Be it enacted by the National Council,* That Martha Duncan (a Cherokee by blood) be, and she is hereby admitted to all the rights and privileges of Cherokee citizenship.

Tablequah, C. N., Dec. 7, 1877.

JESSE THOMPSON,
Speaker of Council.

JNO. F. LYONS,
Cl'k. of Council.

CONCURRED IN.

December 7, 1877.

BENJ. LANDRUM,
Pres't. of Senate,

L. B. BELL,
Cl'k. of Senate.

Approved Dec. 7, 1877.

CHARLES THOMPSON,
Prin. Chief.

AN ACT declaring Dr. S. H. Payne and others, intruders upon the public domain of the Cherokee Nation.

WHEREAS, the National Council did by Act of November 27, 1873, order the Chief Justice of the Supreme Court to reinvestigate certain cases of parties claiming to be citizens of the Cherokee Nation, and

WHEREAS, Riley Keys, Chief Justice of the Supreme Court of the Cherokee Nation, did, in accordance with the requirements of said act, hold a Special Court for the purpose named in said Act of the National Council, and,

WHEREAS, Said Chief Justice of the Supreme Court did on the third (3d) day of November, 1874, report to the National Council, that he had, in conformity to the instructions, and by authority of said Act of November 29, 1873, reinvestigated the cases of Dr. S. H. Payne and family, and Dr. Bell and family, of Sequoyah District, and John O. Cobb, of Canadian District, and Angeline Kelley and Samuel Dollyhite and family, and Robert A. Prather, and A. Parker; and said Chief Justice did, in said reinvestigation, decide that the claims of the above named parties claiming Cherokee citizenship was fraudulent and without foundation in law or in fact. Therefore;

SECTION 1. *Be it enacted by the National Council,* That the before named Dr. S. H. Payne and family, and Dr. Moses Bell and family of Sequoyah District, and John O. Cobb of Canadian District, and Angeline Kelley of Delaware District, and Samuel Dollyhite of Coo-wee skoo-wee District, and the family of A. Parker, of Coo-wee-skoo wee District, and Robert A. Prather and family of Delaware District, be, and they are hereby declared intruders, and the Principal Chief is hereby authorized and required to furnish the Secretary of the Interior at Washington with a

ACTS AND RESOLUTIONS.

copy of this Act, and request the immediate removal of the said parties beyond the limits of the Cherokee Nation,

Tahlequah, C. N.

Approved Dec. 7, 1877.

CHARLES THOMPSON,
Prin. Chief.

AN ACT making an appropriation for the purchase of stationery, &c., for the use of District Clerks, Supreme Court and the Executive Department and National Council.

WHEREAS, Sec. §2, page 69 of the Revised Code, authorizes the Principal Chief to purchase stationery, &c. for the use of the National Council, District Clerks, Supreme Court, and Executive Department. Therefore;

SECTION 1. *Be it enacted by the National Council,* That the sum of one hundred and fifty six dollars and fifty cents. be, and the same is hereby appropriated out of any money in the General Fund, for the purchase of stationery, &c., for the use of the different departments of the government, and the Principal Chief is hereby authorized to draw his warrant accordingly.

SEC. 2. *Be it further enacted,* That the warrant as above provided for, shall be a preferred warrant.

Tahlequah, C. N.

Approved December 7, 1877.

CHARLES THOMPSON
Prin. Chief.

AN ACT making an appropriation to defray the balance of the contingent expenses of the Nation for the year ending September 30th, 1877.

SECTION 1. *Be it enacted by the National Council.* That the sum of

nine thousand one hundred and seventy dollars and eleven cents, be, and the same is hereby appropriated out of any monies in the General Fund, not otherwise appropriated, for the purpose of defraying the ballance of the contingent expenses of the Nation for the year ending September 30, 1877, as audited, examined, and reported correct under the provisions of the 56th section of chapter II, new code; and the Principal Chief is hereby authorized to draw warrants for the same in favor of the persons reported entitled to the same.

SEC. 2. *Be it further enacted,* That the Treasurer is hereby authorized to borrow from the School Fund, the sum of nine hundred and ninety-eight dollars of the amount of the appropriation called for by this Act, to pay the warrants of the following named persons for services rendered the Nation, to-wit:

| | |
|--------------------------|-----------|
| Dr. W. L. G. Miller..... | \$ 404 00 |
| Win. F. Rasmus..... | 486 00 |
| Johnson Spade..... | 20 00 |
| H. D. Reese..... | 80 00 |
| R. M. Wolte..... | 8 00 |
| | <hr/> |
| Total..... | \$990 00 |

Tablequah, C. N.

Approved Dec. 7, 1877.

CHARLES THOMPSON,

Prin. Chief.

AN ACT making an appropriation for the purchase of material, &c., for the Cherokee Advocate office for the ensuing year.

SECTION 1. *Be it enacted by the National Council,* That there be, and is hereby appropriated, the sum of eight hundred and eighty-six dollars out of any money in the General Fund not otherwise appropriated, for the

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purchase of material and for the use of the Cherokee Advocate, as per estimate rendered, and the Principal Chief is hereby authorized to draw (a) warrant accordingly. The warrant to be drawn in favor of the editor of the Advocate, and be a preferred warrant.

Tahlequah, C. N.

Approved December 7, 1877.

CHARLES THOMPSON,

Prin. Chief.

AN ACT granting license to Wm. Percival to trade in general merchandise at Fort Gibson, C. N.

SECTION 1. *Be it enacted by the National Council*, That Wm. Percival be, and he is hereby authorized to transact a general merchandise business at Fort Gibson, C. N., he having complied with all the requirements of the law regulating trade.

Tahlequah, C. N.

Approved December 7, 1877.

CHARLES THOMPSON,

Prin. Chief.

JOINT RESOLUTION to adjourn.

Be it resolved by the National Council, That the present session of the National Council shall be adjourned "sine die" on the 8th day (of) December, 1877, at 10 o'clock a. m.

Tahlequah, C. N.

Approved Dec. 7, 1877.

CHARLES THOMPSON,

Prin. Chief.

AN ACT for the maintenance of the National Prison and Capitol Building for the fiscal year ending September 30th, 1878.

SECTION 1. *Be it enacted by the National Council,* That the sum of three thousand three hundred and thirty-two (3332) dollars and sixty-three (63) cents, be, and the same is hereby appropriated out of any money in the General Fund not otherwise appropriated, for the maintenance of the National Prison, and for the services of police force connected therewith, and the Principal Chief is hereby authorized to draw his warrant accordingly. *

SEC. 2. *Be it further enacted,* That the sum of one hundred and sixty (160) dollars, be, and the same is hereby appropriated to defray the expenses and necessary repairs on the Capitol Building, and (the) Principal Chief is hereby authorized to draw a warrant for the same in favor of the High Sheriff.

SEC. 3. *Be it further enacted,* That the warrant drawn in favor of the High Sheriff as provided in the foregoing sections shall be a preferred warrant.

Tablequah, C. N.

Approved Dec. 7, 1877.

CHARLES THOMPSON,

Prin. Chief.

AN ACT making an appropriation to enable the National Prison to become self supporting.

SECTION 1. *Be it enacted by the National Council,* That the High Sheriff of the Nation be, and he is hereby authorized as speedily as practicable, to have suitable shops erected within the walls of the National Prison, to carry on and instruct the prisoners in the mechanical trades of shoe making, black-smithing, and wagon making, and to purchase for the

said purposes, the tools and implements required respectively by each business, and a sufficient amount of stock required by each to commence with; purchases thereafter necessary, to be made by such High Sheriff to continue said trades, shall be made out of the profits of the sales of articles manufactured.

SEC. 2. *Be it further enacted,* That the sum of two hundred dollars (200) dollars be, and the same is hereby appropriated, and out of any funds in the National treasury belonging to the general fund to be used by the High Sheriff, and under his direction for the purpose of building suitable buildings for the purpose before mentioned, at such locations upon the prison grounds as he shall deem proper and best, and that the further sum of sixteen hundred (1600) dollars be, likewise appropriated out of the same fund to purchase implements, and material, or stock to work with and the Principal Chief is authorized to draw a warrant in favor of the High Sheriff accordingly.

The High Sheriff shall employ and use so much of the said amounts as he shall find to be necessary to accomplish the purpose of the Act as herein stated, and shall include in his report of his expenditures made under this Act, in his annual report of 1878.

SEC. 3. *Be it further enacted,* That the High Sheriff shall be and is authorized to hire such capable mechanics to operate the Prison shops, and instruct the prisoners under his directions as he shall deem necessary during the year, under such contract as shall be most profitable to the Nation, in view of the design of this Act "to make the National Prison self supporting," but no compensation shall be contracted to be given to such mechanics or any of them, except out of the proceeds of the work done by them and the prisoners who shall be placed under their instructions as apprentices.

The High Sheriff shall make such arrangements and regulations as to the instructions to be given to, and trials to be learned by each prisoner as he shall deem most suitable, consistent with other provisions of law.

SEC. 4. *Be it further enacted,* That the High Sheriff, with the Board of Supervisors, shall, whenever there shall be a sufficient number of articles or implements wrought as above provided for, and ready for sale to the public, provide for the disposal and sale thereof for cash or National Warrants, or Certificates, at such times and places, and at such prices as they shall deem best, and the profits of such sale, after deducting for the compensation of mechanics shall have been made, or so much of said profits as shall be necessary, may be used by the High Sheriff to buy additional material and tools that may be needed by such Prison shops to keep them in constant operation.

Tablequah, C. N.

Approved Dec. 7, 1877.

CHARLES THOMPSON,
Prin. Chief.

AN ACT making an appropriation to have the laws and Joint Resolutions of the National Council, passed at the present session, printed in pamphlet form.

SECTION 1. *Be it enacted by the National Council,* That the Principal Chief be, and he is hereby authorized to have the Acts and Joint Resolutions of the National Council, passed at the present session, printed in pamphlet form.

SEC. 2. *Be it further enacted,* That the sum of fifty (50) dollars is hereby appropriated out of any money in the General Fund, not otherwise

ACTS AND RESOLUTIONS.

appropriated, for the payment of same, and the Principal Chief is hereby authorized to draw his warrant accordingly.

Tablequah, C. N., Dec. 7, 1877.

BENJ. LANDRUM,
Pres't. of Senate,

L. B. BELL,
Cl'k. of Senate.
December 8, 1877.

Concurred in with the following amendment: That the laws printed under the provisions of this Act shall be printed in Cherokee and English, and they shall be for public distribution, and that the translator for the Advocate shall translate the laws as provided by this Act, and he shall receive no extra pay, and said laws shall be printed and distributed as soon as possible.

December 7, 1877.

JESSE THOMPSON,
Speaker of Council.

JNO. F. LYONS,
Cl'k. of Council.

AMENDMENT CONCURRED IN.

BENJ. LANDRUM,
Pres't. of Senate,

L. B. BELL,
Cl'k. of Senate.

Approved Dec. 7, 1877.

CHARLES THOMPSON,
Prin. Chief.

AN ACT granting license to R. M. Dannenberg to trade in general merchandise,

SECTION 1. *Be it enacted by the National Council,* That there be, and is hereby granted to R. M. Dannenberg, a license to trade in general merchandise at Flint District, C. N., he having complied with all the requirements of the law.

Tablequah, C. N.,

Approved Dec. 7. 1877.

CHARLES THOMPSON,
Prin. Chief.

AN ACT granting license to Geo. W. Johnson, a Cherokee citizen, to trade in general merchandise.

SECTION 1. *Be it enacted by the National Council,* That license to trade in general merchandise is hereby granted to George W. Johnson, a Cherokee citizen of Sequoyah District, he having complied with all the requirements of law relating thereto, at "Cherokee," in Sequoyah District, Cherokee Nation.

Tablequah, C. N.,

Approved Dec. 7, 1877.

CHARLES THOMPSON.
Prin. Chief.

AN ACT granting license to Jno. A. Foreman to trade in general merchandise.

SECTION 1. *Be it enacted by the National Council,* That a license is

hereby granted to Jno. A. Foreman to trade in general merchandise at
Vinita, (C. N.)

Tablequah, C. N.

Approved December 7, 1877.

CHARLES THOMPSON,
Prin. Chief.

AN ACT instructing the Delegation to Washington, D. C.

WHEREAS, The National Council has passed An Act approved November 2 th, 1877, entitled, "An Act authorizing the appointment of a Delegation to Washington City, D. C.," of two persons to represent the Cherokee Nation before the Government of the United States, upon such subjects and with such powers as may be conferred by law; and,

WHEREAS, W. P. Adair and Daniel H. Ross, have been duly constituted such Delegation. Therefore;

SECTION 1. *Be it enacted by the National Council,* That the beforenamed W. P. Adair and D. H. Ross, be, and they are hereby empowered and instructed to proceed, without any unnecessary delay, before the Government of the United States, at the City of Washington, D. C., to represent the Cherokee Nation before the said Government in the discharge of their duties as Delegates aforesaid. The said Delegates are hereby instructed to protest against, and oppose by all lawful and available means, the passage through Congress of the United States, of any Bill or measure for the establishment of any sort of a Territorial Government or Provincial Government of the United States over the Cherokee Nation or people, or over the "Indian country," or the adoption of any measure either by the Congress of the United States, or by the Departments, that will impair or interfere with, in any manner, the rights of soil, and self government, secured and guaranteed to the Cherokee Nation and people

by the Government of the United States. And the said Delegation are further instructed to remonstrate against, and to correct, if possible, the usurpation of the United States District Court of the Northern District of Arkansas, as regards its jurisdiction over citizens of this Nation, and powers it has assumed.

SEC. 2. *Be it further enacted*, That said Delegation be, and they are hereby instructed to oppose by all lawful means, the erroneous claim of the so-called "North Carolina" Cherokees to one seventh part of the funds, lands, and effects of the Cherokee Nation, and to remonstrate against the said Cherokee's recovering any part, portion, or interest in or of said funds, lands, or effects, unless they first remove to the Cherokee Nation, and permanently locate therein, as citizens thereof, according to the constitution and laws and treaties of the Cherokee Nation, in which event they, the said North Carolina Cherokees can only have an interest in common with the other Cherokees, citizens, located in the Nation, in lands and funds of the Nation.

SEC. 3. *Be it further enacted*, That the said Delegation be, and they are hereby instructed to bring to a speedy and final settlement, the business of this Nation with the Government of the United States in relation to the Cherokee "Strip" of lands in Kansas, as per late Act of Congress, approved by recent Act of the National Council. And the said Delegation are further instructed to cause the proceeds of sales of said lands in Kansas to be applied to the extinguishment of the public debt of the Nation and provided by Act of the National Council.

4.—The said Delegation are further instructed to urge upon the Government of the United States an early and fair settlement for all Cherokee lands lying west of the 93 meridian of west longitude, and to dispose of all such lands to the best pecuniary advantage of the Cherokee Nation; Provided, that the proceeds of sales of such lands shall be applied as fol-

lows, viz:—one half of the same shall be invested as provided by the 23rd article of the Cherokee treaty of 1836, and out of the remaining half, the sum of two hundred thousand dollars (\$200,000) shall be set apart to reimburse the Nation in the funds appropriated by the 43rd Congress of the United States, to subsist the Cherokee people—which sum shall be invested under the 23rd article of the treaty of 1836—the remainder shall be paid to the Cherokee people “per capita,” in such manner as the National Council shall prescribe.

5th.—The Delegation are also authorized to dispose of any Cherokee school lands East of the Mississippi river, and to have the proceeds set apart for school purposes.

SEC. 6. *Be it further enacted*, That the Delegation be, and are hereby instructed to urge upon the Government of the United States, early payment of claims of the Cherokee people for bounties and pensions, and pay on account of service in the United States Army (Indian Home Guards) during the war of the Rebellion. They are further instructed to bring to the attention of the Government the claims of the Cherokee people for property and supplies furnished the United States Army during the war of the Rebellion, and for property taken or destroyed by said army, or lost or destroyed by effects of said war, and to urge upon the Government payment for the same, as well as payment for all claims of Cherokee citizens for property taken or damaged by the re-establishment of the military post and reservation of Fort Gibson.

7th.—The said Delegation are further empowered and instructed to attend to, and settle by negotiation or otherwise, any and all other unsettled business, whatever, between the United States Government and the Cherokee Nation, now existing or that may arise during their mission—*and they shall have no power to impair the rights, privileges, or immu-*

nities guaranteed to the Cherokee Nation and people thereof, by the United States, except as expressly authorized by law.

SEC. 8. *Be it further enacted*, That the sum of six thousand and twenty-three (6023) dollars, the amount of unexpended balance appropriated for the year 1876, which shall include the sum of three thousand (3000) dollars appropriated by Act of the National Council of November 28, 1877, and the same is hereby appropriated for the use of the present Delegation, and the said Delegation shall not receive any per diem, or other expenses for (a) longer (period than) twenty days after the adjournment of the present session of United States Congress, and the said Delegation is hereby required to render an itemized report of expenses incurred by them, which report shall be made on oath, and shall be made on the fourth day of the next regular session of the National Council.

SEC. 9. *Be it further enacted*, That section eight (8) of the Act of the National Council, approved December 8, 1876, and entitled "An Act to instruct the Cherokee Delegation," be, and the same is hereby made part of these instructions.

Tablequah, C. N., 3

Approved Dec. 7, 1877.

CHARLES THOMPSON,
Prin. Chief.

AN ACT making an appropriation for contingent expenses of the
"Cherokee Advocate."

SECTION 1. *Be it enacted by the National Council*, That the sum of seventy-five (75) dollars be, and the same is hereby appropriated out of any money in the General Fund, not otherwise appropriated, for the purpose of defraying contingent expenses, freight, hauling, &c. for the use of

ACTS AND RESOLUTIONS.

the Cherokee Advocate office, and the Principal Chief is hereby authorized to draw a warrant accordingly, said warrant to be a preferred warrant.

Tahlequah, C. N.

Approved Dec. 8, 1877.

CHARLES THOMPSON,
Prin. Chief.

AN ACT admitting certain persons there'n named to citizenship.

SECTION 1. *Be it enacted by the National Council,* That the following named persons be, and they are hereby admitted to Cherokee citizenship, to-wit :

John Coleman and family, and the children of Nancy Quinton, sister to said John Coleman, Aelsey Jane Wood, Martha E. Meadows, G. A. D. Donegan, and Andrew Ross and children.

Tahlequah, C. N.

Approved December 8, 1877.

CHARLES THOMPSON
Prin. Chief.

AN ACT readmitting Mrs. Bell Scott to Cherokee citizenship.

SECTION 1. *Be it enacted by the National Council,* That Mrs. Bell Scott, (formerly Bell Harnage) be, and she is hereby readmitted to all the rights and privileges of a Cherokee.

Tah'equah, C. N.

Approved Dec. 8, 1877.

CHARLES THOMPSON,
Prin. Chief.

AN ACT making an appropriation to pay the current and contingent expenses of the National Council and Executive Office for the regular session in 1877, and for other purposes.

SECTION 1. *Be it enacted by the National Council,* That there be, and is hereby appropriated out of the General Fund, not otherwise appropriated, the sum of thirteen thousand four hundred and twenty (13,420) dollars, or so much thereof as is necessary to pay the following named persons the amounts set opposite their respective names, and warrant No. 315 being a salary warrant given J. T. Adair Chief Justice of the Supreme Court.

No.

| | | | | | | |
|----|-------------------|----|---|----|--------|----------|
| 1 | Henry Chambers | 34 | 6 | 40 | \$4 00 | \$160 00 |
| 2 | John Childers | 34 | 6 | 40 | " | 160 00 |
| 3 | C. J. Hanks | 34 | 6 | 40 | " | 160 00 |
| 4 | Benj Landrum | 34 | 6 | 40 | " | 160 00 |
| 5 | J. M. Lynch | 34 | 6 | 40 | " | 160 00 |
| 7 | D. W. Lipe | 34 | 6 | 40 | " | 165 00 |
| 7 | Robert McLamore | 34 | 4 | 38 | " | 152 00 |
| 8 | Ezekiel Proctor | 34 | 4 | 38 | " | 152 00 |
| 9 | Moses Ridge | 34 | 6 | 40 | " | 160 00 |
| 10 | John Ross | 34 | 4 | 38 | " | 152 00 |
| 11 | R. B. Ross | 34 | 2 | 36 | " | 144 00 |
| 12 | Samuel Smith | 34 | 2 | 36 | " | 144 00 |
| 13 | Eli Spears | 34 | 2 | 36 | " | 144 00 |
| 14 | Roach Young | 34 | 4 | 38 | " | 152 00 |
| 15 | Joseph Young | 34 | 4 | 38 | " | 152 00 |
| 16 | Johnson Robbins | 34 | 2 | 36 | " | 144 00 |
| 17 | Joseph Seabolt | 34 | 6 | 40 | " | 160 00 |
| 18 | Johnson Downing | 34 | 2 | 36 | " | 144 00 |
| 19 | L. B. Bell, clerk | 34 | 6 | 40 | " | 160 00 |

ACTS AND RESOLUTIONS.

| | | | | | | |
|----|---|----|----|----|--------|--------|
| 20 | Henry Eiffert, clerk | 34 | 6 | 40 | " | 160 00 |
| 21 | S. H. Benge, Interpreter, | 34 | 2 | 36 | " | 144 00 |
| 22 | James Horsefly " " | 34 | 6 | 40 | " | 160 00 |
| 23 | Jno. S. Springston " " | 6 | - | 6 | " | 24 00 |
| 24 | L. B. Bell, extra reporting for Advocate | | | | | 36 00 |
| 25 | D. W. Bushyhead expense of office repairs | | | | | 389 29 |
| 26 | R. O. Ross, } Commissioners to investigate A. C. Larkin's | | | | | 42 00 |
| 27 | W. P. Boudinot, } Claim | | | | | 42 00 |
| 28 | Wm. Mackey, Auditor present session | | | | | 60 00 |
| 29 | H. L. Foreman, " " " | | | | | 60 00 |
| 39 | J. C. McCoy, Special Judge, | | | | | 25 00 |
| 40 | Wm. McCracken | | | | | 27 00 |
| 41 | Jno. A. Brown, (money in Treas. due Brown(| | | | | 284 00 |
| 42 | Johnson Thompson, (stationery) | | | | | 6 50 |
| 43 | James M. Bell, (service under coms for Chief Downing) | | | | | 30 00 |
| 44 | Jno. T. Adair (ballance on service as Judge) | | | | | 88 90 |
| 45 | James Hendricks (" " ") | | | | | 365 56 |
| 47 | Wm. Triplet, (" " Solicitor) | | | | | 255 56 |
| 48 | Henry Barnes, (" " Sheriff) | | | | | 243 33 |
| 49 | John Grass, (" " Solicitor) | | | | | 289 25 |
| 50 | E. M. Adair (Special Judge) | | | | | 26 00 |
| 51 | John Cookson (Executive Council) | 15 | | | \$5 00 | 75 00 |
| 52 | S. H. Downing | | 10 | | 4 00 | 40 00 |
| 53 | H. Landrum | | 8 | | " | 32 00 |
| 54 | Johnson Spade (Executive Council) | 11 | | | \$5 00 | 55 00 |
| 55 | H. D. Reese | | 40 | | 4 00 | 160 00 |
| 56 | Ah-le-chee Ridge (Exec. Council) | 15 | | | 5 00 | 75 00 |
| 57 | John Boston (Sheriff Illinois District) | | | | | 110 00 |
| 58 | Thomas Downing (Special Judge) | | | | | 130 00 |
| 59 | John L. Adair (Clerk Supreme Court) | | | | | 100 00 |
| 60 | S. H. Downing (Executive Interpreter) | | | | 4 00 | 120 00 |

ACTS AND RESOLUTIONS.

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| | | | | |
|----|------------------------------------|----|------|--------|
| 61 | H. T. Landrum (" ") | 30 | 4 00 | 120 00 |
| 62 | Johnson Spade, Executive Council | 4 | 5 00 | 20 00 |
| 63 | John Cookson, " " | 12 | 13 " | 65 00 |
| 64 | George Downing " " | 20 | 4 00 | 80 00 |
| 65 | H. Downing " " | 21 | " | 84 00 |
| 66 | John Chambers " " | 22 | " | 88 00 |
| 67 | W. L. G. Miller, Private Secretary | 33 | " | 132 00 |
| 68 | W. F. Rasmus, Ass't. Exec. Sec | 30 | " | 120 00 |
| 69 | H. D. Reese | 30 | " | 120 00 |
| 1 | D. B. Bird | 36 | " | 144 00 |
| 2 | Jesse Thompson | 40 | " | 160 00 |
| 3 | James Raincrow | 36 | " | 144 00 |
| 4 | Bushyhead Severe | 36 | " | 144 00 |
| 5 | William Brewer | 38 | " | 152 00 |
| 6 | Wallace Vann | 36 | " | 144 00 |
| 7 | Ned Grease | 36 | " | 144 00 |
| 8 | Wm. Triplet | 36 | " | 144 00 |
| 9 | Ya-ta-na Vann | 36 | " | 144 00 |
| 10 | Osee Hare | 36 | " | 144 00 |
| 11 | John Hendricks | 36 | " | 144 00 |
| 12 | Wm. McCracken | 38 | " | 152 00 |
| 13 | Bean Timpson | 40 | " | 160 00 |
| 14 | W. H. Mays | 40 | " | 160 00 |
| 15 | Jeffrey Beck | 38 | " | 152 00 |
| 16 | Coffee Woodall | 40 | " | 160 00 |
| 17 | Young Wolfe | 38 | " | 152 00 |
| 18 | Young Duck | 36 | " | 144 00 |
| 19 | John Shell | 38 | " | 152 00 |
| 20 | Nick Byers | 38 | " | 152 00 |
| 21 | Jack Batt | 36 | " | 144 00 |
| 22 | John Severe | 38 | " | 152 00 |

| | | | | |
|----|--|----|---|--------|
| 23 | Thomas Watts | 40 | " | 160 00 |
| 24 | George Tehee | 40 | " | 160 00 |
| 25 | Augustus Rider | 38 | " | 152 00 |
| 26 | Taylor Sixkiller | 36 | " | 144 00 |
| 27 | Corn Silk | 36 | " | 144 00 |
| 28 | Alexander Hawk | 40 | " | 160 00 |
| 29 | Watt Christie | 36 | " | 144 00 |
| 30 | J. W. Daniels | 40 | " | 160 00 |
| 31 | David Faulkner | 38 | " | 152 00 |
| 32 | L. D. Chambers | 40 | " | 160 00 |
| 33 | Columbus Benge | 38 | " | 152 00 |
| 34 | Jno. F. Lyons, clerk | 36 | " | 144 00 |
| 35 | Joseph Thompson, clerk | 40 | " | 160 00 |
| 36 | George Johnson, Interpreter | 13 | " | 54 00 |
| 37 | Stan W. Gray | 39 | " | 156 00 |
| 38 | Richard M. Wolfe | 26 | " | 104 00 |
| 39 | Jno. Springston | 4 | " | 16 00 |
| 40 | Jno. F. Lyons (reporting for Advocate) | | | 20 00 |
| 41 | Jno. Looney | 8 | " | 32 00 |

SECTION 2. *Be it enacted by the National Council,* That the Treasurer is hereby authorized and required, if there be no money belonging to the General Fund to pay above claims, to borrow from the School Fund or any other fund in the Treasury not otherwise appropriated, to carry into effect the provisions of this law; provided, however, he reimburse the same out of the first monies coming into his hands on account of the General Fund.

Tablequah, C. N.,

Approved Dec. 7, 1877.

CHARLES THOMPSON.

Prin. Chief.

AN ACT amending the Judiciary.

SECTION I. *Be it enacted by the National Council,* That any person who may take or be in possession of any improvement without consent of the claimant or owner, such improvement not being abandoned, and a part of the public domain, and any person who shall come into possession of or now be possessed of any farm, residence or improvement of any kind, to hold the same for a limited time by virtue of an agreement, made with the owner or prior legal possessor thereof, and who shall fail or refuse to vacate the premises with his effects whenever the owner or person with whom such agreement shall have been made shall demand possession thereof according to the terms of such agreement, such owner or party to said agreement shall have the right to go before the Clerk of the District and make oath to the facts that he is a lawful owner of such improvement, that such improvement is held by an occupant against such owners will and consent, and either without any agreement with such owner in the first place, or with his consent to the occupancy thereof for a limited specified time, but which time has expired, and such occupant continues in unlawful possession, though possession has been demanded of him by the owner. Whereupon the Clerk shall issue a writ commanding the Sheriff of the District to summarily eject such unlawful occupant from the premises in question, and to place the person making said affidavit (in) possession, which writ the Sheriff shall execute and return without delay. This Act shall be held to apply to all persons, lawful residents or not, of this Nation, who may be or come into possession of any farm, residence, or improvement in this Nation, either without contract with a citizen, or by and through a contract made to hold the same for a limited time.

Tablequah, C. N., Dec. 4, 1877.

BENJ. LANDRUM,
Pres't. of Senate,

L. B. BELL,
Clk of Senate.

ACTS AND RESOLUTIONS.

Concurred in December 6, 1877.

JESSE THOMPSON,
Speaker of Council.

JNO. F. LYONS,
Cl'k. of Council.

December 8, 1877.

This Bill returned by Principal Chief with message vetoing same, on recommendation was passed by two-third vote.

BENJ. LANDRUM,
Pres't. of Senate,

L. B. BELL,
Cl'k. of Senate.

Concurred in by two-thirds majority.

JESSE THOMPSON,
Pre'st. of Council,

JNO. F. LYONS,
Cl'k. of Council,

ACTS AND RESOLUTIONS---1878.

[EXTRA SESSION.]

AN ACT making an appropriation for the benefit of persons therein named.

SECTION 1. *Be it enacted by the National Council,* That the sum of nine hundred and seventy-eight dollars be, and the same is hereby appropriated out of the General Fund for the following persons, to-wit: and the Principal Chief is hereby authorized to draw his warrants accordingly.

To the Cherokee Nation

| | |
|---|----------|
| By W. P. Boudinot, Editor Cherokee Advocate | \$521 50 |
| School Fund | |
| By Board of Education | 376 50 |
| D. D. Landrum | 32 00 |
| John Landrum | 48 00 |
| | ----- |
| Total | \$978 00 |

Tablequah, C. N.

Approved January 11, 1878.

CHARLES THOMPSON,
Prin. Chief.

AN ACT making an appropriation for the support of schools for the year 1877-1878.

SECTION 1. *Be it enacted by the National Council,* That there [be

Sec 2. *Be it further enacted,* That the funds above appropriated for the use of the Seminaries shall only be drawn from the Treasurer as may be actually required, and any and every person into whose hands money may be placed either to make purchases or disbursements shall, before receiving any money, be required to give satisfactory bond to the Board of Education in double the amount of money so received, and no member of the Board shall be authorized to disburse any money except in the purchase of text books, and their own incidental expenses, and the Board of Education is not authorized to expend any money except for the purpose for which it is appropriated. And the accounts and disbursements of the Orphan Fund shall be kept distinct from that of the School Fund, and shall not be drawn except for the use and support of the Cherokee Orphan Asylum.

Fablequah, C. N., January 10, 1878.

BENJ. LANDRUM,
Pres't. of Senate,

J. B. BELL,
Tk. of Senate.

Concurred in with the following amendments:—That the amount provided for the purchase of text books for the Seminaries be reduced to \$250.00 each.

Reduce estimate for repairs on Female Seminary to 300.00 dollars. Reduce contingent expenses of Male Seminary to \$1000.00.

Reduce amount for text books for public schools to \$1000.00.

January 11, 1878.

JNO. SEVERE,
Speaker of Council, pro. tem.

Jno. F. LYONS,
Tk. of Council.
January 11, 1878.

ACTS AND RESOLUTIONS.

Amendment Concurred in.

BENJ. LANDRUM,
 Prest. of Senate.

L. B. BELL,
 Clk of Senate.
 Approved January 11, 1878.

CHARLES THOMPSON,
 Prin. Chief.

AN ACT making an appropriation to pay claims registered in the Auditor's Office.

| | | |
|----|------------------------------------|---------|
| 1 | N. B. Littlejohn..... | \$ 9 00 |
| 2 | A. C. Sager..... | 14 00 |
| 3 | Cherokee Nation (by Wm. McCracken) | 485 00 |
| 4 | Vina Foreman..... | 24 00 |
| 5 | J. M. Ross..... | 6 00 |
| 6 | Nick Byers..... | 1 00 |
| 7 | R. E. Blackstone & Bro..... | 9 00 |
| 8 | George Hicks..... | 57 00 |
| 9 | Young Wolfe..... | 48 00 |
| 10 | Peggy Brown..... | 27 00 |
| 11 | John Walkingstick..... | 1 00 |
| 12 | Columbus Bengé..... | 5 00 |
| 13 | Dry Water..... | 2 00 |
| 14 | Joe Back Water..... | 1 00 |
| 15 | Jackinney..... | 1 00 |
| 16 | David Falkner..... | 16 00 |
| 17 | Thos Blair..... | 36 00 |
| 18 | Joe Helderbrand..... | 3 00 |
| 19 | Hog Shooter..... | 1 00 |

ACTS AND RESOLUTIONS.

| No. | NAME | AMOUNT. |
|-----|------------------------------|---------|
| 20 | J. W. Stapler & Son..... | 579 00 |
| 21 | R. B. Williams & Co..... | 118 00 |
| 22 | Dry Water..... | 1 00 |
| 23 | Standing Water..... | 1 00 |
| 24 | Allen Gilbert..... | 2 00 |
| 25 | Mack Makin..... | 5 00 |
| 26 | Joe Ridge..... | 1 00 |
| 27 | Sam Smith..... | 6 00 |
| 28 | Doony Mouse..... | 1 00 |
| 29 | Summer Sett..... | 1 00 |
| 30 | Turk Vann..... | 12 00 |
| 31 | Young Deer..... | 5 00 |
| 32 | Sam Smith..... | 1 00 |
| 33 | Cook & Hutton..... | 5 00 |
| 34 | Juniper..... | 1 00 |
| 35 | Scoter Tick ykle..... | 1 00 |
| 36 | David Thompson..... | 1 00 |
| 37 | Richard Pheasant..... | 7 00 |
| 38 | J. J. Severe..... | 57 00 |
| 39 | Jacob H. Bartles..... | 14 00 |
| 40 | Compromise..... | 20 00 |
| 41 | Ailsey Wickliff..... | 10 00 |
| 42 | Joseph Chambers (note 14 00) | 12 50 |
| 43 | A. Cox..... | 57 00 |
| 44 | L. B. Bell..... | 0 00 |
| 45 | Johnson Bowlin..... | 4 00 |
| 46 | Ezekiel Procter..... | 6 00 |
| 47 | Buffalo Deer in water..... | 51 00 |
| 48 | Joshua Ros..... | 52 50 |

ACTS AND RESOLUTIONS.

| NO. | NAME | AMOUNT. |
|-----|----------------------------------|----------|
| 49 | E. E. Starr..... | \$149 00 |
| 50 | James King..... | 80 00 |
| 51 | Ezekiel Proctor..... | 52 00 |
| 52 | Johnson, Thompson & Son..... | 82 00 |
| 53 | Joseph H. Bennett..... | 255 50 |
| 54 | F. M. Littlejohn..... | 118 00 |
| 55 | Mortor Vann..... | 15 00 |
| 56 | George Landrum..... | 4 00 |
| 57 | George. W. Clark..... | 16 00 |
| 58 | John Ross (of Flint) | 7 00 |
| 59 | Doogan Webber..... | 13 00 |
| 60 | Wat Angerhole..... | 6 00 |
| 61 | John. W. Stapler & Son..... | 12 00 |
| 62 | J. M. Bryan..... | 108 00 |
| 63 | Boquinz & Rutzel..... | 76 00 |
| 64 | Joseph. H. Bennett..... | 149 50 |
| 65 | Frank Mars..... | 4 00 |
| 66 | Abe Woodall..... | 4 00 |
| 67 | George Sweed..... | 6 00 |
| 68 | O. W. Lipe..... | 105 00 |
| 69 | Cobb & Hutton..... | 3 00 |
| 70 | J. M. Cox & Son..... | 23 00 |
| 71 | Jack Wright..... | 9 00 |
| 72 | Nathaniel Wofford..... | 23 00 |
| 73 | John. A. Foreman (Cherokee)..... | 43 00 |
| 74 | Henry Eiffert..... | 501 50 |
| 75 | A. W. Timberlake..... | 75 00 |
| 76 | James Te-hee..... | 8 00 |
| 77 | William Wilson (salary)..... | 15 00 |

ACTS AND RESOLUTIONS.

| NO. | NAME | AMOUNT. |
|-----|---------------------------------------|---------|
| 78 | Henry Armstrong, | \$10 00 |
| 79 | J. T. Adair | 4 00 |
| 80 | James King..... | 10 00 |
| 81 | J. H. Bartles..... | 100 00 |
| 82 | N. A. Daniels..... | 14 75 |
| 83 | James Tin Cup..... | 12 00 |
| 84 | Tinna & Dedman..... | 06 00 |
| 85 | John Te hee (School fund)..... | 6 00 |
| 86 | John M. Daniels (salary)..... | 04 19 |
| 87 | Arch Scaper (orphan fund)..... | 72 00 |
| 88 | Red Bird Sixkiller (orphan fund)..... | 16 00 |
| 90 | Charles Wickliff (orphan fund)..... | 28 00 |
| 91 | George Swimmer (orphan fund)..... | 28 00 |
| 92 | J. W. Markham (orphan fund)..... | 28 00 |
| 93 | J. M. Bryan (orphan fund)..... | 12 00 |
| 94 | N. A. Duncan (orphan fund)..... | 28 00 |
| 95 | George W. Scaper..... | 52 00 |
| 96 | E. A. Bushyhead..... | 70 00 |
| 97 | George O. Sanders..... | 5 50 |
| 98 | Thomas Blair..... | 1 00 |
| 99 | Andrew Russell..... | 2 00 |
| 100 | James Tin Cup..... | 10 00 |
| 101 | Jesse Sanders..... | 4 00 |
| 102 | Charles Thompson..... | 2 00 |
| 103 | Dr. Burr..... | 3 00 |
| 104 | Watt Russell..... | 1 00 |
| 105 | Watt Christie..... | 4 00 |
| 106 | Elie Wright..... | 4 00 |
| 107 | Peter Dry..... | 2 00 |

ACTS AND RESOLUTIONS.

| NO. | NAME | AMOUNT. |
|-----|-----------------------------------|---------|
| 108 | Richard Fields..... | \$10 00 |
| 109 | Mack Jackson..... | 5 00 |
| 110 | Ellis Foreman..... | 5 00 |
| 111 | B. F. Landrum..... | 13 00 |
| 112 | Mrs. Swimmer..... | 21 00 |
| 113 | L. D. Bell..... | 7 00 |
| 114 | R. & L. A. Eunis (preferred)..... | 2 20 |
| 115 | Wm Percival..... | 1 00 |
| 116 | Adam Lacy..... | 20 00 |
| 117 | J. W. Stapler..... | 8 00 |
| 118 | Thomas Downing..... | 25 00 |
| 119 | Ellie Red Bird..... | 13 00 |
| 120 | M. E. Lipe..... | 14 00 |
| 121 | Nancy Markham..... | 1 00 |
| 122 | N. A. Duncan (school fund)..... | 50 00 |
| 123 | John Landrum (school fund)..... | 22 00 |
| 124 | L. B. Bell (school fund)..... | 58 80 |
| 125 | James Shelton..... | 1 00 |
| 126 | Lewis Coody..... | 2 00 |
| 127 | E. C. Boudinot..... | 1 00 |
| 128 | Frank Bethel..... | 5 00 |
| 129 | Sander Clotte..... | 5 00 |
| 130 | Wilson Hunter..... | 15 50 |
| 131 | R. H. Fields..... | 54 00 |
| 132 | Tooker Christie..... | 10 00 |
| 133 | E. Shields..... | 50 50 |
| 134 | S. M. Peuge..... | 1 00 |
| 135 | John Patrick..... | 11 00 |
| 136 | Thomas Procter..... | 2 00 |
| 137 | Cass Ivoy..... | 1 00 |

ACTS AND RESOLUTIONS.

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| NO. | NAME | AMOUNT. |
|-----|---------------------------------|----------|
| 138 | James Teehee. | 81 00 |
| 139 | Stephen Teehee (salary) | 50 00 |
| 140 | Lacy Lassley | 2 00 |
| 141 | Ben Goss. | 14 00 |
| 142 | Wm Percival | 49 60 |
| 143 | Joseph F. Thompson. | 70 70 |
| 144 | D. N. Hanna | 92 00 |
| 145 | Lacy Lasley | 25 00 |
| 146 | John L. Springston | 10 00 |
| 147 | Henry Eifert (salary) | 21 00 |
| 148 | Dr. J. R. Pratt (salary) | 24 00 |
| 149 | John Meigs. | 19 54 |
| 150 | H. D. Reese | 35 05 |
| 151 | John Meigs | 4 00 |
| 152 | O. W. Lipe. | 36 60 |
| 153 | Lewis Rowe | 4 00 |
| 154 | John Glass | 6 00 |
| 155 | Cherokee Naton (by Johnson) . | 3 00 |
| 156 | J. W. Stopler & Son (preferred) | 5 65 |
| 157 | Wm F. Rasmus | 20 00 |
| 158 | Samuel Bigby | 4 00 |
| 159 | N. B. Littlejohn | 15 09 |
| 160 | John Glaes (of Flint) | 3 00 |
| 161 | J. B. Adair | 4 00 |
| 162 | James King | 6 60 |
| 163 | John L. Springston | 47 60 |
| 167 | Cherokee Natiem (by Bushyhead) | 5,400 16 |
| 168 | D. W. Lipe (salary) | 60 00 |
| 169 | Davidson | 3 00 |
| 170 | Wm Walkley | 5 00 |

| NO | NAME | AMOUNT |
|-----|-------------------------------------|---------|
| 171 | Johnson Thompson..... | \$82 00 |
| 173 | Benj F. Goss..... | 2 00 |
| 174 | Johnson Thompson..... | 14 00 |
| 175 | Cherokee Nation (by Bushyhead)..... | 27 00 |
| 176 | Orphan Asylum (" ")..... | 18 00 |
| 177 | Charles Triplet..... | 2 00 |

SECTION 1. *Be it enacted by the National Council,* That the sum of Eleven Thousand and Five Hundred and Sixty five (11,565) Dollars, and Six and one third (61-3) cents, be and the same is hereby appropriated out of any monies in the Treasury belonging to the General fund, not otherwise appropriated, for the use and benefit for the persons named in the foregoing claims, and the amounts set opposit their respective names, and the Principal Chief is hereby authorized to draw warrants accordingly.

SECTION 2. *Ec it further enacted,* That the sum of One Hundred and forty six (146) Dollars and eighty nine (89) cents, be and the same is hereby appropriated out of any monies belonging to the school fund, not otherwise appropriated, for the use and benefit of the persons named in the foregoing claims, and the Principal Chief is hereby authorized to draw warrants accordingly.

SEC. 3 *Be it further enacted,* That the sum of Two Hundred and Twelve (212) Dollars be, and the same is hereby appropriated out of the orphan fund, not otherwise appropriated for the use and benefit of the persons named in the foregoing claims, and the Principal Chief is hereby authorized to draw warrants accordingly.

Tahlequah C. N. January 11th 1878.

Approved.

CHARLES THOMPSON.

Prin. Chief

AN ACT making a certain National Warrant preferred.

SECTION 1. *Be it enacted by the National Council,* That warrant No. 79 drawn in favor of R. & T. A. Emms, St. Louis Mo., for \$25.00 by the Principal Chief be and the same is hereby made a preferred warrant.

Tablequah, C. N.

Approved, January 11 1878.

CHARLES THOMPSON,

Prin. Chief.

AN ACT making an appropriation to pay the current and contingent expenses of the extra session of the National Council in 1878.

SECTION 1. *Be it enacted by the National Council,* That the sum of Twenty seven hundred and thirty dollars, be and the same is hereby appropriated out of any money in the General fund not otherwise appropriated for the benefit of the following persons.

| NO. | NAME | DAYS | AMOUNT. |
|-----|------------------|------|---------|
| 1 | Daniel R. Bird | 8 | \$ 2 00 |
| 2 | | — | — |
| 3 | James Raincrow | 8 | 32 00 |
| 4 | Bushyhead Severe | 10 | 40 00 |
| 5 | Wm Brewea | 10 | 40 00 |
| 6 | Wallace Vann | 8 | 32 00 |
| 7 | Ned Grease | 8 | 32 00 |
| 8 | Wm Triplet | 8 | 32 00 |
| 9 | Yatana Vann | 8 | 32 00 |
| 10 | Osey Hare | 8 | 32 00 |
| 11 | John Hendricks | 8 | 32 00 |
| 12 | Wm McCracken | 10 | 40 00 |
| 13 | Bear Timpson | 12 | 48 00 |
| 14 | W. H. Mayes | 10 | 40 00 |

| NO. | NAME | DAYS | AMOUNT. |
|-----|-----------------------|------|----------|
| 15 | Jeffrey Back | 10 | \$ 40 00 |
| 16 | Coffee Woodall | 12 | 48 00 |
| 17 | Young Wolfe | 10 | 40 00 |
| 18 | Young Duck | 8 | 32 00 |
| 19 | John Shell | 10 | 40 00 |
| 20 | Nick Byers | 10 | 40 00 |
| 21 | John Bat | 8 | 32 00 |
| 22 | John Severe | 10 | 40 00 |
| 23 | Thomas Watts | 12 | 48 00 |
| 24 | George Tee-hee | 12 | 48 00 |
| 25 | Augustus Rider | 10 | 40 00 |
| 26 | Taylor Sixkiller | 8 | 32 00 |
| 27 | Corn silk | 8 | 32 00 |
| 28 | Alexander Hawk | 12 | 48 00 |
| 29 | Wat Christie | 8 | 32 00 |
| 30 | J. W. Daniels | 12 | 48 00 |
| 31 | David Faulker | 10 | 40 00 |
| 32 | L. D. Chambers | 10 | 40 00 |
| 33 | Columbus Bengé | 10 | 40 00 |
| 34 | John F. Lyons (Clerk) | 8 | 32 00 |
| 35 | Joseph Thompson " | 12 | 48 00 |
| 36 | Richard Wolfe Int'p'r | 8 | 32 00 |
| 37 | S. W. Gray " | 12 | 48 00 |
| 1 | Henry Chambers | 12 | 48 00 |
| 2 | John Childers | 12 | 48 00 |
| 3 | C. J. Hanks | 12 | 48 00 |
| 4 | Benj. Landrum | 12 | 48 00 |
| 5 | J. M. Lynch | 12 | 48 00 |
| 6 | D. W. Lipe | 12 | 48 00 |

ACTS AND RESOLUTIONS.

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| NO. | NAME. | DAYS. | AMOUNT. |
|-----|-----------------|-------|---------|
| 7 | Robt. McLemore | 10 | 840 00 |
| 8 | Ezekiel Procter | 10 | 40 00 |
| 9 | Moses Ridge | 12 | 48 00 |
| 10 | John Ross | 10 | 40 00 |
| 11 | Robt B. Ross | 8 | 32 00 |
| 12 | Saml Smith | 8 | 32 00 |
| 13 | Eli Spears | 8 | 32 00 |
| 14 | Roach Young | 10 | 40 00 |
| 15 | Joseph Young | 10 | 40 00 |
| 16 | Johnson Robbins | 10 | 40 00 |
| 17 | Joseph Seabolt | 12 | 48 00 |
| 18 | Johnson Downing | 8 | 32 00 |
| 19 | L. B. Bell | 12 | 48 00 |
| 20 | Henry Eifferts | 12 | 48 00 |
| 21 | S. H. Benge | 8 | 32 00 |
| 22 | J. H. Flye | 12 | 48 00 |

EXECUTIVE OFFICE.

| | | | | |
|----|----------------|------------|----|-------|
| 23 | George Downing | (Ex c'l'r) | 8 | 32 00 |
| 24 | John Chambers | " " | 12 | 48 00 |
| 25 | H. B. Downing | " " | 10 | 40 00 |
| 26 | Saml Downing | Int'p'r | 6 | 24 00 |
| 27 | Wm. F. Rasmus | (Ex Sec'y) | 6 | 24 00 |

And the Treasurer is hereby authorized to borrow from any funds in his hands or coming into his hands on any account the sum of twenty-four hundred and eighty dollars and reimburse the same out of the first money coming into his hands on account of the General fund not otherwise appropriated.

January 11, 1878.

BENJ. LANDRUM
Pres't. of Senate.

L. B. BELL,
Cl'k of Senate.

ACTS AND RESOLUTIONS.

Concurred in.

JNO. SEVERE,
Speaker of Council, pro. tem.

Jno. F. LYONS,
Cpk. of Council.
January 11, 1878.

This Bill returned by the Principal Chief without his signature on account of the item of Two Hundred and Fifty dollars to be paid to J. M. Ross clerk of Saline District and on a reconsideration by the senate the objection was sustained and the name of J. M. Ross and amount to be paid him was struck out.

January 12, 1878.

BENJ. LANDRUM,
Pres. of Senate.

L. B. BELL,
Cpk Senate.

Action of Senate concurred in.

JOHN SEVERI,
Speaker of Council pro. tem.

Jno. F. LYONS,
Cpk. of Council.
Tahlequah C. N.,
Approved January 12, 1878.

CHARLES THOMPSON,
Prim. Chief.

Joint resolution to adjourn the extra Session of the National Council.
Resolved by the National Council: That the National Council do ad-

journal the present session of the National Council at 4 o'clock P. M. January [the] 12, 1878.

Tahlequah C. N. January 12 1878.

Approved.

CHARLES THOMPSON.

Prin. Chief.

AN ACT to prohibit any person from transporting timber or sawed lumber beyond the limits of the Cherokee Nation.

Be it enacted by the National Council. That the act entitled, "AN ACT for the protection of the public domain" Approved December 17, 1878, be, and the same is hereby repealed.

Be it further enacted. That any person, a citizen of the Cherokee Nation, who shall sell or dispose of in any manner, any timber or sawed lumber to any other person, not a citizen of the Cherokee Nation, for the purpose of transporting the same beyond the limits of the Cherokee Nation, shall be deemed guilty of a misdemeanor, and upon conviction of the same in the Circuit Court, shall be fined not less than One Hundred, nor more than One Thousand Dollars, at the discretion of the Court, and in case said fine is not paid, to be imprisoned not less than thirty, nor more than sixty days, in the National Prison.

Approved, January 12, 1878.

CHARLES THOMPSON,

Prin. Chief.

AN ACT. Authorizing the Principal Chief to issue certain Duplicate warrants therein named.

Be it enacted by the National Council, That the Principal Chief is hereby authorized and requested to issue to G. W. Green, duplicate warrants for the following names, numbers and amounts, to wit:

ACTS AND RESOLUTIONS.

| NAME | NO. | DATE | AMOUNT. |
|---------------------|-----|-------|-----------|
| Tinnen & Dedman | 252 | 1875. | \$ 245 50 |
| Goodykoontz & Green | 170 | 1875 | 133 75 |
| J. A. Thompson | 275 | 1875 | 67 50 |
| W. W. Buffington | 268 | 1875 | 15 00 |
| Nancy Rogers | 419 | 1875 | 20 00 |
| Lewis Kell | 177 | 1875 | 6 00 |
| Matha Thompson | 329 | 1876 | 2 00 |
| James S. Price | 83 | 1876 | 48 00 |

Making a total of Five Hundred and Thirty-seven and 25-100 Dollars, and the Treasurer is hereby directed not to pay any of the above duplicates.

Tablequah, C. N.

Approved January 12, 1878.

CHARLES THOMPSON,
Principal Chief.

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