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Law Statute, &c

L A W S

OF

THE CHEROKEE NATION:

ADOPTED

BY THE COUNCIL

AT

V A R I O U S P E R I O D S .

—O:O—

PRINTED FOR THE BENEFIT OF THE NATION.

—O:O—

CHEROKEE ADVOCATE OFFICE

TAHLEQUAH, C. N

—O:O—

1852.

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MEMORANDUM TO

L A W S

OF

THE CHEROKEE NATION.

—O:O—

Resolved by the Chiefs and Warriors in a National Council assembled, That it shall be, and is hereby authorized, for the regulating parties to be organized to consist of six men in each company; one Captain, one Lieutenant and four privates, to continue in service for the term of one year, whose duties it shall be to suppress horse stealing and robbery of other property within their respective bounds, who shall be paid out of the National annuity, at the rates of fifty dollars to each Captain, forty to the Lieutenant, and thirty dollars to each of the privates; and to give their protection to children as heirs to their father's property, and to the widow's share whom he may have had children by or cohabited with, as his wife, at the time of his decease, and in case a father shall leave or will any property to a child at the time of his decease, which he may have had by another woman, then, his present wife shall be entitled to receive any such property as may be left by him or them, when substantiated by two or one disinterested witnesses.

Be it resolved by the Council aforesaid, When any person or persons which may or shall be charged with stealing a horse, and upon conviction by one or two witnesses, he, she, or they, shall be punished with one hundred stripes on the bare back, and the punishment to be in porportion for stealing property of less value; and should the accused person or persons raise up with arms in his or their hands, as guns, axes, spears and knives, in opposition to the regulating company, or should they kill him or them, the blood of him or them

shall not be required of any of the persons belonging to the regulators from the clan the person so killed belonged to.

Accepted.—BLACK FOX, Principal Chief,
PATH KILLER, Sec'd.
TOOCHALAR.

CHAS. HICKS, Sec'y to Council.

Brooms Town, 11th Sept., 1808.

—————o:o—————

Be it known, That this day, the various clans or tribes which compose the Cherokee Nation, have unanimously passed an act of oblivion for all lives for which they may have been indebted, one to the other, and have mutually agreed that after this evening the aforesaid act shall become binding upon every clan or tribe; and the aforesaid clans or tribes, have also agreed that if, in future, any life should be lost without malice intended, the innocent aggressor shall not be accounted guilty.

Be it known, also, That should it happen that a brother, forgetting his natural affection, should raise his hand in anger and kill his brother, he shall be accounted guilty of murder and suffer accordingly, and if a man has a horse stolen, and overtakes the thief, and should his anger be so great as to cause him to kill him, let his blood remain on his own conscience, but no satisfaction shall be demanded for his life from his relatives or the clan he may belong to.

By order of the seven clans.

TURTLE AT HOME,
Speaker of Council.

Approved.—BLACK FOX, Principal Chief,
PATH KILLER, Sec'd,
TOOCHALAR.

CHAS. HICKS, Sec'y to the Council.

Oostanallah, April 10, 1810.

—————o:o—————

WHEREAS, fifty-four towns and villages have convened in order to deliberate and consider on the situation of our Nation, in the disposition of our common property of lands, without the unanimous consent of the members of Council, and

in order to obviate the evil consequences resulting in such course, we have unanimously adopted the following form for the future government of our Nation.

ART. 1st. It is unanimously agreed that there shall be thirteen members elected as a Standing Committee for the term of two years, at the end of which term they shall be either re-elected or others; and in consequence of the death or resignation of any of said Committee, our head Chiefs shall elect another to fill the vacancy.

ART. 2d. The affairs of the Cherokee Nation shall be committed to the care of the Standing Committee; but the acts of this body shall not be binding on the Nation in our common property and without the unanimous consent of the members and Chiefs of the Council, which they shall present for their acceptance or dissent.

ART. 3d. The authority and claim of our common property shall cease with the person or persons who shall think proper to remove themselves without the limits of the Cherokee Nation.

ART. 4th. The improvements and labors of our people by the mother's side shall be inviolate during the time of their occupancy.

ART. 5th. This Committee shall settle with the Agency for our annual stipend, and report their proceedings to the members and Chiefs in Council; but the friendly communications between our head Chiefs and the Agency shall remain free and open.

ART. 6th. The above articles for our government, may be amended at our electional term, and the Committee is hereby required to be governed by the above articles, and the Chiefs and Warriors in Council, unanimously pledge themselves to observe strictly the contents of the above articles.—Whereunto we have set our hands and seals at Amoah, this 6th day of May, one thousand eight hundred and seventeen.

Approved in Council, on the day and date above written.

EIHAUTAUNAUEH,

Speaker of the Council.

Approved of the within government by the head Chief,
PATH KILLER.

A. McCOY, Sec'y to the Council.

CHAS. HICKS.

Unanimously agreed, That schoolmasters, blacksmiths, miller, salt petre and gun powder manufacturers, ferry men and turnpike keepers, and mechanics, are hereby privileged to reside in the Cherokee Nation under the following conditions, viz:

Their employers procuring a permit from the National Committee and Council for them and becoming responsible for their good conduct and behavior, and subject to removal for misdemeanors; and further agree, that blacksmiths, millers, ferry men and turnpike keepers, are privileged to improve and cultivate twelve acres of ground for the support of themselves and families, should they please to do so.

JNO. ROSS, Pres't Nat'l Com.

A. McCOY, Cl'k Nat'l Com.

In Committee, New Town, Oct. 26th, 1819.

—o:o—

This day decreed by the National Committee and Council, That all citizens of the Cherokee Nation, establishing a store or stores for the purpose of vending merchandize, shall obtain license for that purpose from the Clerk of the National Council, for which, each and every person so licensed, shall pay a tax of twenty-five dollars per annum, and that no other but citizens of the Cherokee Nation shall be allowed to establish a permanent store within the Nation. And it is also decreed that no pedlar or pedlars, not citizens of the Nation, shall be permitted to vend merchandize in the Nation, without first obtaining license from the Agent of the United States for the Cherokee Nation, agreeably to the laws of the United States; and each and every one so licensed, shall pay eighty dollars to the treasury of the Cherokee Nation per annum, and all such person or persons, so licensed, shall obtain a receipt on the back of his or their license from the Treasurer for the sum so paid; and in case any person or persons violate this decree, he or they shall forfeit and pay a fine of two hundred dollars to the National treasury, and it shall be the duty of the Regulators or Lighthorse to collect the same—and any person discovering and giving information of the same, shall be entitled to the sum of twenty-five dollars. And it is also, hereby further decreed, that no person or persons, not citizens of the Nation, shall bring into the Nation and sell, any spirituous liquors, and all such person or persons so offending, shall

forfeit the whole of the spirituous liquors that may be found in his or their possession, and the same shall be disposed of for the benefit of the Nation and if any person or persons, citizens of the Nation, shall receive and bring into the Nation, spirituous liquors for disposal, and the same or any part thereof, be found to be the property of person or persons not citizens of the Nation, and satisfactory proof be made of the fact, he or they shall forfeit and pay the sum of one hundred dollars, and the whiskey be subject to confiscation as afore-said, and this decree to take effect from and after the first day of January, one thousand eight hundred and twenty, and to be strictly enforced; *Provided, nevertheless*, that nothing shall be so construed in this decree, as to tax any person or persons bringing sugar, coffee, salt, iron, and steel, into the Cherokee Nation for sale; but no permanent establishment for the disposal of such articles can be admitted to any persons not citizens of the Nation.

JNO. ROSS, Pres't N. Com.

his

Concurred—PATH ~~X~~ KILLER,
mark.

CHAS. R. HICKS.

A. McCOY, Clerk.

New Town, 28th Oct., 1819.

—o:o—

*In Committee, New Town, Cherokee Nation, October
30th, 1819.*

WHEREAS, The Big Rattling Gourd, Wm. Gruit, Betsey Broom, the Dark, Daniel Griffin, and Mrs. Lesley, having lodged complaint before the Chiefs, of a certain company of persons having formed a combination, and establishing a turnpike arbitrarily, in opposition to the interest of the above named persons, proprietors of a privileged turnpike on the same road:

Be it now, therefore known, That said complaint having been submitted by the Council to the National Committee for a decision, and after maturely investigating into the case, have decreed, that the said new company of the disputed turnpike shall be abolished, and that the above named persons are the

only legal proprietors and privileged company to establish a turnpike on the road leading from widow Fool's, at the forks of Hightower and Oostenallah river to Wills creek, by way of Turkey Town; and the said company shall be bound to keep in repair said road, to commence from the first creek east of John Fields, Sr., known by the name, where Vann was shot, and to continue westward to the extent of their limits, and that the widow Fool shall also keep in repair, for the benefit of her ferry at the fork, the road to commence from the creek above named to where Ridge's road now intersects said road east of her ferry, and that the Ridges shall also keep in repair the road to commence at the Two Runs, east of his ferry, and to continue by way of his ferry as far as where his road now intersects the old road, leading from the fork west of his ferry; and that also the Hightower turnpike company shall keep in repair the road from the Two Runs to where it intersects the Federal road, near Blackburn's; and

Be it hereby resolved, That no person or persons whatsoever, shall be permitted to cut out any road or roads leading from any main road now in existence, so as to intersect the same again and to the injury of the interest of any person or persons residing on said road, without first getting an order from the National Council for the opening of said road; and person or persons violating this decree, contained in the foregoing resolution, shall be subject to such punishment and fine as the National Council and Committee may hereafter decide and inflict, on such case as may be brought before them for trial.

JNO. ROSS, Pres't Com.

his

Approved —PATH ✕ KILLER,

mark.

CHAS. HICKS.

A. McCOY, Clerk.

—o:O—

*New Town, Cherokee Nation, November 1st, 1819.
In Committee.*

THE National Committee have taken up the case submitted to them by the Council relating to the exchange of horses

between Otter Lifter and a runaway negro man, belonging to Wm. Thompson. The horse delivered to Otter Lifter by said negro man was proven away from him, and the question submitted to the Committee was, whether or not, the master of the negro man, Wm. Thompson, should be accountable to the Otter Lifter for the horse so proved away from him on account of the transgression of his said negro man; the Committee therefore have decided that Wm. Thompson ought not to be accountable for the contract entered into with his runaway negro man by any person contrary to his approbation, and, *Resolved by the Committee*, that no contract or bargain entered into with any slave or slaves, without the approbation of their masters shall be binding on them.

JNO. ROSS, Pres't N. Com.

his

PATH ✕ KILLER,

mark.

CHAS. R. HICKS.

A. McCOY, Clerk.

—o:o—

*New Town, Cherokee Nation, November 1st, 1819.
In Committee.*

Resolved by the National Committee and Council, That any person or persons employing or instigating any person or persons whatsoever, to steal the property of another, and such person or persons being tried and convicted upon satisfactory proofs, shall forfeit and pay the value of the property so stolen, and be punished alike with the person or persons so employed to steal, agreeably to the sentence of such a trial.

By Order—JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,

mark

CHAS. R. HICKS.

A. McCOY, Clerk.

—o:o—

Resolved by the National Committee and Council, That in case any person or persons, citizens of the Nation, not enrol-

led for the Arkansas country, who has or may take possession of, and occupy any improvement or place where Arkansas emigrants had left before any privileged emigrants to continue in this Nation, shall retake possession of such place or places aforesaid, shall be entitled to an exclusive right of the same.

By order—JNO. ROSS, Pres't N. Com.

his

Approved—PATH \times KILLER,

mark

CHAS. R. HICKS.

A. McCOY, Clerk.

—o:o—

New Town, Cherokee Nation, November 2nd, 1819.

Resolved by the National Committee and Council, That any white man who shall hereafter take a Cherokee woman to wife be required to marry her legally by a minister of the gospel or other authorized person, after procuring license from the National Clerk for that purpose, before he shall be entitled and admitted to the privilege of citizenship, and in order to avoid imposition on the part of any white man,

Resolved, That any white man who shall marry a Cherokee woman, the property of the woman so marry, shall not be subject to the disposal of her husband, contrary to her consent, and any white man so married and parting from his wife without just provocation, shall forfeit and pay to his wife such sum or sums, as may be adjudged to her by the National Committee and Council for said breach of marriage, and be deprived of citizenship, and it is also resolved, that it shall not be lawful for any white man to have more than one wife, and it is also recommended that all others should also have but one wife hereafter. By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH \times KILLER,

mark

CHAS. R. HICKS.

A. McCOY, Clerk.

—o:o—

New Town, Cherokee Nation, October 25th, 1820.

Resolved by the National Committee and Council, That

single white men are hereby admitted to be employed as clerks to any of the stores belonging to natives, which may be established in this Nation, on condition, that the employer obtains a permit and becomes responsible for the good behavior of such clerks, and it is also resolved, that any person or persons, whatsoever, who shall bring into the Cherokee Nation, without permission from the National Committee and Council, a white family, and rent lands to the same, and proofs being authenticated before any of the judges in the district Councils, for such offences they shall forfeit and pay the sum of five hundred dollars, and one hundred stripes on the bare back.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.
his
PATH \times KILLER,
mark
CHAS. R. HICKS.

A. McCOY, Clerk.

—o:o—

New Town, Cherokee Nation, October 20th, 1820.

Resolved by the National Committee and Council, That the Cherokee Nation shall be laid off into eight districts, and that a council house shall be established in each district for the purpose of holding councils to administer justice in all causes and complaints that may be brought forward for trial, and one circuit judge, to have jurisdiction over two districts, to associate with the district judges in determining all causes agreeable to the National laws, and the marshals to execute the decisions of the judges in their respective districts, and the District Councils to be held in the spring and fall seasons, and one company of lighthorse to accompany each circuit judge on his official duties, in his respective districts, and to execute such punishment on thieves as the Judges and Council shall decide, agreeably to law, and it shall be the duty of the marshals to collect all debts, and shall be entitled to eight per cent. for the same; and the Nation to defray the expenses of each District Council, and in case of opposition to the marshals in execution of their duty, they shall be justifiable

in protecting their persons from injury in the same manner as is provided for the National lighthouse by law.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,

mark

CHAS. R. HICKS.

A. McCOY, Clerk.

—o:o—

New Town, Cherokee Nation, October 25th, 1820.

Resolved by the National Committee and Council, That a ranger shall be appointed in each district, whose duty it shall be to receive, post and advertise all stray horses that may be found in their respective districts, giving the age, height, color, and marks as plain as possible, and should the proper owner not reclaim his horse or horses in two months after posting such horse or horses, they shall be sold at public sale, on six months credit, and the purchaser keeping such horse or horses six months, and should the proper owner not reclaim his horse or horses in that time, such horse or horses to be the rightful property of the purchaser; the money arising from the sales, to be paid into the National Treasury, and the ranger shall be entitled to one dollar for every horse so posted; and it shall further be the duty of the ranger to endeavor to place in good hands, all work horses for keeping on account of their labor, or otherwise; one dollar per week shall be allowed for keeping a horse on forage.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,

mark

CHAS. R. HICKS.

A. McCOY, Clerk.

—o:o—

New Town, Cherokee Nation, October 25th, 1820.

Resolved by the National Committee and Council, that

each head of a family shall pay a poll tax of fifty cents, and each single man under the age of sixty years shall also pay fifty cents per annum, to be collected by the Marshals in each District, and paid into the National Treasury, to be applied for such purposes as the National Committee and Council shall deem proper.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,

mark

CHAS. R. HICKS.

A. McCOY, Clerk.

—o:o—

New Town, Cherokee Nation, October 25th, 1820.

Resolved by the National Committee and Council, That a National turnpike gate shall be erected on the Federal road, near Captain David McNair's, and the rates of toll shall be equal to that of the turnpike on the Niojack road, at Hickory, and the rates of the turnpike toll at Coosewatee shall be reduced so as to make it equal to the one on the Nickojack road; and it is also resolved, that those persons who have entered into contract for the repairing of the Federal road, shall be bound in the penalty of the sum contracted for each payment, for the faithful performance of their contracts for putting the road in good repair.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,

mark

CHAS. R. HICKS.

A. McCOY, Clerk.

—o:o—

New Town, Cherokee Nation, October 26th, 1820.

WHEREAS, much inconvenience and expense have devolved on the Missionaries from their scholars running away from

school, and the negligence on the part of the parents to take such children back to schools; therefore,

Resolved by the National Committee and Council, That in future, any scholar or scholars who are now, or may hereafter be put under the tuition of the Missionary Seminaries in the Cherokee Nation by the voluntary consent of their parents or guardians, who shall leave such schools without permission from their teachers, and without just provocation, and shall return home to their parents or guardians, and after application being duly made by any person authorized by the superintendants of the Mission establishments from which such scholars ran away, to the parents or guardians, refusing to take proper measures to compel their children to return to school, they shall be bound to pay all expenses incurred by their children to the Mission establishment for clothing, board and tuition, to the superintendants of such institutions; and further,

Resolved, That the superintendants of the Missionary stations shall have privilege to take out of their schools such scholars as they shall deem proper, with the consent of their parents or guardians, and bind them out to learn such mechanical trades as may be attached to their respective establishments, to the best interest of the apprentices so bound; and in case of elopement of such apprentices, the same rules and regulations provided for in the foregoing resolution, shall be observed, and that the Nation shall procure, at the public expense, a set of tools for every such apprentice who shall have faithfully served his time and shall have learned a trade.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.
his
PATH ✕ KILLER,
mark
CHAS. R. HICKS.

A. McCOY, Clerk.

—o:o—

New Town, Cherokee Nation, November 2d, 1820.

Resolved by the National Committee and Council, That

each District shall be entitled to four members to represent them in the National Council, and that each member shall be allowed one dollar per day for their services during the sitting of the Councils, and that a Speaker to the Council be appointed and allowed one dollar and fifty cents per day for his services, and the clerk of the Council be allowed two dollars and fifty cents per day, and that the two principal Chiefs, viz: The Path Killer, shall be allowed one hundred and fifty dollars per annum, and Charles R. Hicks, two hundred dollars per annum, considering the burden of writing and interpreting which devolves on him entitles him to this difference; and

Be it resolved, also, That each Committeeman be allowed two dollars per day, and the President of the Committee be allowed three dollars and fifty cents per day, and their clerk two dollars and fifty cents per day, during the sitting of the National Council; and a member of the Committee shall be chosen as an Interpreter, and be allowed fifty cents per day in addition to his pay.

By order of the National Committee.

JNO. ROSS, Pres't Com,
EHNAUTAUNAUEH,
Speaker of Council.

his

Approved —PATH ✕ KILLER,
mark.

CHAS. R. HICKS,

A. McCOY, Clerk.

—o:0—

Resolved by the National Committee and Council, That the Cherokee Nation be organized and laid off in Districts, and to be bounded as follows;

1st. The first District shall be called by the name of *Chickamauguee*, and be bounded as follows: beginning at the mouth of Aumuchee creek, on Oostennallah river, thence north in a straight course to a spring branch between the Island and Rackoon village, thence a straight course over the Lookout Mountain, where the heads of Will's and Lookout creeks opposes against each other on the Blue Ridge, thence a straight course to the main source of Rackoon creek, and

down the same into the Tennessee river, and up said river to the mouth of Ooletiwah creek, and up said creek to take the most south eastern fork, thence a southern course to the mouth of Sugar creek, into the Cannasawgee river, and down the said river to its confluence with Oostennallah river, and down the same to the place of beginning.

2d. The second District shall be called by the name of *Challogee*, and be bounded as follows; beginning on the mouth of Rackoon creek, in the Tennessee river, and down the said river to the boundary line, commonly called Coffee's line, and along said line where it strikes Will's creek, and down the said creek to its confluence with the Coosa river, and thence embracing the boundary line between the Cherokees and Creeks, run by Wm. McIntosh and other Cherokee Commissioners by their respective Nations, running south eastwardly to its intersection with Chinabee's trace, and along said trace leading eastwardly by Avery Vann's place, including his plantation, and thence on said trace to where it crosses the Etowah river, at the old ford above the fork, and down said river to its confluence with Oostannallah river, and up said river to the mouth of Aumuchee creek, and to be bounded by the first District.

3d. The third District shall be called by the name of *Coosewatee*, and bounded as follows; beginning at the widow Fool's ferry, on Oostannallah river, where the Alabama road crosses it, along said wagon road eastwardly, leading towards Etowah town to a large creek above Thomas Pettit's plantation, near to the Sixes, and said creek, north-eastward, to its source; thence a straight course to the head of Talloney creek, up which the Federal road leads, thence a straight course to the Red Bank creek, near Cartikee village; thence a straight course to the head source of Potatoe Mine creek; thence a straight course to the head of Clapboard creek;— thence a straight course to the most southern head source of Cannasawgee river; thence a northwestern course to Cannasawgee river, to strike opposite to the mouth of Sugar creek, into the Cannasawgee river, and to be bounded by the first and second Districts.

4th. The fourth District shall be called by the name of *Amoah*, and be bounded as follows: beginning at the head source of Cannasawgee river, where the third District strikes the said source; thence eastwardly a straight course to Spring

Town, above Hiwassee Old Town; thence to the boundary line run by Col. Houston, where it crosses Sloan creek;—thence westwardly along said line to the Hiwassee river;—thence down said river into the Tennessee river, and down the same to the mouth of Oolatiwah creek, and to be bounded by the first and third Districts.

5th. The fifth District shall be called by the name of *Hickory Log*, and shall be bounded as follows: beginning at the head of Potatoe Mine creek, on the Blue Ridge, thence south-eastwardly along the Blue Ridge to where Cheewostoyeh path crosses said ridge, and along said path to the head branch of Frog Town creek, and down the same to its confluence with Tahsantee; thence down Chestotee river; thence down the same into the Chattahoochee river; and down the same to the shallow wagon ford on said river, above the standing Peach Tree; thence westward along said wagon road leading to ——— Town to where it crosses Little river, a fork of the Etowah river, and down the same to its confluence with Etowah river, and down the same in a direct course to a large creek, and up said creek to where the road crosses it to the opposite side, and to be bounded by the third district.

6th. The sixth District shall be called by the name of *Etowah*, and be bounded as follows: beginning on the Chattahoochee river, at the shallow wagon ford on said river, and down the same to the Buzzard Roost, where the Creek and Cherokee boundary line intersects the said river; thence along said boundary line westward, to where it intersects Chimibee's trace, and to be bounded by the fifth and third districts, leaving Thomas Pettit's family in Etowah District.

7th. The seventh District shall be call by the name of *Tahquohee*, and be bounded as follows: beginning where Col. Houston's boundary line crosses Slare's creek, thence along said boundary line south-eastwardly, to the Unicoy turnpike road, and along said road to where it crosses the Hiwassee river, in the Valley Towns; thence a straight course to head source of Coosa creek, on the Blue Ridge above Cheewostoyeh, and along said Ridge eastwardly, where the Unicoy turnpike road crosses it and thence a direct course to the head source of Persimon creek; thence down the same to the confluence of Tahsantee, and with the Frog Town creek; and to be bounded by the third, the fourth and fifth Districts.

8th. The eighth District shall be called by the name of *Aquohee*, and be bounded as follows; beginning where the seventh District intersects the Blue Ridge, where the Unicoy turnpike road crosses the same; thence eastwardly along said Ridge to the Standing Man, to Col. Houston's boundary line, thence along said line to the confluence of Nauteyalee, and Little Tennessee river; thence down the same to Tallassee village, thence along said boundary line westwardly, to where it intersects the Unicoy turnpike road; and to be bounded by the seventh District; and that each District shall hold their respective Councils or Courts, on the following days;

The first Mondays in May and September, for Chickamaugee District; and on the

First Mondays in May and September for Coosewatee District; and the

Second Mondays in May and September, for Amoah District; and on the

First Mondays in May and September, for Hickory Log District; and on the

Second Mondays in May and September, for Etowah District; and on the

First Mondays in May and September for Aquohee District; and on the

Second Mondays in May and September, for Tauquohee District; and each of the Councils or Courts shall sit five days for the transaction of business at each term.

By order of the Committee and Council.

CHAS. R. HICHS.

—o:o—

New Town, Cherokee Nation, October 26th, 1821.

Resolved by the National Committee and Council, That a court be convened at the present session, to be composed of the Circuit and District Judges, and the Marshals of the several Districts, to adjust and settle all such cases as may be submitted to them by the Committee.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Concurred—PATH \times KILLER,
mark.

A. McCOY, Clerk.

CHAS. R. HICKS.

New Town, Cherokee Nation, October 27th, 1821.

Resolved by the National Committee and Council, That any person or persons, whatsoever, who shall choose to emigrate to the Arkansas country, and shall sell the improvements he or they may be in possession of, to any person or persons, whatsoever, he or they, so disposing of their improvements, shall forfeit and pay unto the Cherokee Nation the sum of one hundred and fifty dollars; and be it further resolved, that any person or persons, whatsoever, who shall purchase any improvement from person or persons so emigrating, he or they so offending, shall also forfeit and pay a fine of one hundred and fifty dollars to the Nation, to be collected by the Marshal of the District.

By order of the National Committee.

JN. ROSS, Pres't N. Com]
his

Approved—PATH ✕ KILLER,
mark

CHAS. R. HICKS.

A. McCOY, Clerk.

—o:o—

New Town, Cherokee Nation, October 27th, 1821.

Resolved by the National Committee and Council, That it shall be the duty of the District and Circuit Judges, to enquire particularly into the circumstances of all stray horses, that may be taken up in their respective Districts, and all horses which shall evidently appear to have been stolen away from citizens of the United States, by citizens of this Nation, shall be surrendered up to the United States' Agent for his nation, agreeably to the treaty existing between the United States and this Nation.

By Order—JNO. ROSS, Pres't N. Com.
his

Approved—PATH ✕ KILLER,
mark

CHAS. R. HICKS.

A. McCOY, Clerk.

New Town, Cherokee Nation, October 27th, 1821.

Resolved by the National Committee and Council, That if any person or persons whatsoever, shall resist and kill any of the Marshals or Light-horsemen in their official duties, it shall be the duty of the Marshals to lead the Light-horse to apprehend, or kill the person or persons so transgressing.

By order—JNO. ROSS, Pres't N. Com.

his

PATH ✕ KILLER,

mark.

CHAS. R. HICKS.

A. McCOY, Clerk.

—o:o—

New Town, Cherokee Nation, October 28th, 1821.

Resolved by the National Committee and Council, That any person or persons who have been citizens of this Nation and now have reservations and living on the same, or under the laws of the United States, and has a public ferry crossing opposite his or their reservations, such person or persons shall not be permitted to keep a white ferryman on the lands belonging to the Nation, neither shall he be permitted to tend any land thereon, for the use of his ferryman, but nothing shall be so construed in the above resolution, as to affect the rights and privileges of such citizens as may have removed off the ceded lands and now living in the Nation.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,

mark

CHAS. R. HICKS.

A. McCOY, Clerk.

—o:o—

New Town, Cherokee Nation, October 28th, 1821.

WHEREAS, Sam'l and Edward Gunter, John G. Ross, Captain John Brown and Jessee Lovett, have petitioned to the

National Council now convened, to open and keep in repair the roads leading from Gunter's Landing to Tuscaloosa, the best way as far as the line, and the one also leading to Will's creek, by way of Coxes, as far as the line, and to establish a turnpike gate at the forks of said road; this petition having been submitted to the National Committee by the Chiefs of the National Council for consideration, therefore the Committee have deliberated on this subject, and hereby

Resolve, That the said Samuel and Edward Gunter, John G. Ross, Captain John Brown and Jessee Lovett, are hereby authorized and privileged to open the said roads and to establish a turnpike gate thereon for the term of five years, on condition that the parties be bound to keep in good repair said roads, and the rates of toll when the roads are completed, and the turnpike gate erected, shall be as follows, viz:

For wagon and team and carriages,	50 cents.
A cart, a gig or a chair,	25 "
Footmen,	12 "
Lead horse,	12 "
Cattle, hogs and sheep,	3 "

By or the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark

A. McCOY, Clerk.

—c°o—

New Town, Cherokee Nation, November 8th, 1821.

Resolved by the National Committee, That all promisory notes, payable after date, shall be entitled to bear an interest at the rates of six per cent. per annum, after the date payable, until such notes are paid; this resolution to take effect and be in force from and after this date.

By order of the National Committee:

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, Clerk.

New Town, Cherokee Nation, November 2d, 1821.

Resolved by the National Committee and Council, That the Circuit Judges be allowed fifty-five dollars, and the District Judges twenty-five dollars each, per annum, for their services.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, Clerk of Com.

ELIJAH HICKS, Clerk of Coun'l.

—o:—

New Town, Cherokee Nation, November 1st, 1822.

Resolved by the National Committee and Council, That the salary of the Circuit Judges be, and the same is hereby raised from fifty-five dollars to eighty dollars each, per annum, commencing from the date hereof.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, Clerk Com.

ELIJAH HICKS, Clerk Coun'l.

—o:—

New Town, Cherokee Nation, November 2d, 1821.

SAMUEL and Edward Gunter, John G. Ross, John Brown and Jess Lovett, are hereby permitted and authorized to open and cut out a road from John Brown's by Spencer Brown's old place to intersect the road leading from *Ditto's* landing to Tuscaloosa at Kays on the top of the mountain; and said turnpike company shall be bound to keep said road in good repair, together with the road from Will's creek to Gunter's Landing, granted to them by the Council of 1821, and that

the said company are further permitted to keep up said roads, and keep a turnpike thereon for the term of five years in and over the time first granted to them, *Provided* that they do not forfeit the privileges allowed them, and that the rates of toll shall be as follows, viz:

Wagon and team, and all four wheel carriages,	75 cents.
Cart, gig, and chair,	37 "
Man and horse,	12 "
Lead horse,	6 "
Cattle,	3 "
Hogs and sheep,	2 "

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, Clerk of Com.

ELIJAH HICKS, Clerk of Coun'l.

—o:o—

*New Town, Cherokee Nation, October 23d, 1822.
In Committee and Council.*

WHEREAS, it appears in the prints of the public newspapers that in consequence of the earnest solicitations of the Governor and Legislature of the State of Georgia, the Congress of the United States did appropriate a sum of money last session with a view of holding a treaty with the Cherokees for the purpose of extinguishing their title to lands within the chartered limits, claimed by the State of Georgia, and it also appearing in the public prints that the President of the United States has appointed Commissioners in conformity to the views of said appropriation, and anticipating a call by the Commissioners, the head Chiefs of the Cherokee Nation requested the Judges to ascertain the sentiments and disposition of the citizens of their respective Districts on the subject, and to report the same to them, which reports having been accordingly made and now laid before the National Committee and Council, declaring, *unanimously*, with one voice and determination, to hold no treaties with any Commissioners

of the United States to make any cession of lands, being resolved not to dispose of even one foot of ground.

BE IT THEREFORE KNOWN AND REMEMBERED, That we, the undersigned members of the National Committee and Council, after maturely deliberating on the subject,

Resolved by the National Committee and Members of the Council, That the Chiefs of the Cherokee Nation, will not meet any Commissioners of the United States to hold a treaty with them on the subject of making cession of lands the property of the Cherokee Nation, as we are determined hereafter never to make any cessions of lands, having not more than sufficient for our Nation and posterity. But on any other business not relating to making a treaty of cession, we will at all times during the session of the National Council, at New Town, receive the United States' Commissioners or Agents with friendship and cordiality, and will ever keep bright the chain of peace and friendship which links the Cherokee Nation and the government of the United States.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH \times KILLER,

mark

CHAS. R. HICKS.

A. McCOY, Clerk, N. Com.

The above is signed by upwards of fifty-four members of both branches of the legislative Council and Committee.

—O:O—

New Town, Cherokee Nation, October 25th, 1829

Resolved by the National Committee and Council, That any person or persons whatsoever, who shall trade with any negro slave without permission from the proper owner of such slaves, and the property so traded for be proven to have been stolen, the purchaser shall be held and bound to the legal proprietor for the same, or the value thereof; and be it further

Resolved, That any person who shall permit their negro or negroes to purchase spirituous liquors and vend the same, the master or owner of such negro or negroes shall forfeit and pay a fine of fifteen dollars for every such offence, to be col-

ected by the Marshals within their respective Districts for the National use; and should any negro be found vending spirituous liquors without permission from their respective owners, such negro or negroes, so offending, shall receive fifteen cobs or paddles for every such offence, from the hands of the patrolers of the settlement or neighborhood in which the offence was committed, and every settlement or neighborhood shall be privileged to organize a patrolling company.

By order of the National Committee.

JNO. ROSS, Pres't N. Com

his

Approved—PATH ✕ KILLER,

mark

CHAS. R. HICKS.

A. McCOY, clerk.

—————o:o—————

New Town, Cherokee Nation, November 2d, 1822

Resolved by the National Committee and Council, That James Brown and Samuel Canda, are hereby permitted and authorized to open and keep in good repair, the old road from Lowry's ferry, on Tennessee river, by way of Nickojack, through the Narrows and on by Canda's, as far the Lookout Mountain, and to assist Hicks & Co., in working over the mountain, and to establish a turnpike gate on the same, and the said Brown and Canda to be bound to keep up said road in good repair, under the penalty of forfeiting the authority and privilege hereby granted them; and the rates of toll shall not exceed fifty cents for all four wheel carriages; twenty-five cents for two wheel carriages and six and a fourth cents for man and horse; three cents for loose horses and cattle, and one cent for hogs and sheep.

By order of the National Committee.

JNO. ROSS, Pres't N. Com

his

Approved—PATH ✕ KILLER,

mark

CHAS. R. HICKS.

A. McCOY, clerk.

New Town, Cherokee Nation, November 8th, 1822.

Resolved by the National Committee and Council, That the Judges of the District Courts, shall keep a record of the proceedings of all causes, evidences and decisions; and

Be it further resolved, That each person who may be employed as clerk of the District Courts, shall be allowed and paid the sum of two dollars per day for their services during the sitting of the courts.

By Order—JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,

mark

CHAS. R. HICKS.

A. McCOY, clerk of Com.

ELIJAH HICKS, clerk of Coun'l.

—o'o—

New Town, Cherokee Nation, November 8th, 1822.

WHEREAS, the great variety of vices emanating from dissipation, particularly from intoxication and gaming at cards, which are so prevalent at all public places, the National Committee and Council, seeking the true interest and happiness of their people, have maturely taken this growing evil into their serious consideration, and being fully convinced that no nation of people can prosper and flourish, or become magnanimous in character, the basis of whose laws are not found upon virtue and justice; therefore, to suppress, as much as possible, those demoralizing habits which were introduced by foreign agency,

Resolved by the National Committee, That any person or persons, whatsoever, who shall bring ardent spirits within three miles of the General Council House, or to any of the court houses within the several Districts during the general Council, or the sitting of the courts, and dispose of the same so as to intoxicate any person or persons whatsoever, the person or persons so offending, shall forfeit his or their whiskey, the same to be destroyed; and be it further

Resolved, That gaming at cards is hereby strictly forbidden, and that any person or persons whomsoever, who shall

game at cards in the Cherokee Nation, such person or persons, so offending, shall forfeit and pay a fine of twenty-five dollars, and further, any person or persons whatsoever, who may or shall be found playing cards at any house or camp, or in the woods within three miles of the general Council House, or any of the court houses of the several Districts during the session of the General Council, or setting of the District Courts, such person or persons, so offending, shall forfeit and pay a fine of fifty dollars each for every such offence, and that any person or persons whatsoever, who shall bring into the Cherokee nation and dispose of playing cards, such person or persons, being convicted before any of the Judges, Marshals, or light horse, shall pay a fine of 25 dollars for every pack of cards so sold; and it shall be the duty of the several Judges, Marshals and light horse companies, to take cognizance of such offences and to enforce the above resolution; and

And be it further resolved, That all fines collected from persons violating the above resolution, the money so collected shall be paid into the national treasury. To take effect and be in full force from and after the first day of January next.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark

A. McCOY, clerk of Com.

ELIJAH HICKS, clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, November 10th, 1822.

Resolved by the National Committee and Council, That any person or persons whatsoever, who shall wilfully embezzle, intercept and open any sealed letters, so that the owner be injured or deprived of the benefits of such letters, the person or persons so offending, upon conviction, shall forfeit and pay a fine of one hundred dollars and be punished with one hun-

dred stripes on the bare back, the fine to be converted to national purposes.

By order of the National Committee.

JNO. ROSS, Pres't N. Com
his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, clerk Com.

ELIJAH HICKS, clerk Coun'l.

—o:—

New Town, Cherokee Nation, Novmber 12th, 1822.

Resolved by the National Committee and Council, That there shall be a superior court, to be held at New Town, during the session of each National Council, to be composed of the several Circuit Judges, to determine all causes which may be appealed from the District Courts, and

Be it further resolved, That the law appropriating forty dollars for the support of each District Council, is hereby repealed, and that in future the Nation shall not be accountable for supplies furnished the District Councils.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.
his

Concurred—PATH ✕ KILLER,
mark.

ELIJAH HICKS, clerk of Com.

A. McCOY, clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, Novmber 12th, 1822.

Resolved by the National Committee and Council, That the Circuit Judges be vested with authority to nominate light horse companies in their respective districts, in case of resignation or otherwise, and such nomination being reported to

the head Chiefs and sanctioned by them, shall be considered valid.

By order of the National Committee.

JNO. ROSS, Pres't N. Com

his

Approved—PATH ✕ KILLER,
mark

ELIJAH HICKS, clerk of Com.

A. McCOY, clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, November 13th, 1822.

Resolved by the National Committee and Council, That the Marshals or tax collectors of the several Districts, are hereby authorized to seize upon and attach the property of any person or persons who shall not make punctual payments of their respective taxes, when called upon, and the property so seized and attached shall be advertised for sale, and ten days shall be allowed for the redemption of the property so attached. In case the property be not redeemed in that time, then, the Marshal or collector shall proceed to expose to public sale, such property to the highest bidder, and all sums of money which may be received over the amount of taxes, for which the property may be seized, attached and sold, shall be returned to the person or persons from whom taken.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark

ELIJAH HICKS, clerk of Com.

A. McCOY, clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, November 13th, 1822.

Resolved by the National Committee and Council, That the Chattoogee, Chickamauga and other turnpike companies, who have not been heretofore under any obligation to keep in good

repair their respective roads, be, and they are hereby required to keep in good repair their respective roads, and in case of non-compliance with the aforesaid requisition, the privileges and authority in them vested for keeping a toll gate thereon, shall cease and become void whenever full and sufficient evidences may be established before the National Committee and Council.

By order of the National Committee.

JNO. ROSS, Pres't Com.

EHNAUTAUNAUEH,

Speaker of Council.

his

Approved —PATH ✕ KILLER,

mark.

CHAS. R. HICKS.

ELIJAH HICKS, clerk of Com.

A. McCOY, clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, November 13th, 1822.

Resolved by the National Committee and Council, That a decree passed October 28, 1819, imposing a tax on merchant citizens of the Nation, is hereby reduced from twenty dollars to twelve dollars per annum, and the tax on pedlars, not citizens of this Nation, is also hereby reduced from eighty dollars, to fifty dollars, per annum, to take effect after the first of January next; the regulation to be observed and enforced agreeably to the said decree.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,

mark.

A. McCOY, clerk of Com.

—o:o—

New Town, Cherokee Nation, October 4th, 1823.

Resolved, That the business of the Council, during the ses-

sion, be suspended on the Sabbaths, and also that the merchants, and pedlars and mechanics at New Town, close the doors of their shops and suspend all business; and any person or persons violating this resolution shall forfeit and pay the sum of fifteen dollars, to be collected for the benefit of the Nation by the proper officer.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark

A. McCOY, clerk, N. Com.

—————o:o—————

New Town, Cherokee Nation, October 9th, 1823.

Resolved by the National Committee and Council, That all resolutions emanating from either body, shall receive the concurrence of the other, before the assent and signature of the head chiefs shall be required; and their concurrence shall then give effect to such resolutions.

By order—JNO. ROSS, Pres't N. Com.

Concurred in by the Council.

his

PATH ✕ KILLER,
mark

A. McCOY, clerk Com.

—————o:o—————

New Town, Cherokee Nation, October 17th, 1823.

The National Committee have discovered that claims of a private nature which more properly belong to the courts for adjustment, have been taken up by the Council and acted upon by that body and submitted to the Committee for concurrence, those claims are brought before the Committee without evidence or the presence of the parties, which makes it difficult and impossible to investigate the matters of dispute; therefore,

Resolved by the Committee, That all matters of private con-

troversy, brought before the Council or Committee, which have not been appealed from the District Courts, should be submitted to that court of the district where the parties reside, and all causes which have been appealed from the discision of the District Courts, should be submitted to the Supreme Court in session for a decision agreeable to law and equity.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

PATH ✕ KILLER,

mark.

A. McCOY, clerk of Com.

—o'o—

New Town, Cherokee Nation, October 30th, 1823.

Resolved by the National Committee and Council, That all business not immediately connected with the affairs of the Nation and pending between individuals, now before the general Council for adjustment, be, and the same is, hereby laid over to next general Council for a final adjustment.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,

mark

A. McCOY, clerk of Com.

ELIJAH HICKS, clerk of Coun'l.

—o'o—

New Town, Cherokee Nation, October 12th, 1824.

Resolved by the National Committee and Council, That suits which have been appealed from the District Courts to the superior Court in cases of debt, the person or persons non-suited, or against whom judgment shall be given, such person or persons shall pay a cost of six per cent. on the amount of the judgment issued, which per cent. shall be collected for the benefit of the treasury of the Cherokee Nation;

And be it further resolved, That any person who may be

subpœnaed by the clerk of the court to appear before the superior Court as evidence in any case, and such person or persons refusing to appear and bear evidence, and cannot give any reasonable and lawful excuse for not appearing, he, she or they, shall pay a fine of ten dollars, for the benefit of the person or persons non-suited or cast in consequence of the want of that person's testimony; and

Be it further resolved; That such witnesses attending, agreeably to the summons, he, she or they, shall be entitled to fifty cents for each day's attendance, to be levied off the person or persons against whom judgment may be issued:— and

Be it further resolved, That any person who shall be guilty of perjury or give false evidence in any court of justice in the Cherokee Nation, upon conviction, shall be forever disqualified from being a witness in any matter of controversy, and shall also receive thirty-nine stripes on the bare back, to be inflicted by any officer or officers on duty in the district in which the offence is or may be committed.

By order. JNO. ROSS, Pres't N. Com
his
Approved—PATH ✕ KILLER,
mark.

—————o:o—————

New Town, Cherokee Nation, November 9th, 1824.

Resolved by the National Committee and Council, That no person or persons whatsoever shall be allowed or permitted to dig for salt within the circumference of half a mile from the salt well of any person or persons who may have obtained salt water by digging under the special permission of the National Committee and Council; *Provided,* that this resolution shall not extend so far as to deprive any person or persons from digging within their own enclosures, who may be living within such bounds, and may have settled there previous to the digging for, and the discovery of, salt.

By order JNO. ROSS, Pres't N. Com
his
Approved—PATH ✕ KILLER,
mark.

New Town, Cherokee Nation, November 13th 1824.

Resolved by the National Committee and Council, That no citizen or citizens of the Cherokee Nation shall receive in their employment, any citizen or citizens of the United States, or negro slaves belonging to citizens of the United States, without first obtaining a permit agreeably to law, for the person or persons so employed; and any person or persons violating this resolution, upon conviction before any of the District Courts, shall pay a fine for every offence at the discretion of the Court, not exceeding ten dollars; and the person employed to be removed.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, clerk of Com.

ELIJAH HICKS, clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, November 12th 1824.

Resolved by the National Committee and Council, That a Register's office be opened at New Town, and a Register be appointed, whose duty it shall be to record all the advertisements of estray property which may be sent to him by the rangers of the several districts, and each advertisement so recorded, to be set up at a public house at New Town, and the Register shall be entitled to 25 cents for each advertisement recorded, to be paid out of the proceeds of the sale of the property so advertised and sold; and it shall be the duty of the several rangers to transmit a copy of all their advertisements to the Register at New Town. and if their should be no opportunity to forward by private conveyance the advertisement to the Register, it shall be the duty of the Captain of the Light Horse company, where applied to by a ranger, to send one of his men with the advertisement to the Register; and

Be it further resolved, That all estray cattle, hogs, sheep and goats, shall be advertised and sold by the ranger in the

same manner as is prescribed by law for estray horses.

By order.

JNO ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, clerk of Com.

ELIJAH HICKS, Clerk of Coun'l.

—————o:o—————

New Town, Cherokee Nation, October 25th, 1824.

Resolved by the National Committee and Council, That the road from Chattahoochee river to May's ferry on Hiwassee river, and also the one to Blythe's ferry, on Tennessee river, and the one to Walker's ferry, on Hiwassee river, are hereby ordered to be let out in ten shares, to the lowest bidder, to be opened and kept in good repair for the term of five years from the first day of December, 1824, on the following conditions, to wit:

The road to be cut and opened twenty-four feet wide, clear of trees, and the causewaying to be covered with dirt, together with the digging of mountains and hills, to be fourteen feet wide, clear of rocks, roots and grubs, and the banks of all water courses to be put in complete order, and the road to be divided into shares in the following manner, to wit:

From May's ferry to Canausauga river, including one bank and the half of the width of the bed of the river, if required, from Walker's ferry to Five Killer's; from Blythe's ferry to Canda's creek, including one bank of said creek; from thence to where May's ferry road intersects the same, from thence to the middle of Canausauga river, to Vann's mill creek; from thence the middle of Coosawatee river, from thence to the middle of Talking Rock creek; from thence to the middle of Long Swamp creek; from thence to the middle of Etowah river; from thence to the Chattahoochee river; and

Be it further resolved, That the undertakers enter into bond and sufficient security for the faithful performance of their respective contracts, in a penal sum of twice the amount of the sum for which the undertakers may engage with the Treasurer of the Cherokee Nation, and that the Treasurer is

hereby authorized and directed to appoint one or more commissioners to review the roads once in four months, throughout the year, whose duty it will be to make a report to him of the situation of said roads, and in case of violation on the part of any of the undertakers, that suits be instituted against such person or persons in the courts of the districts to which he or they may belong, and in case of forfeiture, the Treasurer is authorized to let out the share or shares so forfeited.

By order.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH X KILLER,
mark.

A. McCOY, clerk Com.

ELIJAH HICKS, clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, January 27th, 1824.

WHEREAS, great evil has resulted from the disposition and use of ardent spirits at ball plays, all-night dances and other public gatherings, and in order to suppress this growing evil,

Resolved by the National Committee and Council, That no person or persons whatsoever, shall ven or otherwise dispose of in any manner, ardent spirits at such places under the penalty of having all their liquors wasted, and it shall be the duty of every Light Horseman, Marshal, Sheriff, deputy Sheriff and Constable, to take cognizance of such offences, and to execute this resolution, and if any of the aforesaid officers being in full possession of the fact of a violation of this resolution, fail to enforce its penalty, they shall, upon conviction before any of the District Courts, pay such a fine as may be imposed upon them by the Court, one half to the informer and the other half to the Treasury of the Cherokee Nation. This law to be and remain in full force from and after the first day of January, 1825.

By order.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH X KILLER,
mark.

New Town, Cherokee Nation, November 11th, 1824.

Resolved by the National Committee and Council, That it shall be the duty of the several Marshals, Sheriffs, Constables and Light Horsemen, to take cognizance of every violation of law within their respective bounds of districts, and to give information of, and bring to justice, according to law, such person or persons, so offending, and should any of the aforesaid officers, neglect to bring to justice any transgressor of law, after having been duly informed of such transgression, such officers, upon conviction before any of the District Courts, shall be subject to pay a fine, to be assessed by the Court; the fine not to exceed one hundred dollars, and not less than five dollars, and the officer or officers so neglecting, shall be subject to be removed from office at the discretion of the National Council.

By order of the National Committee.

JNO. ROSS, Pres't N. Com

his

Approved—PATH ✕ KILLER,

mark

A. McCOY, clerk of Com.

ELIJAH HICKS, clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, November 11th, 1824.

Resolved by the National Committee and Council, That all free negroes coming into the Cherokee Nation, under any pretence whatsoever, shall be viewed and treated, in every respect, as intruders, and shall not be allowed to reside in the Cherokee Nation without a permit from the National Committee and Council.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,

mark

A. McCOY, clerk of Com.

ELIJAH HICKS, clerk of Coun'l.

New Town, Cherokee Nation, November 11th, 1824.

Resolved by the National Committee and Council, That any person or persons whatsoever, who shall commit robbery upon another, he, she or they, so offending, being prosecuted in any of the District Courts, shall, upon conviction, be subject to such penalty any punishment as the Court may impose; provided, That such punishment shall not extend so far as to inflict death.

By order of the National Committee.

JNO. ROSS, Pres't Com.

MAJOR RIDGE.

Speaker of Council.

his

Approved — PATH ✕ KILLER,
mark.

A. McCOY, clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, November 11th, 1824.

Resolved by the National Committee and Council, That intermarriages between negro slaves and indians, or whites, shall not be lawful, and any person or persons, permitting and approbating his, her or their negro slaves, to intermarry with Indians or whites, he she or they, so offending, shall pay a fine of fifty dollars, one half for the benefit of the Cherokee Nation; and

Be it further resolved, That any male Indian or white man marrying a negro woman slave, he or they shall be punished with fifty-nine stripes on the bare back, and any Indian or white woman, marrying a negro man slave, shall be punished with twenty-five stripes on her or their bare back.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark

A. McCOY, clerk of Com.

ELIJAH HICKS, clerk of Coun'l.

New Town, Cherokee Nation, November 11th, 1824.

Resolved by the National Committee and Council, That it shall not be lawful for negro slaves to possess property in horses, cattle or hogs, and that those slaves now possessing property of that description, be required to dispose of the same in twelve months from this date, under the penalty of confiscation, and any property so confiscated, shall be sold for the benefit of the Cherokee Nation.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, clerk of Com.

—o:o—

New Town, Cherokee Nation, November 13th, 1824.

Resolved by the National Committee and Council, That the Light Horsemen in each District shall serve as jurors in their respective District Courts, and the Judge of each District shall act as foreman to said jury.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, clerk of Com.

—o:o—

New Town, Cherokee Nation, Novcmber 11th, 1824.

Resolved by the National Committee and Council, That any white person or persons, not citizens of the Cherokee Nation, bringing spiritous liquors into the Cherokee Nation and disposing of the same, contrary to law, he, she or they, so offending, upon conviction, shall forfeit and pay a fine of one hundred dollars, one half for the benefit of the informer, and the other half for the benefit of the treasury of the Cherokee Na-

tion, and any citizen or citizens of the Cherokee Nation, making a purchase of ardent spirits within the limits of the Cherokee Nation, from any person or persons not citizens of the Nation, he, she or they, upon conviction before any of the District Courts, shall pay a fine of one hundred dollars, one half for the benefit of the informer, and the other half for the benefit of the treasury of the Cherokee Nation. This resolution shall be a supplement to the decree of the 28th October, 1819, without impairing the penalties therein imposed respecting ardent spirits.

By order.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, clerk Com.

ELIJAH HICKS, clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, November 12th, 1824.

Resolved by the National Committee and Council, That the Light Horse companies be, and are hereby reduced from six to four in number, and the Captain's pay shall be sixty-five dollars per annum, and the Lieutenant's pay shall be fifty-five dollars, and the privates forty-five.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark

A. McCOY, clerk Com.

ELIJAH HICKS, clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, November 12th, 1824.

Resolved by the National Committee and Council, That no person or persons whatsoever, shall be permitted to settle and make improvements within the distance of one-fourth of a

mile of the field or plantation of another, without the consent or approbation of such resident person, under the penalty of forfeiting the whole of their labor for the benefit of the original resident.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark

A. McCOY, clerk of Com.

—o:—

Resolved by the National Committee and Council, That any person or persons, whatsoever, who shall set the woods on fire before the month of March, in each year, such person or persons, so offending, upon conviction, shall pay a fine of five dollars, one half to the prosecutor and the other half for the benefit of the Cherokee Nation. This law to be in force and take effect, after the month of September, 1825.

By order—JNO. ROSS, Pres't N. Com.

Concurred in by the Council.

his

Approved—PATH ✕ KILLER,
mark

A. McCOY, clerk Com.

—o:—

New Town, Cherokee Nation, November 12th, 1824.

Resolved by the National Committee and Council, That a fence five feet high, shall be considered lawful, and the horse, mare, mule, ass, ox or cow of any person or persons, whatsoever, breaking into the field of a person having a lawful fence, the owner of such property shall be responsible for the damages done, and the courts of the several Districts shall have cognizance of every such case.

By order—JNO ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark.

New Town, Cherokee Nation, November 13th, 1824.

Resolved by the National Committee and Council, That no monies in future be paid by the Treasurer out of the public funds to any person for any service or claim, which has not been previously allowed or ordered by the National Committee, and that all expresses ordered by the principal Chiefs, on emergencies, should be presented before the Committee, with the certificate of the principal chiefs, stating the business on which the express was ordered, and

Be it further resolved, That it shall be the duty of every Light Horseman to obey the orders of the principal Chiefs, when called upon to perform any public business of the Nation.

By order.

JNO ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, clerk of Com.

ELIJAH HICKS, Clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, November 8th, 1824.

Resolved by the National Committee and Council, That in future, the contract for supplying the general Council with good wholesome beef, be let out to the lowest bidder, the contractor giving bond and security for the faithful performance of his, her or their contracts, and further, that a commissary be appointed in behalf of the Nation, whose duty it shall be to see to the weighing of the beef and a proper distribution of the same among the different camps, and to prevent any unnecessary waste of the same.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, clerk Com.

ELIJAH HICKS, clerk Coun'l,

New Town, Cherokee Nation, November 12th, 1824.

Resolved by the National Committee and Council, That any person or persons, finding a dead cow brute, and skinning the same, the person or persons shall receive from the owner of such beast, the sum of fifty cents for a grown one, and twenty-five cents for a half grown one, and twelve and a half cents for every calf, and if the owner of the brute so skinned, shall not think proper to pay the sum aboved named, the person or persons skinning the same, shall be entitled to the hide, and any person or persons skinning a cow brute and keeping it concealed, shall pay twice the value of the hide, to the owner of the brute so skinned.

By order. JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, clerk of Com.

ELIJAH HICKS clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, November 12th, 1824.

Resolved by the National Committee and Council, That a man be appointed in each District for the purpose of taking a correct census of said District, and the sum of forty dollars be, and is, hereby appropriated to pay each person so appointed for the service herein required, and further, that it shall be the duty of each person, so appointed, to make a separate list of all males from eighteen to fifty-nine years of age, embracing their names, and all males under eighteen years of age; all males over fifty nine years of age, and all females under fifteen years; all females between fifteen and forty years, and all females over forty years; and the number of male negro slaves, and the number of female negro slaves; number of cotton gins, grist and saw mills, wagons, looms, wheels, ploughs, horses, cattle, hogs sheep and schools, and number of scholars of each sex, stores, blacksmith shops; the number of white men married to cherokee women; and number of Cherokee men married to white women, and also, the number of turnpike ferries, and public roads, and to make a general report of the manner

of living and the state of agricultural improvements, and it shall be required of each person so appointed, to complete their services and make their report to the treasurer of the Nation on or before the fifteenth day of April next.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, clerk of Com.

ELIJAH HICKS, clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, October 14th, 1825.

Resolved by the National Committee and Council, That the law requiring the several Light Horse companies to act as jurymen to the courts of their respective districts, is hereby repealed, and

It is further resolved, That the circuit Judges shall have power to order the Marshals, Sheriffs of Constables, to select and empanel five disinterested men of good characters and judgment, to act as jurors in the courts of their respective districts, and in no case shall a Marshal, Sheriff or Constable, who may be interested in any cause, be competent to make a selection and empanel jurors to sit upon that particular case.

Be it further resolved, That each juror shall be entitled to receive seventy-five cents per day for services upon presenting a certificate from the circuit and district Judges, attested by the clerk of the District Court.

By order of the National Committee.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker

his

Approved—PATH ✕ KILLER,
mark

CH. R. HICKS.

A. McCOY, clerk of Com.

E. BOUDINOTT, clerk of Coun'l.

FOR the better security of the common property of the Cherokee Nation, and for the protection of the rights and privileges of the Cherokee people, *We, the undersigned members of the Committee and Council*, in legislative Council convened, have *established*, and by these presents do hereby *declare*, the following articles as a *fixed and irrevocable principle*, by which the Cherokee Nation shall be governed. These articles may be amended or modified, by a concurrence of two-thirds of the members of the Committee and Council in legislative Council convened; viz:

ART. 1st. The lands within the sovereign limits of the Cherokee Nation, as defined by treaties, are, and shall be, the common property of the Nation. The improvements made thereon and in the possession of the citizens of the Nation, are the exclusive and indefeasible property of the citizens respectively who made, or may rightfully be in possession of them.

ART. 2d. The annuities arising from treaties with the U. States, and the revenue arising out of the tax laws, shall be funded in the National Treasury, and be the public property of the Nation.

ART. 3d. The legislative Council of the Nation shall alone possess the legal power to manage and dispose of, in any manner by law, the public property of the Nation, *Provided*, nothing shall be construed in this article, so as to extend that right and power to dispossess or divest the citizens of the Nation of their just rights to the houses, farms and other improvements in their possession.

ART. 4th. The Principal Chiefs of the Nation shall in no wise hold any treaties, or dispose of public property in any manner, without the express authority of the legislative Council in session.

ART. 5th. The members of Committee and Council, during the recess of the legislative Council, shall possess no authority or power to convene Councils in their respective districts, or to act officially on any matters of concern to the public affairs of the Nation, excepting expressly authorized or delegated by the legislative Council in session.

ART. 6th. The citizens of the Nation, possessing exclusive and indefeasible right to their respective improvements, as expressed in the first article, shall possess no right or power to dispose of their improvements to citizens of the United

States, under such penalties, as may be prescribed by law in such cases.

ART. 7th. The several courts of justice in the Nation shall have no cognizance of any case transpiring previous to the organization of courts by law, and which case may have been acted upon by the chiefs in council, under the then existing custom and usage of the Nation, excepting there may be an express law embracing the case.

ART. 8th. The two Principle Chiefs of the Nation, shall not, jointly or separately, have the power of arresting the judgments of either of the courts or of the legal acts of the National Committee and Council, but that the judiciary of the Nation shall be independent and their decisions final and conclusive; *Provided, always,* That they act in conformity to the foregoing principles or articles, and the acknowledged laws of the Nation.

Done in Legislative Council, at New Town, this 15th day of June, 1825.

JNO. ROSS, Pres't. N. Com.

MAJOR RIDGE, Speaker of Council,
his

Approved.—PATH ✕ KILLER, Prin'l Chief.
mark.

—————o:o—————

New Town, Cherokee Nation, October 14th 1825.

Resolved by the National Committee and Council, That the law requiring the district Judges to act as jurors to the Supreme Court, from and after the adjournment of the present Supreme Court, is, and shall be, null and void, and that the four circuit Judges alone, shall thereafter compose the Supreme Court, to review and decide upon all cases appealed from the District Courts, and that each Judge shall be incompetent to sit, act or decide, upon any cause appealed from their respective District courts.

JNO. ROSS, Pres't. N. Com.

Approved—MAJOR RIDGE, Speaker.
his

PATH ✕ KILLER.
mark.

New Town, Cherokee Nation October 15th, 1825.

Resolved by the National Committee and Council, That an agent or agents, shall be appointed to solicit and receive donations in money from individuals, or societies throughout the United States, for the object of establishing and supporting a national academy, and for procuring two sets of types to fit one press, to establish a printing office at New Town, (C. N.) one set of types to be composed of English letters, the other of Cherokee characters, the invention of George Guist, a Cherokee.

Be it further resolved, That the agent or agents be required to keep a correct account of his or their travelling expenses, and the same to be paid out of the sum collected, and said agent or agents shall be entitled to receive eight per cent. on the amount paid over to the Treasurer.

Be it further resolved, That the Treasurer be, and is, hereby authorised to apply fifteen hundred dollars, out of the public funds, towards the objects herein specified; and in case that the agent or agents are successful in obtaining donations sufficient to purchase the requisite types and press, the Treasurer is further authorised to make the purchase as soon as circumstances will permit. In the mean time, the Treasurer is hereby required to open a correspondence with such person or persons of some of the eastern cities, as may be capable of giving correct information relative to the same, for which the two sets of types and press can be purchased; and the National Committee and Council hereby appoint Elias Boudinott as agent to solicit and receive donations for the objects herein specified; and further, the Treasurer is hereby authorised to appoint other agent or agents, if in his judgment, may be hereafter deemed expedient.

JNO. ROSS, Pres't N. Com.

Concurred in by the council.

MAJOR RIDGE, Speaker,

his

PATH ~~X~~ KILLER,

mark.

CH. R. HICKS.

A. McCOY, clerk Com.

E. BOUDINOTT, clerk Coun'l.

New Town, Cherokee Nation, October 15th, 1825.

Resolved by the National Committee and Council, That the poll tax law is, and shall be, suspended for two years from the 1st of January next; Provided, nothing shall be so construed in this suspension, as to discharge or release those who have not paid their taxes, from paying up all their arrearages; therefore,

Be it further resolved, That the collecting officers are hereby required to make collections without delay from all those who may be in arrears for poll taxes including the present year.

JNO. ROSS, Pres't N. Com.
 Approved—MAJOR RIDGE, Speaker,
 his
 PATH ✕ KILLER,
 mark
 CH. R. HICKS.

A. McCoy, clerk Com.

E. BOUDINOTT, clerk Coun'l.

—o:o—

New Town, Cherokee Nation, October 17th, 1825.

Resolved by the National Committee and Council, That the Judges of the Supreme Court during the session of said Court, shall have power to summons any of the Marshals, Sheriffs or Constables of the several Districts, who may be at New Town, to perform their official duties during each term, and in case any officer so summoned refuses or neglects to obey such summons, he or they shall pay a fine at the discretion of the Court, not exceeding five dollars not less than one dollar and fifty cents.

JNO. ROSS, Pres't. N. Com.
 MAJOR RIDGE, Speaker.
 his
 Approved—PATH ✕ KILLER,
 mark
 CH. R. HICKS.

A. McCOY, clerk of Com.

E. BOUDINOTT, clerk Coun'l.

New Town, Cherokee Nation, October 17th, 1825.

Resolved by the National Committee and Council, That all contested claims, where there is no evidence of the claimant or claimants having demanded or set forth his, her or their claim, within the term of two years, after such claim or claims may be alleged to have existed, then, in that case, such claim or claims shall be considered null and void, and be irrecoverable by law; Provided, nothing shall be construed in the foregoing resolution, so as to impair contracts, or bar any person or persons from recovering any note of hand, or liquidated accounts, at any period after the limitation herein specified.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker,

his

PATH X KILLER,

mark.

CH. R. HICKS.

A. McCOY, clerk Com.

E. BOUDINOTT, clerk Coun'l.

—o:o—

New Town, Cherokee Nation, October 27th, 1825.

THE National Committee concur with the Council so far in remitting the fine imposed by the court on Samuel Henry as the Nation is concerned, excepting the Marshal's fee and the confiscation of the brandy, the proceeds arising from the sale of the brandy to revert to the informer agreeably to his consent; *Provided*, that the said Samuel Henry also obligates himself, under bond and security, in future never to violate the laws of this Nation, by the introduction of ardent spirits into the Nation, under the penalty of making good the fine herein remitted, and also, of being dealt with as the law directs.

JNO. ROSS, Pres't Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH X KILLER,

mark.

CH. R. HICKS.

New Town, Cherokee Nation, October 31st, 1825.

Resolved by the National Committee and Council, That all gold, silver, lead, copper or brass mines, which may be found within the limits of the Cherokee Nation, shall be the public property of the Cherokee Nation, and should the legislative Council deem it profitable and expedient, to have such mines or mines worked, then, in that case, the discoverer or discoverers shall be entitled to receive one fourth of the nett proceeds arising from such minerals.

JNO. ROSS, Pres't. N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark.

CH. R. HICKS.

A. McCOY, clerk of Com.

E. BOUDINOTT, clerk Coun'l.

—o:o—

New Town, Cherokee Nation, November 5th, 1825.

Resolved by the National Committee and Council, That the treasurer of the Cherokee Nation be, and he is hereby authorized to loan out on interest, at six per cent. per annum, such surplus public monies as may be in the treasury, after ample appropriations have been made to meet the annual expenditures for the support of government, to such citizen or citizens of the Cherokee Nation as may desire a loan; *Provided*, such person or persons may be fully able to repay the sum or sums so loaned, and also, shall give bond and two good and sufficient securities, citizens of the Nation; and *Provided also*, that each loan shall not exceed five hundred dollars, and for a length of time not exceeding six months, excepting by paying up the interest and renewing the bond; then, and in that case, the loan may be continued six months longer, and in case of failure to make payment or to renew the bond, then, and in that case, the bond shall be put into the hands of some public officer for collection, and the defaulter's private property shall be levied upon, executed and sold to the highest bidder, unless redeemed within the periods following; to

wit: for all sums above one hundred dollars and under two hundred and fifty dollars, twenty days; and from two hundred and fifty dollars and upwards, thirty days. The officer's fees for collection, and the necessary expenses incurred by keeping the property, shall also be deducted from the sale of the defaulter's property.

JNO. ROSS, Pres't N. Com.
 MAJOR RIDGE, Speaker,
 his
 PATH X KILLER,
 mark
 CH. R. HICKS.

A. McCOY, clerk Com.
 E. BOUDINOTT, clerk Coun'l.

—o:o—

New Town, Cherokee Nation, November 8th, 1825.

Resolved by the National Committee and Council, That the law authorizing the appointment of Light Horse companies, passed at Brown's Town on the 11th day of September, 1808, be, and the same is hereby repealed, and that in lieu of Light Horse companies, a Marshal, Sheriff, deputy Sheriff and two Constables, shall be chosen and appointed for each district, in the following manner; to wit:

The Marshals to be elected by the National Committee, and the principal Sheriffs to be elected by the people in their respective districts; and the two Constables by the people within their particular bounds for the term of two years. The Marshals and Sheriffs shall enter into bond and give two or more good and sufficient securities, in a penal sum not less than one thousand dollars. The Sheriffs to appoint their own deputies and for whose conduct they shall also be held responsible and bound. The Constables shall enter into bond and give two good securities in the penal sum of two hundred dollars.—The duties of the Marshals and Sheriffs shall be to make collections of all just debts, and such notes of hand, liquidated accounts and judgments, and to arrest horse thieves and other rogues and murderers for trial, according to law.

The duties of the Constables shall be the same as that of the Marshals and Sheriffs, but they shall be confined within

their respective bounds in exercising their official duties; and each of the above named officers are hereby authorized, when in pursuit of criminals, to summons as many men as may be necessary to arrest such criminals, and any person or persons refusing to obey, without a reasonable excuse, such summons, he or they shall forfeit and pay a fine of twenty-five dollars for every such offence, to be recoverable in the same way and manner as all other debts, and the fines so collected shall be paid into the National Treasury. The person or persons obeying such summons, upon presenting the officer's certificate before the National Treasury, for services so performed, shall be entitled to receive one dollar per day for the time so engaged from actual necessity. The Constables, when executing their duties in arresting and conducting criminals to the place of trial, shall also be entitled to one dollar per day for the time actually engaged. Each Marshal shall be entitled to receive forty dollars, and each principal Sheriff shall be entitled to receive thirty dollars per annum for their services, from the public funds, in addition to their fees of eight per cent. for collections. The deputy Sheriffs and Constables shall also be entitled to receive eight per cent. fees for collections.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker

his

Approved—PATH \times KILLER,

mark

CH. R. HICKS.

A. McCOY, clerk of Com.

E. BOUDINOTT, clerk of Coun'l.

—o:o—

New Town, Cherokee Nation, November 9th, 1825.

Resolved by the National Committee and Council, That all written wills, bearing the signature of the testator, and signed by one or two respectable witnesses, and the same appearing to the satisfaction of the court of the district wherein the testator lived, or where the most of the estate may be situated, that it is the last will and testament, shall be binding to all intents and purposes.

Be it further resolved, That nothing shall be construed in

the foregoing, so as to impair or destroy the validity of any will having no witnesses, which may be found among the valuable papers of the deceased, bearing his or her signature, which will and signature, shall be satisfactorily proven to be the hand writing of the deceased.

Be it further resolved, That nuncupative wills, where witnesses are called, and the testator, in the presence of two or three respectable persons, at his or her last sickness, make known his or her will, and one of the witnesses being a disinterested person, such nuncupative wills, being committed to writing in ten days after the testators decease, and the same appearing to the satisfaction of the district court to be agreeably to the testators last will and testament, such wills shall also be valid and binding.

Be it further resolved, That where a person possessing property and dies intestate, and having a wife and children, the property of the deceased, shall be equally divided among his lawful and acknowledged children, allowing the widow an equal share with the children, after all just debts of the deceased shall have been paid, by those obtaining letters of administration, agreeably to law, and in case the deceased leave a wife without children, then, in that case, the widow shall be entitled to receive one fourth of the estate, after said estate shall have been freed from incumbrance of all just and lawful demands, and the residue of the estate to go to his nearest kin, and in case a woman claiming and having exclusive right to property dies and leaving a husband and children, her property shall revert to her children and husband, in the same manner as above stated and provided for.

JNO. ROSS, Pres't. N. Com.

MAJOR RIDGE, Speaker of Council,
his

Approved.—PATH ✕ KILLER,
mark.

CH. R. HICKS.

A. McCOY, clerk of Com.

—o:o—

New Town, Cherokee Nation, November 10th 1825.

Resolved by the National Committee and Council, That

any person or persons, whatsoever, who shall lay violent hands upon any female, by forcibly attempting to ravish her chastity contrary to her consent, abusing her person and committing a rape upon such female, he or they, so offending, upon conviction before any of the district or circuit Judges, for the first offence, shall be punished with fifty lashes upon the bare back, and the left ear cropped off close to the head; for the second offence, one hundred lashes and the other ear cut off; for the third offence, death.

Be it further resolved, That any woman or women, making evidence against any man, and falsely accusing him of having laid violent hands upon any woman, with intent of committing a rape upon her person, and sufficient proof having been adduced before any of the district or circuit Judges to refute the testimony of such woman or women, she or they, so offending, shall be punished with twenty-five stripes upon her or their bare back, to be inflicted by any of the Marshals, Sheriffs or Constables.

JNO. ROSS, Pres't N. Com.
MAJOR RIDGE, Speaker.

his
Approved—PATH X KILLER,
mark.

CH. R. HICKS.

A. McCOY, clerk of Com.

—o:o—

New Town, Cherokee Nation, November 10th, 1825.

WHEREAS, it has been represented to the General Council, that much injury is sustained by the inhabitants living on the boundary lines, from citizens of the United States, feeding and keeping their stock of property on Cherokee lands, whereby horses, cattle, hogs, &c., belonging to the citizens of this nation, are exposed to be taken off by such person or persons, trespassing; therefore,

Resolved by the National Committee and Council, That the Circuit Judges are hereby authorised and directed, to appoint an assistant ranger in their respective districts, which border on the boundary lines with the United States, whose residence shall be nearest to said boundary line, and whose

duty it shall be, solely to pay strict attention to such trespasses herein complained of, and to forwarn the frontier inhabitants of the United States in the adjoining counties, from placing, keeping and feeding, their horses, cattle, hogs, sheep or goats on Cherokee lands; and to take up, post, and dispose of, all such property which may be found within their respective bounds, agreeably to the laws respecting estrays, and any citizen or citizens of the United States, reclaiming and proving away any such property, and be unable to produce satisfactory proof, that he, she, or they, did not wilfully place such property on Cherokee lands, to feed and graze thereon, the assistant ranger, in that case, is hereby authorised and required, to exact a fine of two dollars, for every horse, gelding or mare, and one dollar for every head of black cattle, and twenty-five cents for every head of swine, sheep or goats, so proven away. Such fines shall be in addition to the fees allowed by law, to the rangers for their posting, keeping and selling estrays; but in case sufficient proof can be adduced to shew that such property was not wilfully placed on Cherokee lands to feed or graze thereon, and that such property had merely strayed thereon unknown to the owner or owners; then, in that case, the fine herein imposed, shall not be exacted; excepting the necessary expenses and fees allowed by law in such cases.

Be it further Resolved, That the assistant ranger is hereby required to observe and pay, strict attention to the same rules and regulations required of rangers by law, and who shall also be entitled to the same fees and eight per cent. on the amount collected for the fines herein imposed, the remainder for the benefit of the National treasury.

JNO. ROSS, Pres't N. Com
MAJOR RIDGE, Speaker.

his
Approved—PATH ✕ KILLER,
mark
CH. R. HICKS.

—o:o—

New Town, Cherokee Nation, 10th November, 1825.

Resolved by the National Committee and Council, That

the law imposing a tax upon citizen merchants of the Cherokee Nation be, and the same is, hereby suspended for the term of two years.

JNO. ROSS, Pres't N. Com.
MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark.

CH. R. HICKS.

A. McCOY, clerk Com.

—————o:o—————

New Town, Cherokee Nation, 10th November, 1825.

Resolved by the National Committee and Council, That the law prohibiting persons choosing to emigrate to the Arkansas country, from selling their improvements, and all others, from purchasing improvements from such persons under the penalty of one hundred and fifty dollars, passed on the 27th October, 1821, be, and the same is, hereby repealed.

JNO. ROSS, Pres't N. Com.
MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark

CH. R. HICKS,

A. McCOY, clerk Com.

—————o:o—————

New Town, Cherokee Nation, 10th November, 1825.

Resolved by the National Committee and Council, That the law authorising the Circuit Judges to appoint light horse companies, under certain circumstances, passed on the 13th November, 1822, be, and the same is, hereby repealed.

JNO. ROSS, Pres't N. Com.
MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark.

New Town, Cherokee Nation, November 10th, 1825.

Resolved by the National Committee and Council, That the children of Cherokee men and white women, living in the Cherokee Nation as man and wife, be, and they are, hereby acknowledged, to be equally entitled to all the immunities and privileges enjoyed by the citizens descending from the Cherokee race, by the mother's side.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, Clerk N. Com.

E. BOUDINOTT, Clerk N. Council.

—o:o—

New Town, Cherokee Nation, November 10th, 1825.

Resolved by the National Committee and Council, That the section embraced in the law regulating marriages between white men and Cherokee women, and making it unlawful for whitemen to have more than one wife, and recommending all others, also, to have but one wife, be, and the same is, hereby amended, so that it shall not be lawful hereafter, for any person or persons whatsoever, to have more than one wife.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark

CH. R. HICKS.

A. McCOY, clerk N. Com.

E. BOUDINOTT, clerk N. Council.

—o:o—

New Town, Cherokee Nation, 10th November, 1825.

Resolved by the National Committee and Council, That a fence of four inches crack between each rail, for two and a

half feet up from the ground, shall be considered a lawful fence, and the hogs of any person or persons whatsoever, breaking into the field of a person having such a fence, the owner or owners of such property shall be responsible for all the damages sustained, and the Courts of the several districts shall have cognizance of such cases.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark

A. McCOY, Clerk N. Com.

E. BOUDINOTT, Clerk N. Council.

—:o—

New Town, C. N. 10th November, 1825.

Resolved by the National Committee and Council, That all the duties required by the subsequent laws to be performed by light horsemen, shall be performed by the several officers, superceding the light horse companies, excepting, so far as performing express services.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark.

A McCOY, clerk N. Com

E. BOUDINOTT, Clerk N. Council.

—0:0—

New Town, C. N., 10th November, 1825.

Resolved by the National Committee and Council, That the Treasurer of the Cherokee Nation be required to enter into bond with ten good and approved securities, in the penal sum of fifty thousand dollars, for the faithful performance of his duties according to law, and that the bond and securities be renewed at the end of every two years.

Be it further Resolved, That the salary of the Treasurer

of the Cherokee Nation, shall be three hundred dollars per annum.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark

A. McCOY, Clerk, N. Com.

E. BOUDINOTT, Clerk N. Council.

—————0:0—————

New Town, C. N., 10th November, 1825.

Resolved by the National Committee and Council, That all improvements which may be left by any person or persons removing to another place, and the improvements so left, remain unoccupied for the term of three years, such improvements shall be considered abandoned and any other person or persons, whatsoever, may take and go in possession of such improvements, in the same manner as if there were no improvements.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, Clerk N. Com.

E. BOUDINOTT, Clerk N. Council.

—————0:0—————

New Town, Cherokee Nation, November 12th, 1825.

Resolved by the National Committee and Council, That all lawful contracts shall be binding, and whenever judgment or judgments shall have been obtained from any of the Courts of justice in the Cherokee Nation, against any person or persons whatsoever, on a plea of debt, it shall be lawful for such person or persons to stay such judgment or judgments by giving bond with sufficient security within five days after such judgment shall have been issued; and the stay shall not

exceed for all sums under ten dollars, twenty days; for all sums from ten and under thirty dollars, sixty days; for all sums from thirty and under fifty dollars, ninety days; for all sums from fifty dollars and under one hundred, six months; and for all sums over one hundred dollars, nine months; and in case the person or persons against whom judgment or judgments shall be issued, fail to give bond and security as aforesaid, it shall be the duty of the officer or officers, in whose hands such judgment or judgments may be placed, to levy upon his, her or their property, and advertise the same for public sale. For all sums from one to one hundred dollars, ten days; for all sums over one hundred and fifty, twenty days; for all sums over two hundred and fifty dollars, thirty days indulgence shall be given for the redemption of such property, and should the property so advertised for sale be not redeemed in the periods herein stated, it shall be sold at public vendue, to the highest bidder, for ready money. The property so sold, shall become the rightful property of the purchaser or purchasers, and the lawful officers disposing of the same shall be, and are, hereby authorised to issue bills of sale for all such property sold, agreeable to their official authorities. All sums over the amount of the debt for which the property is sold after deducting officer's fees, shall be returned to the proper owner or owners.

Be it further Resolved, That it shall not be lawful for any officer or officers to attach, and sell the following property of any person or persons, on any account whatsoever, to wit: houses, farms and other improvements; household and kitchen furniture, farming utensils; and also, one cow and calf, one sow and pigs, and one gun, shall be reserved.

JNO. ROSS, Pres't. N. Com.

MAJOR RIDGE, Speaker.

his
Approved—PATH ✕ KILLER.
mark.

A. McCOY, Clerk N. Com.

—o:o—

New Town, Cherokee Nation, 12th November, 1825.

Resolved by the National Committee and Council, That

mechanics of the several branches of trade, of good character and sobriety, and well skilled in their respective professions, are hereby privileged and admitted to come into the Cherokee Nation for the term of four or five years, under the request and superintendence of such respectable individuals as are interested in the improvement of the youths of this country, who shall obtain from the proper authority a permit for them; such mechanics when brought into the Nation, shall be bound to set up a shop and carry on their trade regularly, for the time permitted, and shall further be bound to take under their care for instruction, as many apprentices as practicable, and to learn them their respective crafts; and

Be it further resolved, That the District Courts be, and they are, hereby authorised to bind out such youths, with the consent and approbation of their parents or guardians, as may apply for admission as apprentices to any of the aforesaid mechanics, such mechanics entering into bond and giving such person or persons introducing them into the Nation as securities, that they will honestly and faithfully, instruct such apprentices as may be bound under them, in their trade; and the mechanics and securities are authorised to call upon, and it shall be the duty of any public officer to arrest and return, any apprentices, that may run away; and further, the various mechanics introduced, under this law, shall be amenable to the authorities and laws of this Nation, for any offence they may commit.

JNO ROSS, Pres't N. Com.
MAJOR RIDGE, Speaker.

his

Approved—PATH X KILLER,
mark.

CH. R. HICKS.

A. McCOY, Clerk of Com.

E. BOUDINOTT, Clerk N. Council.

—o:0—

New Town, Cherokee Nation, November 12th, 1825.

Resolved by the National Committee and Council, That all persons who may be subpoenaed by the Clerk of any of the Courts to appear before any of the Courts as evidence in any

case, and such person or persons refusing to appear and bear evidence, and he, she or they being unable to make any reasonable or lawful excuse for not appearing, such person or persons, upon conviction, shall pay a fine of twenty dollars for every such offence, to be collected for the benefit of the person or persons non-suited, or cast in consequence of the want of that person or persons' testimony; and

Be it further resolved, That such witnesses, attending agreeably to the summons, he, she or they, shall be entitled to receive seventy-five cents per day for each day's attendance, including the time for going and returning, and to be levied off the person or persons against whom judgment may be issued. These resolutions to be considered as an amendment to the law passed Nov. 12th, 1824; and to supercede the section embracing similar cases.

JNO ROSS, Pres't N. Com.
MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, clerk of Com.

E. BOUDINOTT, Clerk N. Council.

—o:o—

New Town, Cherokee Nation, November 12th 1825.

Resolved by the National Committee and Council, That one hundred town lots, of one acre square, be laid off on the Oostenallah river, commencing below the mouth of the creek, nearly opposite to the mouth of Caunasauga river. The public square to embrace two acres of ground, which town shall be known and called Echota; there shall be a main street of sixty feet and the other streets shall be fifty feet wide.

Be it further resolved, That the lots, when laid off, be sold to the highest bidder. The purchaser's right shall merely be occupancy, and transferrable only to lawful citizens of the Cherokee Nation, and the proceeds arising from the sales of the lots shall be appropriated for the benefit of the public buildings in said town; and

Be it further resolved, That three commissioners be ap-

pointed to superintend the laying off the aforesaid lots, marking and numbering the same, and to act as chain carrier, and a surveyor be employed to run off the lots and streets according to the plan prescribed. The lots to be commenced running off on the second Monday in February next, and all the ground lying within the following bounds, not embraced by the lots, shall remain vacant as commons for the convenience of the town; viz: beginning at the mouth of the creek, opposite the mouth of Caunasauga, and up said creek to the mouth of the dry branch, on which George Hicks lives, up said branch to the point of the ridges, and thence in a circle round along said ridges, by the place occupied by the Crying Wolf, thence to the river.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KLILER,
mark.

CH. R. HICKS.

A. McCOY, clerk of Com.

E. BOUDINOTT, Clerk N. Council.

—————o:o—————

New Town, Cherokee Nation, November 12th, 1825.

Judge Martin, George Saunders and Walter S. Adair, are elected commissioners to superintend the laying off the lots in the town of Echota.

By order.

JNO. ROSS, Pres't N. Com.

A. McCOY, clerk of Com.

—————o:o—————

Echota, Cherokee Nation, November 12th, 1825.

The subject of the improvements made, and now occupied by individuals, on the public ground selected for the jurisdiction of the town of Echota, have been taken up by the National Committee. The question arising is, whether the Nation is bound to pay for any such improvements made by individuals since the site has been selected by the

Nation for the establishment of a town as the seat of government. The decision of the Committee on this question is, that the Nation is not bound to make compensation for any such improvements; but in order to extend indulgence toward Alex. McCoy and E. Hicks, who are now living within said bounds, and are in possession of dwelling houses of some value, it is hereby agreed and

Resolved by the National Committee and Council, That should the dwelling houses of the aforesaid McCoy and Hicks fall within lots which are to be laid off, they shall have the preference of occupancy to said lots, *Provided* they pay for the same at the rate which any other lot of equal value and advantageously situated may sell for; it is further agreed and admitted, that the improvement lately occupied by War Club, and the one now in the possession of the Crying Wolf shall be paid for at the public expense; agreeably to the valuation made by W. Hicks, Geo. Saunders and Jos. Crutchfield.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH X KILLER,
mark.

CH. R. HICKS.

A. McCOY, clerk Com.

E. BOUDINOTT, Clerk N. Council.

—o:o—

Echota, Cherokee Nation, 14th November, 1825.

Resolved by the National Committee and Council, That a memorial be drawn up and presented, through the United States' Agent for this Nation, to the Congress of the United States, claiming, and respectfully soliciting, the allowance of interest on the twenty years annual instalment of one thousand dollars per annum, arising from the treaty of T'Illico 24th October, 1804, which has recently been ratified on the part of the United States; and that the proper papers showing that this Nation had heretofore demanded of the United States government the fulfilment of the treaty, with interest, also to accompany the memorial.

Be it further resolved, That a communication be address-

ed to the United States' Agent for this Nation, touching the non-compliance, on the part of the Unicoy turnpike company, to make the annual payments, promised under the articles of agreement granting the opening said road, and to request that measures may be taken to coerce the said Unicoy turnpike company to comply with the articles of agreement which have been ratified by the treaty of 1819.

JNO. ROSS, Pres't. N. Com.

MAJOR RIDGE, Speaker of Council,
his

Approved.—PATH ✕ KILLER,
mark.

CH. R. HICKS.

A. McCOY, clerk of Com.

—o:o—

Echota, Cherokee Nation, November 14th, 1825.

Resolved by the National Committee and Council, That John Ross, E. Hicks and E. Boudinott, are hereby authorised to draft a memorial in behalf of the Cherokee Nation, to the Congress of the United States, soliciting and praying, interest to be allowed on the \$20,000 accruing from the treaty of Tlico, 1804; and also, to draw up a communication to the United States' Agent of this Nation, on all important matters touching the interest of this Nation; and also to arrange and prepare the revision of the laws of this Nation for the press.

JNO. ROSS, Pres't N. Com

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark

CH. R. HICKS,

A. McCOY, clerk Com.

E. BOUDINOTT, Clerk N. Council.

—o:o—

Echota, Cherokee Nation, 14th November, 1825.

Resolved by the National Committee and Council, That

the Commissioners appointed to superintend the surveying, in carrying chains, laying off lots and staking the same, in the town of Echota, shall be allowed and paid the sum of two dollars per day.

JNO. ROSS, Pres't N. Com
MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,

mark

CH. R. HICKS.

A. McCOY, clerk Com.

E. BOUDINOTT, clerk N. Council.

—o:o—

Echota, Cherokee Nation, November 14th, 1825.

ALEXANDER McCOY is hereby authorised and permitted to cultivate and raise a crop the ensuing year, in the field lying on the river below the ferry, and also the one lately owned by the War Club, on the river below the mouth of the spring branch, which improvements belong to the public, and lie within the town of Echota; *Provided*, said McCoy does not suffer the stakes to be removed which are to separate the town lots, to be laid off in said fields, and that said McCoy surrender possession of those fields to the public on or before the second Monday in October next.

JNO. ROSS, Pres't. N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,

mark

CH. R. HICKS.

A. McCOY, clerk of Com.

E. BOUDINOTT, clerk Coun'l.

—o:o—

The National Committee have elected W. S. Adair circuit Judge for Hickory Log and Hightower districts, in place of James Daniel, resigned.

The Committee have also elected Moses Parris as district

Judge for Hickory Log district, in place of Thos. Saunders, resigned. The Committee have also elected W. Hicks, as a member of Council for Coosawatee district, in place of White Path, removed.

Submitted to the Council for concurrence.

JNO. ROSS, Pres't. N. Com.
MAJOR RIDGE, Speaker.

his
Approved—PATH ✕ KILLER.
mark.

—o:o—

Know all men by these presents, That we, G. Hicks, Elijah Hicks and Lewis Ross, securities, are held and firmly bound in the penal sum of one thousand dollars, well and truly to be paid to Charles R. Hicks, Treasurer of the Cherokee Nation, or his successors in office. The condition of the above bond is such, that the said G. Hicks is appointed Marshal of Coosawatee district, for the purpose of executing and carrying the laws of the Nation into effect, without favor or affection, and to exact no more fees for collection, than what is allowed by law; and further, the said Hicks, is bound not to take interest in behalf of any person or persons engaged in law suits so as to influence the decision of such suit or suits, either by selecting partial jurors, or pleading in behalf of either party, or using any means whatever, or causing the same to be done, so as to defeat a fair and an impartial trial and just decision, during the time he, the said Hicks, shall be in commission; and this obligation being duly and faithfully observed and carried into effect, shall be null and void when the commission expires; or otherwise, the said Hicks, Elijah Hicks and Lewis Ross, securities, their heirs, &c., shall be firmly bound in the penalty herein stated, and the same shall be recoverable in any courts of justice. As witness our hands and seals, this 9th day of November, 1825.

GEO. HICKS,
E. HICKS, } *Securities*
LEWIS ROSS, }

Witnesses

JNO. ROSS,
A. MCCOY,
JAS. DANIEL,

The form of the Oath administered to the Several Officers.

You do solemnly swear, by the Holy Evangelists of Almighty God, that you as Marshal of Coosawatee district, will strictly support and observe the laws of the Cherokee Nation, and to execute the decisions of the Courts, and make collections without favor or affection, to any person or persons whatsoever, to the best of your knowledge and abilities; so help you God.

—o:—

Creek Nation, at Gen. William McIntosh's, in Council between the Creeks and Cherokees have this day made a Treaty about their boundary line; viz:

ART. 1st. A line we do hereby acknowledge, shall be run from Buzzard Roost, on the Chattahoochee river, a direct line so as to strike the Coosa river opposite the mouth of Will's creek, thence down the bank of said river opposite to Fort Strother, on said river; all north of said line is the Cherokee lands, all south of said line is the Creek lands.

ART. 2d. We the Commissioners, do further agree that all the Creeks that are north of the said line above mentioned shall become subjects to the Cherokee Nation.

ART. 3d. All Cherokees that are south of the said line shall become subjects of the Creek Nation.

ART. 4th. If any chief or chiefs of the Cherokees should fall within the Creek Nation; such chief shall be continued as chief of said Nation.

ART. 5th. If any chief or chiefs of the Creeks should fall within the Cherokees, that is, north of said line, they shall be continued as a chief of said Nation.

ART. 6th. If any subject of the Cherokee Nation should commit murder and run into the Creek Nation, the Cherokees will make application to the Creeks to have the murderer killed, and when done, the Cherokee Nation will give the man who killed the murderer, \$200.

ART. 7th. If any subject of the Creek Nation should commit murder and run to the Cherokees, the Creeks will make application to the Cherokees to have the murderer killed, and

when done the Creek Nation will give the man who killed the murderer \$200.

ART. 8th. If any Cherokees should come over the line and commit murder or theft on the Creeks, the Creeks will make a demand of the Cherokees for satisfaction.

ART. 9th. If any Creeks should come over the line and commit murder or theft on the Cherokees, the Cherokees will make a demand of the Creeks for satisfaction.

ART. 10th. All claims of theft from the time of the meeting held at Hickory ground, Coosa river, near Fort Jackson, with the Four Nations, at the time Bools was taken, up to this date, it is agreed by the commissioners of both Nations that they shall be foreclosed by this treaty.

ART. 11th. All individual debts, the creditors will look to their debtors.

ART. 12th. The Commissioners of both Nations do agree the lines described in the foregoing treaty, shall be ratified, when the heads of both Nations sign the treaty.

We, the Commissioners, do hereby set our hands and seals this eleventh day of December, 1821.

The above treaty of boundary run by Gen. W. McIntosh and Samuel Hawkins, Commissioners duly authorised by their Nation, and Thomas Pettit and John Beamer, authorized Commissioners of the Cherokee Nation, is forever hereafter acknowledged by both Nations to be permanent.

CHEROKEE NAMES.

Chulicd, Old Turkey, Ta-car-sut-tah, Walking Stick, T. Woodward, Ta-car-sen-na, Oo-ta-le-tah, Will Interpreter, The Boot, Small Wood, Path Killer.

CREEK NAMES.

Gen. Wm. McIntosh, Es-tun-e-tus-tun-e-gee, Ts-us-he-hou-lock, Cau-chau-tus-tun-e-gee, Tuskinhou, Tus-tin-e-gee, Nahan-lockopy, Chau-the-se-tus-tin-e-gee, Is-po-go-mico, Dick Interpreter, Ha-be-he-lus-tin-ne-gee, Tus-ten-ne-cho-poy, Hapoy-e-hau-gee, Tus-ke-he-now, John Stedhouse, William Ham-bly, Big Warrior.

Witnesses.

Major Ridge,

Daniel Griffin.

Joseph Vann, clerk to the Commissioners.

Be it remembered, This day, that I have approved of the treaty of boundary, concluded on by the Cherokees, east of the Mississippi, and the Creek Nation of Indians, on the 11th day of December, 1821, and with the modifications proposed by the Committee and Council, on the 28th day of March, in the current year. Given under my hand and seal at Fort-ville, this 16th day of May, 1822.

CH. R. HICKS.

Witness,

LEONARD HICKS.

—o:o—

WHEREAS, The treaty concluded between the Cherokees and Creeks, by Commission duly authorized by the chiefs of their respective nations, at Gen. Wm. McIntosh's on the eleventh day of December, (A. D.,) one thousand eight hundred and twenty-one, establishing the boundary line between the two nations, has this day been laid before the members of the National Committee, by the head Chiefs and members of Council of the Cherokee Nation, and Samuel Hawkins, Sah-naw-wee, Ninne-ho-mot-tee and In-des-le-af-kee, Chiefs duly appointed and authorised by the head Chiefs of the Creek Nation, for friendly explanation and full understanding of the constructions to be placed on the different articles contained in the aforesaid treaty, and to make such alterations as may be conceived necessary for the peace and harmony and friendship existing between the two nations; therefore, we the undersigned, in behalf of our respective nations, do hereby enter into the following agreement; viz: The first article of the aforesaid treaty, establishing the boundary between the two nations from Buzzard Roost, on the Chattahoochee river, in a direct line to Coosa river, opposite to the mouth of Will's creek, thence down said river opposite to Fort Strother, is hereby acknowledged and shall forever be permanent.

The 2d and 3d articles, making provision for the citizens of both nations, who may fall within the limits of the other, after running the line, to become subjects thereof shall not be construed so as to compel the individuals falling within the limits of the other to become subjects of that nation, but it shall be left entirely to their own choice.

The 4th and 5th articles providing for the chiefs of both nations who may fall within the limits of the other, and choose to become subjects thereof, shall not be construed so as to compel either nation to keep such chief or chiefs in the authorities of their respective Councils, but the two nations shall exercise their own authorities in the selection and appointments of their own chiefs.

The 6th and 7th articles are hereby repealed and made void and the following agreement substituted; viz: In case a citizen or citizens of either nation, committing murder in their own nation, and escaping to the nation of the other party for refuge, and the chiefs of the nation from whence the murderer or murderers so absconded, should, in their Council, issue a proclamation offering a reward for the apprehension of such murderer or murderers, the chiefs of the contracting nations agree to use every measure in their power to have the offender or offenders apprehended and delivered over to the chiefs of the nation from whence such murder or murders may have escaped.

The 8th and 9th articles, so far as relates to crossing the line and committing murder on the subjects of the other, is approved and adopted; but respecting thefts, it is hereby agreed that the following rule be substituted, and adopted; viz:— Should the subjects of either nation go over the line and commit theft, and he, she or they be apprehended, they shall be tried and dealt with as the laws of that nation directs, but should the person or persons so offending, make their escape and return to his, her or their nation, then the person or persons so aggrieved, shall make application to the proper authorities of that nation for redress, and justice shall be rendered as far as practicable, agreeably to proof and law, but in no case shall either nation be accountable.

The 10th article is approved and adopted and all claims for thefts, considered closed by the treaty as stipulated in that article.

The 11th article is approved and adopted, and it is agreed further, the contracting nations will extend their respective laws with equal justice towards the citizens of the other in regard to collecting debts due by the individuals of their nation to those of the other.

The 12th article is fully approved and confirmed. We do hereby further agree to allow those individuals who have fell

within the limits of the other, twelve months from the date hereof, to determin whether they will remove into their respective nations, or continue and become subjecis of that nation; and it is also agreed, that in case the citizens of either nation, who may choose to remove into the nation of the other and become subjects thereof, such person or persons shall be required to produce testimonials of their good character from the Councils of their respective nations and present the same before the Councils of the other nation; and should the chiefs thereof then think proper to receive and admit them, it may so be done

In behalf of our respective nations, we do hereby adopt the above modifications and explanations of the several articles of the treaty establishing the boundary line between the two nations, and also tne additional agreement now made, shall hereafter be considered the basis on which our respective citizens shall be governed. In witness whereof we have hereunto set our hands and seals, this 30th day of October, 1823.

JNO. ROSS, Pres't N. Com.

Geo. Lowry, Richard Taylor, Tho's Fareman, Tho's Petit, The Hair, John Bawldridge, Sleeping Rabbit, John Downing, Kelechulah, Cabbin Smith, Chu-wal-o-kee, John Beamer, Going Snake, Chickesawtee, *Cherokee Commissioners.*

Approved—PATH ✕ KILLER,

Sam'l Hawkins, In-de-le-af-kee, Sah-now-wee, Nin-ne-ho-mot-tee, *Creek Commissioners.*

WHEREAS, the General Council of the Cherokee Nation, now in session, having taken into consideration the subject of adopting a Constitution for the future Government of said Nation, and after mature deliberation, it is deemed expedient that a Convention be called, and in order that the wishes of the people of the several Districts may be fairly represented on this all important subject,

It is hereby resolved by the National Committee and Council, That the persons hereinafter named be, and they are hereby nominated and recommended to the people of their respective Districts as candidates to run an election for seats in the Convention; and three out of the ten in each District who shall get the highest number of votes shall be elected; and for the convenience of the people in giving in their votes, three precincts in each District are selected, and superintendents and clerks to the elections are chosen; and no person but a free male citizen who is full grown shall be entitled to a vote; and each voter shall be entitled to vote for three of the candidates herein nominated in their respective Districts, and no vote by proxy shall be admitted; and that all the votes shall be given in *viva voce*; and in case of death, sickness or other incident which may occur to prevent all or any of the superintendents from attending at the several precincts to which they are chosen, the people of the respective precincts shall make a selection to fill such vacancies. And in case of similar incident occurring to any of the members elect, the person receiving the next highest number of votes shall supply the vacancy.

In *Chickamauga District*, John Ross, Richard Taylor, John Baldrige, Jas. Brown, Sleeping Rabbit, John Bengé, Nathaniel Hicks, Sicketowee, Jas. Starr and Daniel McCoy, are nominated and recommended as candidates; and the election in the first precinct shall be held at or near Hicks' mill, and Charles R. Hicks, and Archibald Fields, are chosen superintendents, and Leonard Hicks, clerk. The election in the second precinct shall be held at or near Hunter Langley's in Lookout valley, and James Lowrey and Robert Vann are chosen superintendents, and John Candy, clerk. The election in the third precinct shall be held at the court house, and Joseph Coodey and William S. Coodey, are chosen superintendents, and Robert Fields, clerk.

In *Chattooga District*, George Lowrey, Samuel Gunter,

Andrew Ross, David Vann, David Brown, Spirit, The Bark, Salecooke, Edward Gunter and John Brown, are nominated and recommended as candidates; and the election in the first precinct in this District shall be held at or near Edward Gunter's school house in Creek Path valley, and Alexander Gilbreath and Dempsey Fields are chosen superintendents, and John Gunter, clerk. The election in the second precinct shall be held at or near Laugh at Mush's house, in Wills valley, and William Chamberlin and Martin M'Intosh are chosen superintendents, and George Lowrey, jr., clerk. The election in the third precinct shall be held at the court house, and Charles Vann and James M'Intosh are chosen superintendents, and Thomas Wilson, clerk.

In *Coosewaytee District*, John Martin, W. S. Adair, Elias Boudinott, Joseph Vann, John Ridge, William Hicks, Elijah Hicks, John Saunders, Kelechulah, and Alex. McCoy, are nominated and recommended as candidates. The election in the first precinct in this District shall be held at or near William Hicks' house on Ooukillokee creek, and Edward Adair and G. W. Adair are chosen superintendents, and Stand Watie, clerk. The election in the second precinct shall be held at Elechaye, and George Saunders and Robert Saunders, are chosen superintendents, and James Saunders, clerk. The election in the third precinct shall be held at the court house, and George Harlin and William Thompson are chosen superintendents, and Jos. M. Lynch, clerk.

In *Ahmohee District*, The Hair, Lewis Ross, Thos. Foreman, John Walker, Jr. Going Snake, George Fields, James Bigbey, Deer-in-water, John M'Intosh, and Thomas Fields, are nominated and recommended as candidates. The election in the first precinct in this District shall be held at or near Kalsowee's house at Long Savannah, and Wm. Blythe and John Fields, are chosen superintendents, and Ezekiel Fields, clerk. The election in the second precinct shall be held at or near Bridge Maker's house, at Ahmohee Town, and Ezekiel Starr and Michael Helterbrand, are chosen superintendents, and James M'Nair, clerk. The election in the third precinct shall be held at the court house, and David M'Nair and James M'Daniel, are chosen superintendents, and T. W. Ross, clerk.

In *Hickory Log District*, James Daniel, George Still,

Woman Killer, Robert Rogers, Moses Parris, John Duncan, Moses Downing, George Ward, Tahquoh, and Sam. Downing, are nominated and recommended as candidates. The election in the first precinct in this District, shall be held at or near George Welch's house, at the Cross Roads, and A. Hutson and E. Duncan, are chosen superintendents, and Joshua Buffington, clerk. The election in the second precinct shall be held at or near Big Savannah, and John Downing and E. M'Laughlin, are chosen superintendents, and John Daniel, clerk. The election in the third precinct shall be held at the court house, and John Wright and Ellis Harlin, are chosen superintendents, and Moses Daniel, clerk. . .

In *Hightower District*, George M. Waters, Joseph Vann, Alexander Saunders, John Beamer, Walking Stick, Richard Rowe, The Feather, Old Field, Te-nah-la-wee-stah, and Thomas Pettit, are nominated and recommended as candidates. The election in the first precinct in this District shall be held at or near the Old Turkey's house, and Tahchi-see and John Harris, are chosen superintendents, and Andrew Vann, clerk. The election in the second precinct shall be held at or near You-hah-lah town-house, and Kani-to-hee and Young Rogers, are chosen superintendents, and John Sanders, clerk. The election in the third precinct shall be held at the court house, and Charles Moore and W. Thompson, are chosen superintendents, and Joseph Philips, clerk.

In *Tahquohee District*, Chuwalooke, George Owen, Toonah-na-lah, Wm. Bowlin, Chips, Ooclen-not-tah, Soo-wa-kee, Sour John, The Tough, and Charles, are nominated and recommended as candidates. The election in the first precinct in this District, shall be held at or near Nahtahyalee, and A. M'Daniel and Metoy, are chosen superintendents, and Thomas, clerk. The election in the second precinct shall be held at or near The Spirit's house, and Benjamin Timson and Edward Timson, are chosen superintendents, and J. D. Wofford, clerk.

In *Aquohee District*, Sitewake, Bald Town George, Richard Walker, John Timson, Allbone, Robin, (Judge Walker's son-in-law) Ahtoheeskee, Kunsenee, Samuel Ward, and Kalkalloskee, are nominated and recommended as candidates. The election in the first precinct in this District, shall be held at or near Tasquittee, and Thompson and Dick Downing, are chosen superintendents, and William Reid, clerk.

The election in the second precinct shall be held at or near Samuel Ward's house, and Isaac Tucker and John Bighead, are chosen superintendents, and David England, clerk. The election at the third precinct shall be held at the court house, and Whirlwind and Bear Conjuror, are chosen superintendents, and Rev. E. Jones, clerk.

Be it further resolved, That the election at the several places herein selected for each District, shall be held on the Saturday previous to the commencement of the Courts for May Term next, and a return of all the votes given shall be made to the superintendents of the election at the court house on the Monday following, being the first day of court, with a certificate of the polls, signed by the superintendents and clerks, and after all the votes being collected and rendered in, the three candidates having the highest number of votes shall be duly elected, and the superintendents and clerks at the court house, shall give to each of the members elected a certificate. And in case there shall be an equal number of votes between any of the third candidates, the members of the Convention shall give them the casting vote, and that the superintendents shall, before entering upon their duties, take an oath for the faithful performance of their trusts; and that the members so elected shall, on the 4th day of July next, meet at Echota and form a Convention, and proceed to adopt a Constitution for the Government of the Cherokee Nation.

Be it further resolved, That the principles which shall be established in the Constitution, to be adopted by the Convention, shall not in any degree go to destroy the rights and liberties of the free citizens of this Nation, nor to effect or impair the fundamental principles and laws, by which the Nation is now governed, and that the General Council to be convened in the fall of 1827 shall be held under the present existing Authorities; *Provided nevertheless,* that, nothing shall be so construed in this last clause so as to invalidate or prevent the Constitution, adopted by the Convention, from going into effect after the aforesaid next General Council.

New Echota, 13th October, 1826.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark.

New Echota, Cherokee Nation, 13th October, 1826.

Resolved by the National Committee and Council, That the Principal Chiefs of the Cherokee Nation, the members of the National Committee, the members of Council, the Judges of the several Courts, and all the officers of the Nation, likewise jurymen, before entering upon the duties of their respective offices, shall take an oath before some authorized person to discharge their duties faithfully and impartially to the best of their abilities.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark.

CH. R. HICKS.

A. McCOY, clerk Com.

E. BOUDINOTT, clerk Coun'l.

—————o:o—————

New Echota, Cherokee Nation, 13th October, 1826.

Resolved by the National Committee and Council, That no person who disbelieves in the existence of the Creator, and of rewards and punishments after death, shall be eligible to hold any office under the government of the Cherokee Nation, nor be allowed the privilege of his or her testimony in any court of justice.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark

A. McCOY, clerk, N. Com.

E. BOUDINOTT, clerk N. Council.

—————o:o—————

New Echota, Cherokee Nation, October 14th, 1826.

Resolved by the National Committee and Council, That Mr.

Ch. R. Hicks, one of the Principal Chiefs, be and he is hereby authorized to administer the oath of office to the members of the National Committee, the members of Council, and the several circuit Judges of the Nation, and the President of the National Committee be and he is hereby authorized to administer the oath of office to the two Principal Chiefs; and the circuit Judges shall administer the oath of office to all other officers within their respective Districts.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark.

A. McCOY, clerk N. Com.

E. BOUDINOTT, clerk N. Council.

—o:o—

New Echota, Cherokee Nation, October 14th, 1826.

*Resolved by the National Committee and Council, That a child under the age of twelve years, whose tender age renders it improbable that he or she should be impressed with a proper sense of moral obligation or of sufficient capacity, deliberately to have committed an offence, shall not be considered, or found guilty of any crime or misdemeanor; nor a lunatic or a person insane without lucid intervals, shall be found guilty of any crime with which he or she may be charged; *Provided*, the act so charged as criminal shall have been committed in the condition of such lunacy or insanity.*

Be it further resolved, That an idiot shall not be found guilty or punished for any crime or misdemeanor with which he or she may be charged:

Be it further resolved, That any person counselling, advising, or encouraging a child under the age of twelve years, or a lunatic, or an idiot to commit an offence, shall be prosecuted for such an offence when committed, as principal, and if found guilty shall suffer the same punishment as would have been inflicted on said child, lunatic or idiot, if he or she had possessed discretion, and had been guilty.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

New Echota, Cherokee Nation, October 16th 1826.

Resolved by the National Committee and Council, That any woman or women whatsoever, who shall be found guilty, before any of the courts of justice, of committing infanticide during her or their state of pregnancy, shall upon conviction receive fifty lashes; and that any person or persons who shall also be found guilty or accessory to such an act shall likewise receive the same punishment.

Be it further resolved, That any person or persons whatsoever, who shall wantonly fabricate a report without proof against any woman or women of committing infanticide, through maliciousness, with the intent of injuring or destroying the character of such woman or women, such person or persons upon conviction before any of the courts shall receive fifty lashes and pay a fine at the discretion of the court, for the benefit of the slandered person or persons.

JNO ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH \bowtie KILLER,
mark.

A. McCOY, clerk of Com.

E. BOUDINOTT, Clerk N. Council.

—o:o—

New Echota, Cherokee Nation, October 28th, 1826.

Resolved by the National Committee and Council, That in case of all contracts and debts payable in property when the contracting parties have not specified any fixed period for payment, it shall be the duty of the creditor or agent to give the debtor ten days notice of a certain place of delivery, to make the payment according to contract, and if such notification be not complied with, it shall then be lawful for the proper officer to proceed, as the law directs, in levying upon and disposing of, at public sale to the highest bidder, the property of such debtor or debtors. This is to be an amendment of the act of 12th November, 1825.

JNO. ROSS, Pres't Com.

MAJOR RIDGE, Speaker.

New Echota, Cherokee Nation, October 28th, 1826.

Resolved by the National Committee and Council, That all improvements which may be left by any person or persons and removing to another place, and the improvements so left remain unoccupied for the term of one year, such improvements shall be considered abandoned, any other person or persons whatsoever may take, and go into possession of, such improvements in the same manner as if there were no improvements. This act to be an amendment to the one passed 10th Nov. 1825, and to take effect from the present date.

JNO. ROSS, Pres't N. Com.
MAJOR RIDGE, Speaker

his
Approved—PATH ✕ KILLER,
mark.

A. McCOY, clerk N. Com.
E. BOUDINOTT, clerk Coun'l.

—o:o—

New Echota, Cherokee Nation, November 28th, 1826.

Resolved by the National Committee and Council, That in case the rightful owner or owners of any property, which may be sold under the estray laws, shall discover their property and produce good and sufficient proof before the National Treasurer, within the period of eighteen months after the money has been paid into the National Treasury, in such cases the owner or owners of such property shall be entitled to receive the nett proceeds derived from the sale of his, her or their property; and this law shall be an amendment to that passed on the 25th of October, 1825, providing for the appointment of Rangers, and to take effect from the date of the amendment.

JNO. ROSS, Pres't N. Com.
MAJOR RIDGE, Speaker.

his
Approved—PATH ✕ KLILER,
mark.

CH. R. HICKS.

A. McCOY, clerk of Com.

New Echota, Cherokee Nation, November 2d, 1826.

Resolved by the National Committee and Council, That a house shall be built for a printing office, of the following dimensions; 24 by 20 feet, one story high, shingle roof, with one fire place, one door in the end of the house, one floor, and a window in each side of the house two lights deep, and ten feet long, to be chinked and lined in the inside with narrow plank; with the necessary watering benches and type desks requisite for a printing office.

GEO. LOWREY, Pres't pro-tem.

MAJOR RIDGE, Speaker,

his

PATH ✕ KILLER,

mark

CH. R. HICKS.

A. McCOY, clerk Com.

E. BOUDINOTT, clerk Coun'l.

—o:o—

New Echota, Cherokee Nation, 4th November, 1826.

Resolved by the National Committee and Council, That David Brown and George Lowrey be, and they are hereby appointed to translate eight copies of the laws of the Cherokee Nation, as early as convenient, into the Cherokee language, written in characters invented by George Guess, and also to translate one copy of the New Testament in the same characters, and to present them to the General Council, when completed, and the National Committee and Council shall compensate them for their services.

JNO. ROSS, Pres't. N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,

mark

CH. R. HICKS.

A. McCOY, clerk of Com.

E. BOUDINOTT, clerk Coun'l.

New Echota, Cherokee Nation, 4th November, 1826.

Resolved by the National Committee and Council, That the Treasurer be, and he is hereby directed to purchase at the public expense, a sledge hammer and a screw plate for Kallounohsingih, provided that the articles do not cost more than eight dollars, which sum is hereby appropriated for that object.

JNO. ROSS, Pres't. N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATHI ✕ KILLER.

mark.

A. McCOY, clerk N. Com.

E. BOUDINOTT, Clerk N. Council.

—o:o—

New Echota, Cherokee Nation, November 15th, 1826.

Resolved by the National Committee and Council, That the sum of two hundred and fifty dollars be, and the same is hereby appropriated out of the public funds, for the purpose of paying for a house which is directed by law to be built for a Printing Office in the Town of Echota:

And be it further resolved, That the Treasurer be, and he is hereby authorised to appoint three Commissioners to inspect the said building when completed and if finished, agreeable to the obligation of the undertaker, that said Commissioners be authorised to receive the building: And upon the undertaker producing a certificate before the Treasurer signed by the Commissioners, shewing that the work was completed and examined and received by them agreeable to contract, he the Treasurer is authorised to pay the undertaker the amount herein appropriated.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATHI ✕ KILLER,

mark

CH. R. HICKS.

A. McCOY, clerk Com.

New Echota, Cherokee Nation, 16th November, 1826.

Resolved by the National Committee and Council, That all persons who may be found lurking about from place to place in the Cherokee Nation, and who are not lawful citizens of this country, nor remaining under a lawful permit, shall be viewed and considered as intruders, and it shall be the duty of the several officers, to notice whether such persons are to be found in their respective districts, and to give them ten days notice to remove out of the Cherokee Nation; and in case of their not complying with the notification, it shall be the duty of the officers to arrest such persons, and to deliver them over to the United States' Agent for this Nation to be proceeded against as the laws of the United States direct.

JNO. ROSS, Pres't N. Com.
MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark.

CH. R. HICKS.

A. McCOY, clerk Com.

E. BOUDINOTT, Clerk N. Council.

—o:o—

Resolved by the National Committee and Council, That the Treasurer be, and he is hereby directed not to receive into the Treasury from the Agents of the United States, on account of the annual stipends, which are to be paid by them to the Cherokee Nation, any other description of money than Specie, Treasury or Notes of the United States Bank.

New Echota, Nov. 16, 1826.

JNO. ROSS, Pres't N. Com.
MAJOR RIDGE, Speaker.

his

Approved—PATH ✕ KILLER,
mark

CH. R. HICKS.

A. McCOY, clerk Com.

E. BOUDINOTT, Clerk N. Council.

Resolved by the National Committee and Council, That, no person shall be allowed to erect or establish a billiard table in the Cherokee Nation without first obtaining a license from the Treasurer of the Nation, and paying into the Treasury the sum of two hundred dollars as a tax per annum, and such license shall not be given for a longer period than one year at a time; and any person or persons, who shall erect or establish a billiard table without first obtaining a license as herein required, shall, upon conviction, pay a fine of four hundred dollars, for the benefit of the Cherokee Nation.

New Echota, Nov. 16, 1826.

JNO. ROSS, Pres't N. Com.

MAJOR RIDGE, Speaker.

his

Approved—PATH \times KILLER,

mark.

A McCOY, clerk N. Com

E. BOUDINOTT, Clerk N. Council.

—————o:o—————

Resolved by the National Committee and Council, That Isaac H. Harris be, and he is hereby appointed principal Printer for the Cherokee Nation, whose salary shall be four hundred dollars a year, and whose duty shall be to attend to the printing of paper to be printed at New Echota; and it shall further be the duty of said Harris to employ, and he is hereby authorised to employ a journeyman printer, of sober and studious habits in behalf of the Cherokee Nation, in order that the aforesaid paper may be successfully carried into effect.

And be it further resolved, That the salary of the journeyman Printer so employed, shall be three hundred dollars a year.

And be it further resolved, That the commencement of the salaries of said Printers shall commence and begin on the day of the commencement of the paper, which shall take place as soon as practicable, and that the aforesaid respective sums be, and are hereby appropriated out of any monies in the Treasury not otherwise appropriated; and it shall be the duty of the Editor at the expiration of a term to certify that the Printers have well and faithfully performed their

contracts as printers, which certificates shall be presented to the National Treasurer for payment, who is hereby authorized to engage the aforesaid printers in an obligation of sufficient penalty for default, for the certain performance of printing the National paper.

ELIJAH HICKS, Pres't N. Com.
MAJOR RIDGE, Speaker.

Approved—WM. HICKS,
JNO. ROSS.

A. McCOY, clerk Com.
E. BOUDINOTT, Clerk N. Council.

—————o:o—————

Resolved by the National Committee and Council, That a person be appointed whose duty it shall be to edit a weekly newspaper at New Echota, to be entitled, the "Cherokee Phoenix," "ᑕᑭᑦ ᑭᑦᑭᑦᑭᑦ," and also to translate matter in the Cherokee language for the columns of said paper as well as to translate all public documents which may be submitted for publication, and that the sum of three hundred dollars per annum be allowed said editor and translator for his services.

New Echota, Oct 18, 1826.

ELIJAH HICKS, Pres't N. Com.
MAJOR RIDGE, Speaker Coun.

Approved—WILLIAM HICKS,
JNO. ROSS.

A. McCOY, clerk Com.
E. BOUDINOTT, Clerk N. Council.

—————o:o—————

Resolved by the National Committee and Council, That the salaries of the persons attached to the Cherokee Phoenix, shall be paid quarterly. This to be an amendment to the resolution providing for their salaries, dated Oct. 18th, 1827.

Be it further Resolved, That, in order to provide against inconvenience that may arise for want of paper, ink, or other articles requisite in the printing department, it shall be the

duty of the Editor to provide from time to time, the necessary articles as may be needed, which shall be defrayed out of the proceeds of the Cherokee Phoenix.

Be it further Resolved, That the Editor of the Phoenix be, and he is hereby required to enter into bond with sufficient security for the faithful performance of all his duties; and that said Editor be and is hereby authorised to receive all monies that may arise from subscriptions for the Phoenix, or from the publication of any other matter; he is also expressly empowered to use his discretion in every respect, in order that the Nation may be benefitted by the institution. All monies arising from the Phoenix shall be paid into the Treasury of the Cherokee Nation, quarterly.

Be it further Resolved, That in case of the sickness of the Editor, death or resignation, the Principal Chief shall have the power of appointing a suitable Editor to take charge of the paper in the editorial department, whose salary shall be the same as his predecessor's.

It is further Resolved, That, in case of sickness, death, or resignation of the Printers, the place or places so vacated shall be filled by the Principal Chiefs. The salaries shall be the same as the former printers. And in order to have a native printer, it shall be the duty of the Editor to procure if possible, a Cherokee apprentice, whose clothes and board shall be paid out of the proceeds of the Cherokee Phoenix. The clothing of the apprentice shall be common and comfortable. It shall be the duty of the Editor to engage, and make arrangements of said apprentice's board. In the selection of the apprentice, the Editor is required to choose one who speaks and writes the same dialect with the inventor of the Cherokee Alphabet.

New Echota, 19th October, 1828.

ELIJAH HICKS, Pres't N. Com.

MAJOR RIDGE, Speaker.

Approved—WILLIAM HICKS,
JNO. ROSS.

A. McCOY, Clerk of Com.

E. BOUDINOTT, Clerk N. Council.

—o:o—

WHEREAS, Arthur H. Henly having submitted, before the

National Committee and Council, certain propositions, with the view of adjusting, by way of compromise, the controversy existing between the Cherokee Nation and the Unicoi Turnpike company, respecting their refusing to pay over to the said Nation, the annual stipend stipulated by the compact granting the Unicoi Turnpike road, and the propositions being considered not equitable, the National Committee and Council have therefore rejected said propositions.

New Echota, 20th Oct. 1827.

ELIJAH HICKS, Pres't N. Com.

MAJOR RIDGE, Speaker Coun.

Approved—WILLIAM HICKS,
JNO. ROSS.

A. McCOY, Clerk N. Com.

E. BOUDINOTT, Clerk N. Council

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Resolved by the National Committee and Council, That the resolutions passed October 15th, 1825, suspending the poll tax law, and the law imposing a tax on citizen merchants of the Cherokee Nation be, and the same are hereby prolonged one year longer.

New Echota, Oct. 24, 1827.

ELIJAH HICKS, Pres't N. Com.

MAJOR RIDGE, Speaker.

Approved—WILLIAM HICKS,
JNO. ROSS.

A. McCOY, clerk N. Com.

E. BOUDINOTT, clerk N. Council.

—————o:o—————

Resolved by the National Committee and Council, That the Treasurer of the Cherokee Nation be, and he is hereby, required and directed, after the passage of this act, to suspend loaning any more money out of the public funds of this Nation, and also that it shall be the duty of said Treasurer to call in all the monies, which may be due, on or before the first Monday in October 1828; and in order that indulgence may be extended to those who may have borrowed money out of the public Treasury of the Cherokee Nation.

Be it further Resolved, That the persons so indebted to the Treasury, after paying their semi-annual interest, shall be allowed, at the discretion of the Treasurer, to continue their loans until the first Monday in October 1828, after which time it shall not be the duty of the Treasurer to loan out any more money, until authorized by the National Committee and Council in General Council convened. This is to be a supplement to the law authorizing loans passed Nov 5th, 1825.

New Echota, Oct. 24th, 1827.

ELIJAH HICKS, Pres't N. Com.
MAJOR RIDGE, Speaker.

Approved—WILLIAM HICKS,
JNO. ROSS.

A. McCOY, clerk, N. Com.

E. BOUDINOTT, clerk N. Council.

—o:o—

Resolved by the National Committee and Council, That the sum of two dollars shall be paid out of the National funds, to the several Judges and Clerks of the several Districts, who were appointed by the resolution authorising the elections for members to the Convention, and that the several Judges or Superintendents and Clerks be, and they are hereby required, to present to the Treasury of the Cherokee Nation, a certificate of their faithful compliance with the said resolution, which certificate shall be signed by the Circuit and District Judges, and the Clerks of the District Courts.

New Echota, October 26th, 1827.

GEO. LOWREY, Pres't pro. tem.

Concurred—MAJOR RIDGE, Speaker.

Approved—WM. HICKS,
JNO. ROSS.

A. McCOY, clerk of Com.

E. BOUDINOTT, Clerk N. Council.

—o:o—

Resolved by the National Committee and Council, That the resolution passed November 13th, 1822, reducing the tax on pedlars of eighty dollars to fifty dollars, be, and the same

is hereby reduced to twelve dollars, so as to make it equal to the tax imposed on citizen merchants.

New Echota, October 18th, 1827.

ELIJAH HICKS, Pres't N. Com.

MAJOR RIDGE, Speaker Coun.

Approved—WILLIAM HICKS.

A. McCOY, clerk N. Com.

E. BOUDINOTT, Clerk N. Council.

—o:o—

WHEREAS, much inconvenience has arisen, and the business in the Committee retarded, in consequence of visitors mingling with the members, therefore,

Resolved by the Committee and Council, in General Council Convened, That the sum of fifteen dollars be, and the same is hereby appropriated out of any monies in the Treasury, not otherwise appropriated, for the purpose of erecting a partition, or railing, in the Committee Chamber, and for the purpose of procuring additional number of seats.

And be it further Resolved, That the President be authorized to appoint a committee to contract with a workman for, and superintend the completion of the same.

New Echota, 16th Oct., 1828.

LEWIS ROSS, Pres't. N. Com.

Concurred—GOING SNAKE, Speaker Coun.

Approved—JNO. ROSS.

WILLIAM S. COODEY, clerk Com.

—o:o—

Resolved by the National Committee and Council, in General Council Convened, That if any person or persons, not citizens of the Cherokee Nation, who may bring into the Cherokee Nation, at the seat of Government, during the sitting of the General Council, any show, or shows, such as wax figures, or such as play actors, such person or persons, shall pay a tax of eight dollars, for the benefit of the Treasury of the Cherokee Nation.

GOING SNAKE, Speaker Coun.

Concurred—LEWIS ROSS, Pres't N. Com.

Approved—JNO. ROSS.

Resolved by the National Committee and Council, in General Council Convened, That the law passed November 12th, 1822, authorising the several Circuit Judges, to preside over the Supreme Court, and the law passed 14th October, 1825, requiring the Circuit Judges of the several Districts to review and decide upon all cases, appealed from the District Courts, be, and the same are hereby repealed; and in lieu thereof, the Supreme Judges elected agreeably to the Constitution, shall compose the Supreme Court, and shall have full power to try, and decide, all cases, upon the Supreme Court docket, that remain untried, which may come under the jurisdiction of the laws of the Nation, and shall have complete cognizance of all cases appealed from the several Circuit Courts, as may be pointed out by law. The Supreme Court shall also have power to act and decide upon criminal cases without reference to appeals from the circuit courts.

New Echota, 18th October, 1828.

LEWIS ROSS, Pres't N. Com

Concurred—GOING SNAKE, Speaker Coun.

Approved—JNO. ROSS.

—:c—

Resolved by the Nation's Committee and Council, in General Council Convened, That the sum of Fifty-seven dollars and twenty-five cents be, and the same is hereby appropriated, out of any moneys out of the National Treasury, not otherwise appropriated, for the purpose of purchasing a set of Blacksmith tools, for George Candy, viz: One bellows, one anvil, one vice, one screw-plate, three hammers, one rasp, and half a dozen files; and that the National Treasurer be authorized and required, to make the purchase, agreeably to the provisions of a law, passed 26th October, 1820, providing for the procuring of a set of tools, at the public expense, for any native apprentice, who shall have served his apprenticeship, and learned a mechanical trade.

New Echota, 18th October, 1828.

LEWIS ROSS, res't N. Com.

Concurred—GOING SNAKE, Speaker Coun.

[Approved, Oct. 23d—JNO. ROSS.

—:c—

Resolved by the National Committee and Council, in General Council Convened, That the Supreme Court of the Cher-

Cherokee Nation shall commence its session on the second Monday of October in each year, at New Echota.

Be it further Resolved, That each session of the Supreme Court shall not continue longer than three weeks.

Be it further Resolved, That in case the Supreme Court docket shall be cleared before the expiration of the above mentioned time, it shall adjourn until the next annual session.

Be it further Resolved. That the compensation of the Supreme Judges shall be, for each of them, four dollars per day, during the sitting of the Supreme Court.

New Echota, October 20th, 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker Coun.

Approved, Oct. 22d—JNO ROSS.

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Resolved by the National Committee and Council, in General Council Convened, That the National Marshal shall enter into a bond with sufficient securities, in a penal sum of five thousand dollars, for the faithful performance of the duties that may be required of him.

Be it further Resolved, That it shall be his duty to attend the Supreme Court annually during its session, and to execute all decisions which may be made, or have it done by the Sheriffs of the several Districts, and all other business in which the Cherokee Nation may become a party, within the jurisdiction of the Nation.

Be it further Resolved, That he shall receive for his services, a salary of one hundred dollars per annum, and shall also be allowed eight per cent for collection.

New Echota, 21st October, 1826.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker Coun.

Approved, Oct. 28th—JNO. ROSS.

—0:0—

Resolved by the National Committee and Council, in General Council Convened, That all officers appointed under the authority of this Nation, who are required to give bond and

sufficient security, for the faithful performance of their duties, and whose office require a commission from the Principal Chief, shall be required to enter into bonds with the Treasurer of the Cherokee Nation, and shall be required to produce a certificate from the managers of the election, certifying that they have been legally elected; and it shall be the duty of the Treasurer to receive their bonds and issue a certificate to each officer so bound, which, when presented to the Principal Chief, shall be sufficient evidence for the commission to be granted.

New Echota, 22d October, 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

—o:0—

Resolved by the National Committee and Council in General Council Convened, That so much of the law passed 24th October, 1827, supplementary to the law passed 5th November, 1825, requiring the Treasurer of the Cherokee Nation to call in all monies, loaned out of the Treasury on the first Monday in October, 1828, be, and the same is hereby repealed.

Be it further Resolved, That any person or persons, who may be owing the National Treasury by bond for loaned money, shall be allowed one month, from the passage of this resolution, to renew his bond or their bonds in the Treasury, by paying up the interest due thereon, and giving sufficient securities: and that they shall be required to pay up the full amount of their bonds with the interest, by three instalments, six months each, the first instalment and interest to be paid seven months after the passing of this resolution, and the second instalment to be paid six months thereafter, &c.

Be it further Resolved, That in case any person or persons who may fail to renew his bond or their bonds, by paying up the interest, within the space of one month, as provided above, the Treasurer shall proceed to have the full amount of his bond or their bonds, with the interest due thereon, collected, agreeably to law.

New Echota, October 22d, 1828.

LEWIS ROSS, Pres't Com.

Approved, 27th Oct.—JNO ROSS.

WHEREAS, Thomas Melton, a citizen of Jefferson county, Alabama, having apprehended John Cockerel, *alias* Brown, in said county, for horse-stealing, and trading a stolen horse to a Cherokee named Kah-nah-to-hee, and having brought said Cockerel before the General Council, under the expectation of obtaining a reward from the United States' Agent, who he understood had offered a reward for the apprehension of said Cockerel, and finding it not to be the case, and the said Cherokee having received another horse from the said Cockerel, therefore,

Resolved by the National Committee and Council, in General Council Convened, That the sum of twelve dollars be, and the same is hereby appropriated out of any monies in the National Treasury, not otherwise appropriated, as a compensation to Kah-noh-skee-skee, for his services as a guard over said Cockerel.

LEWIS ROSS, Pres't Committee.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council Convened, That the sum of three hundred dollars be, and the same is hereby appropriated, out of any monies in the Treasury not otherwise appropriated, as a loan to Reuben Thornton; and that the said Reuben Thornton be required to enter into a bond, with securities to the satisfaction of the Committee, before a warrant shall be issued for the money, the said loan to be subject to the same regulations prescribed in the law passed during the present session, extending further indulgence to persons indebted to the Treasury.

New Echota, October 28, 1828.

LEWIS ROSS'S, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

—o:o—

Resolved by the National Committee and Council, in General Council Convened, That the resolution passed 24th Oc-

tober, 1827, prolonging the suspension of the poll tax, be, and the same is hereby prolonged for the term of one year, and the law imposing a tax on citizen merceants, is also hereby suspended for the above mentioned term.

New Echota, 29th October, 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved Nov. 6th—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That there shall be appointed by the Principal Chief of the Cherokee Nation, two committees, of two members each, one in each judicial circuit, whose duty it shall be to visit the different schools in the Nation, within the respective districts of their circuits at the public examinations of said schools, once a year, and to report to the General Council annually, on the number of scholars, progress of education, &c.

Be it further Resolved, That they shall be paid one dollar per day, while in actual service, out of any monies in the National Treasury, not otherwise appropriated.

New Echota, October 30th, 1828.

LEWIS ROSS, Pres't Com

Concurred—GOING SNAKE, Speaker.

Approved Nov. 6th—JNO. ROSS.

—o:o—

Resolved by the Committee and Council, in General Council Convened, That it shall not be lawful to exact toll, or ferriage, at any of the turnpikes, toll-bridges, or ferries, within the limits of the Cherokee Nation from citizens of the Nation.

New Echota, Nov. 4th, 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

—o:o—

Resolved by the National Committee and Council, in Gen-

eral Council convened, That the rates of ferriage at Edward Gunter's Ferry, on the Tennessee river, shall be as follows, and it shall not be lawful for him to exact higher rates than what is herein specified, viz:

For wagon and team,	\$1 00
Cart,	50
Gig,	50
Carriage, (4 wheels,)	75
Man and horse,	25
Loose horse,	12
Foot man,	12
For all live stock,	12

New Echota, Nov. 4th, 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

W. S. COODEY, clerk Com.

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Resolved by the National Committee and Council, in General Council convened, That the amendment of 28th October, 1825, to the law passed 12th November, 1822, making trade debts recoverable in money on certain conditions, be, and the same is hereby, repealed.

Be it further resolved, That money shall not hereafter be exacted for any trade debt, and whenever any person or persons may contract a debt payable in property, and the debtor shall fail to comply with the contract, it shall be lawful for the creditor to sue and obtain judgment for the amount specified in the contract, to be paid in property, and it shall be the duty of the officers in whose hands such judgments may be placed for collection, to forthwith seized upon any property of the of the debtor (save such property as is by law exempted) he may find, in case the particular property contracted for shall have been made way with, and the property so seized upon, shall be valued by two good disinterested citizens, to be chosen by the collecting officer; and the debtor shall not have the benefit of the stay law in such cases.

Be it further resolved, That when there is no time or place specified in the contract, for the payment of the debt, the creditor shall give the debtor ten days notice, before he

shall proceed to have the collection made agreeably to the provision of this resolution.

Be it further resolved, That this resolution shall be considered as an amendment to the law passed 12th Nov., 1825, in lieu of the amendment above repealed.

New Echota, 4th Nov., 1828.

LEWIS ROSS, Pres't Com.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council convened, That the power of regulating the rates of tolls, and ferriages at all turnpikes, toll bridges and ferries, belonging to individuals within the limits of the Cherokee Nation, which have been established agreeably to law, and which have not been rated heretofore by the Committee and Council, be, and is hereby vested in the Circuit Court of the District in which such turnpike, toll bridge or ferry may be located; and it shall be the duty of the said court whenever application may be made for such regulation, to fix upon reasonable and moderate rates, and to cause the clerk of said court whenever application may be made for such regulation, to fix upon reasonable and moderate rates, and to cause the clerk of said court to keep a correct record of the same.

New Echota, 14th Nov., 1828.

LEWIS ROSS, Pres't Com.

Approved—JNO. ROSS.

—o:o—

Resolved by the National Committee and Council, in General Council convened, That the law passed 8th Nov., 1822, forbidding gaming at cards, under certain penalties therein specified, be, and the same is hereby, so amended that no person or persons shall be allowed to game at dice, roulette, or thimbles, under the same penalties as are prescribed therein for gaming at cards.

Be it further resolved, That the above amendment shall go into full force and effect on the first day of January, 1829.

New Echota, 4th Nov., 1828.

LEWIS ROSS, Pres't Com.

Resolved by the National Committee and Council, in General Council Convened, That the Treasurer of the Cherokee Nation be, and he is hereby required to attend and keep his office at New Echota, during each session of the General Council.

New Echota, 6th Nov., 1828.

LEWIS ROSS, Pres't Committee.

Concurred—GOING SNAKE, Speaker.

Approved Nov. 6—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That a District Court be, and is hereby established in each District in the Nation, which shall sit twice a year at their respective Court Houses, to be composed of a District Judge, six Jurors and a Clerk; and the Court shall sit three days at each term, if the docket cannot be cleared of the causes pending in less time.

Be it further Resolved, That the time of holding courts in the several Districts shall be as follows, to wit:

At Coosowatee and Aquohee, first Monday in January and July.

At Etowah and Ahmohee, second Monday in January and July.

At Hickory Log and Chickamauga, third Monday in January and July.

At Tahquohee and Chattooga, on the fourth Monday in January and July.

Be it further Resolved, That this Court shall have full and complete jurisdiction over all civil cases, when the amount shall not exceed one hundred dollars, and shall also have complete criminal jurisdiction, (except in cases of murder,) and that it shall be the duty of the District Judge, during the recess of the Courts, to try all criminals, save murderers, who may be brought before them as the Constitution directs.

Be it further Resolved, That the manner of proceeding in said Court, shall be by summons or warrants under the hand of the Judge or Clerk presiding over the Court, when the matter is triable, specifying the amount demanded by the plaintiff, and on what account, which summons or warrants

shall be served by one of the officers of the District, at least ten days before the sitting of said Court, and the case shall be tried at the first term of the Court, unless good cause upon oath shall be shown to the contrary; *provided*, no case shall be continued by the same party more than twice. The defendant, if he shall have any defence against the plaintiff's demand, shall appear at the Court in which he is sued, and make his defence, and both parties shall have the right of demanding subpoenas for witnesses whom they may deem necessary, and said witnesses, when duly subpoenaed, shall be bound to attend under the same penalties as are prescribed by law in relation to witnesses in other Courts of the Nation. The defendant shall also have the right of pleading, by way of set-off, any debt or account which he may have against the plaintiff, provided the same be mutual and due in the same right, and a substantial copy of the set-off shall be filed with the plea, and if the defendant shall prove a set-off of larger amount than the demand established by the plaintiff, the Court shall give judgment for the defendant for the balance over and above the plaintiff's demand so established: *provided nevertheless*, that the Court shall not have cognizance of any set-off exceeding the sum of one hundred dollars, as aforesaid.

Be it further Resolved, That five days after judgment is rendered in any case, the Clerk shall issue an execution against the property of the defendant, for the amount of the judgment and cost, directed to the officers of the District, and any of said officers in whose hands such execution shall be placed, shall proceed to levy and make collections according to law.

Be it further Resolved, That the Judge and Clerk of this Court be, and they are hereby authorized, and vested with authority, to administer *Oaths*, on every necessary occasion, and that the District Judges be, and are hereby also, authorized to perform the matrimonial ceremony, agreeably to law.

Be it further Resolved, That the District Judges shall have power to grant appeals to the Circuit Courts agreeable to law, and shall receive a salary of sixty dollars per annum for their services; and the Clerk, of the District Courts shall each be allowed ten dollars per annum extra pay for their services during the recess of the Courts.

New Echota, 8th Nov., 1828.

WHEREAS, much inconvenience is experienced by the courts in this Nation, in the trial of criminal cases, in consequence of prosecutors not being bound for the prosecution of such criminal cases, therefore,

Resolved by the Committee and Council, in General Council Convened, That after the passage of this act, any person or persons, not a public officer, who shall undertake to prosecute any criminal or criminals, shall be, and he, she, or they, are hereby required to give bond and security, in a sum double the amount of such prosecutions, for the faithful performance of prosecuting the criminals, who may be arrested and brought to trial.

Be it further Resolved by the Authorities aforesaid, That it shall be the duty of such prosecutors to give bond and security previous to their receiving warrants for the arresting of such criminals.

New Echota, 8th Nov., 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

—o:o—

Resolved by the National Committee and Council, in General Council Convened, That so much of the law passed 26th October, 1819, regulating the issuing of permits, as require them to be issued by the National Committee and Council, be, and the same is hereby, repealed, and in lieu thereof the power of issuing permits shall be vested in the Treasurer of the Cherokee Nation.

SEC. 2. *Be it further Resolved*, That the above mentioned law be, and is hereby so amended, as to require any citizen or citizens, obtaining a permit, to pay a tax of one dollar into the National Treasury for each, and every permit so obtained, for the term of one year, and in proportion for a shorter or greater length of time, and the employer shall be bound for the satisfaction of all thefts, of which the person or persons employed under the permit, may be convicted of before any of the Courts of different Districts, *Provided nevertheless*, that nothing shall be so construed in this section as to exempt such offenders from the penalty prescribed by law for such offences.

SEC. 3. *Be it further Resolved,* That twenty days shall be allowed to the employer after the expiration of the permit, to renew the same, or the removal of the person or persons employed out of the Nation; and in case the employer shall not renew his permit, he shall be bound, under the penalty of twenty dollars, to notify the sheriff or constable of his District, within the space of time above mentioned, of the expiration and non-removal of the same. And it shall be the duty of any lawful officer after the above mentioned time, in case the person or persons so employed shall not have removed, to forthwith remove him or them out of the Nation, and the expense of removal shall be collected from the person or persons so removed, and in case he or they shall not be able to defray the same, the employer shall be bound for the same; and in all such cases the officer or officers shall not exact unreasonable fees.

SEC. 4. *Be it further Resolved,* That the Treasurer shall be required to keep a correct record of all permits issued, specifying the different kind of mechanics, &c., to whom granted, and to present the General Council at each session with a correct copy of the same; and it shall be his duty to issue permits during the recess of the General Council.

New Echota, 8th November, 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

—o:o—

Resolved by the Committee and Council, in General Council Convened, That there be appropriated so much money out of the Treasury of the Nation, not otherwise appropriated, as will be sufficient to purchase one iron chest, for the better security of the public funds of the Nation, and that the Treasurer be, and he is hereby, authorised to make the purchase.

Be it further Resolved by the Authorities aforesaid, That the Treasurer be, and he is hereby required to keep his office open for transacting business every Wednesday and Thursday in each week, *Provided nevertheless,* that it shall be lawful to transact business on any other day, when necessity requires.

New Echota, Nov. 8, 1828.

Approved—JNO. ROSS

Resolved by the National Committee and Council, in General Council Convened, That the Judges of the several Courts in the Nation shall have power to adopt such rules and regulations, as shall be necessary to preserve good order in their Courts, and to punish those who shall be guilty of disorderly behaviour in contempt of the Court, by imposing such fines as in their opinion shall be deemed justifiable, *provided*, that the same shall not exceed ten dollars for each offence.

Be it further Resolved, That no evidence (which has not been given in before the Circuit Courts) shall be admissible before the Supreme Court, excepting in such cases as shall appear to the full satisfaction of the Supreme Judges, that it was impossible for the evidence to have been obtained and produced before the Circuit Court, in that case such evidence shall be admitted.

New Echota, Nov. 8th, 1828.

LEWIS ROSS, Pres't Com

Concurred—GOING SNAKE, Speaker.

Approved Nov. 18th—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That it shall be lawful, whenever any person may have a claim, or debt, against another, and is apprehensive that he is about to abscond, or dispose of his property, so as to be beyond the reach of the law, to make oath to that effect, before any of the Judges or clerks of the respective Districts, and it shall be the duty of the Judge or clerk to issue forthwith an attachment, to be placed in the hands of any lawful officer, whose duty it shall be to attach as much property of the debtor's as will satisfy the demand, if to be found, and to take the same into his safe keeping, until there shall be a decision made on the case agreeably to law, unless the said debtor shall secure to the creditor the debt by giving bond with sufficient security.

New Echota, Nov. 8, 1828.

LEWIS ROSS, Pres't. Com.

Concurred—GOING SNAKE, Speaker Coun.

Approved—JNO. ROSS.

WM. S. COODEY, clerk Com.

A. M'COY, clerk Coun.

Resolved by the Committee and Council, in General Council Convened, That so much of the law passed 20th October, 1820, providing for the appointment of "One Circuit Judge to have jurisdiction over two Districts, to associate with the District Judges," &c. be, and the same is hereby repealed.

SEC. 2. *Be it further Resolved,* That so much of the law passed providing "that the Cherokee Nation be organized and laid off in Districts," as fixes the time that each District shall hold their respective Councils, or Courts, be, and the same is hereby also repealed.

SEC. 3. *Be it further Resolved,* That the Cherokee Nation shall be laid off in two Circuit Districts. The first circuit shall be composed of Coosowatee, Hightower, Hickory Log and Tahquohee Districts; the second circuit shall be composed of Aquohee Ahmohee, Chickamauga and Chattooga Districts, and the time of holding the Circuit Courts in each District shall be as follows, viz:

First Circuit, Spring Term.—1st Monday in May, at Coosowatee; 2d Monday in May, at Hightower; 3d Monday in May, at Hickory Log, and the Monday thereafter at Tahquohee.

Second Circuit, Spring Term.—1st Monday in May, at Aquohee; 2d Monday in May, at Ahmohee; 3d Monday in May, at Chickamauga, and the Monday thereafter at Chattooga.

First Circuit, Fall Term.—1st Monday in September at Coosowatee; 2d Monday at Hightower; 3d Monday at Hickory Log, and the Monday thereafter at Tahquohec.

Second Circuit, Fall Term.—1st Monday in September at Aquohec; 2d Monday in September at Ahmohee; 3d Monday in September at Chickamauga, and the Monday thereafter at Chattooga.

SEC. 4. *Be it further Resolved,* That there shall be two Circuit Judges for the Cherokee Nation, who shall be elected by a joint vote of both houses of the General Council, and who shall hold their Commissions for four years, and whose duties shall be to try and decide upon all cases, both civil and criminal, that may come before them agreeably to the laws of the Cherokee Nation; and it shall be their duty during the recess of the Courts to call a Court, to try all criminals that may be arrested for murder, which Court shall be held at the court house of the District in which the crime shall have been

committed; and it shall be the duty of the Sheriff of the District in which the crime may be committed to notify the Circuit Judge of their respective Circuits, immediately after the person or persons shall be arrested; and it shall be the duty of the Judge to have a Court called without delay, for the trial of said criminals.

SEC. 5. *Be it further Resolved*, That in case when a criminal is to be tried for murder, the Sheriff shall summons twenty-four good men to appear at the court house, on the day of trial, out of which number the criminal shall select a jury of twelve men to try the case, agreeably to law and evidence.

SEC. 6. *Be it further Resolved*, That it shall be the duty of the clerks of the several Circuit Courts to take down in writing, the evidences in all cases brought before, and decided on by, the Circuit Courts, and when an appeal is taken to the Supreme Court, those evidences together with the bills of declaration, shall be sealed up and transmitted through the Sheriffs to the clerk of the Supreme Court, and each document shall be marked and transcribed on the out side, stating the case to which they relate, and it shall be the duty of the clerk of the Supreme Court to preserve those documents with great care, and to lay them before the Judges of the Supreme Court at their next session, and they shall not be opened until the Court shall be ready to take up the case to which they relate.

SEC. 7. *Be it further Resolved*, That it shall be the duty of the Sheriffs to receive from the clerk of the Circuit Court of their respective Districts, all documents of appealed cases, and to deliver the same to the clerk of the Supreme Court.

SEC. 8. *Be it further Resolved*, That the Circuit Court shall sit five days at each term, provided there shall be any business to occupy their attention that length of time; and that the Circuit Judges shall have the power to grant a new trial in cases where a decision in their Courts shall be made contrary to law and evidence.

SEC. 9. *Be it further Resolved*, That the Circuit Judges shall, and they are hereby, required to exchange Circuits once in two years.

Be it further Resolved, That the salary of each Circuit Judge shall be one hundred and forty dollars per. annum, and that the clerk of the Circuit Courts shall each be allowed ten dollars extra pay for services during the recess of the Courts.

SEC. 10. *Be it further Resolved,* That the manner of proceeding in the Circuit Courts shall be by summons or warrants, under the hand of the Judge or clerk, in the same manner as is provided for in the Resolution regulating the District Courts.

New Echota, Nov. 18th, 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

W. S. COODEY, clerk Com.

—o:o—

Resolved by the National Committee and Council, in General Council convened, That if any person or persons shall commit the crime of wilful murder, such person or persons on being thereof convicted, shall suffer death.

SEC. 2. *Be it further Resolved,* That a respite of five days shall be allowed to the criminal after sentence of death shall be passed, before he shall be executed, during which respite the Sheriff shall be bound to keep a safe guard over the criminal; and should any person or persons make an attempt to rescue him, he or they shall be fined each two hundred dollars, and receive one hundred lashes on the bare back; and should the officer or any of the guard kill any person making an attempt to rescue the criminal he shall not be held accountable for the same.

SEC. 3. *Be it further Resolved,* That if any person or persons shall kill another in self defence, or by accident, without any previous intent to do the same, he, she or they shall be exempted from any punishment whatever.

SEC. 4. *Be it further Resolved,* That any person who assaults another, with intent to commit murder, rape, or robbery, shall on conviction thereof, be fined in such a sum as shall be assessed against him or her, by the verdict of the jury, not exceeding fifty dollars, and be subject to such corporal punishment as the jury may inflict, not exceeding fifty stripes on the bare back.

New Echota, 10th Nov., 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

Resolved by the National Committee and Council, in General Council Convened, That the sum of seventy-two dollars be, and the same is hereby appropriated out of any monies in the National Treasury, not otherwise appropriated, as a compensation to Messrs. George Lowrey and David Brown, for translating the laws of the Nation from English into the Cherokee language, agreeably to the law passed 4th Nov., 1826.

New Echota, Nov. 10th, 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council Convened, That from and after the passage of this resolution, it shall be unlawful for any citizen or citizens of the Cherokee Nation to cut out or open any road or roads from any public road in this Nation, in any direction whatever, or repair any road or roads that have been put down by the authority of the Nation, or to open any road, or establish, on their own account, or in conjunction with any white person, any ferry or ferries, on any water courses bounding on this Nation, or within the limits thereof, without first obtaining a permit from the General Council.

Be it further Resolved, That all roads that are now in operation within this Nation, and which have been opened since the passage of, and contrary to, the law of 1819 on the subject of roads, shall be forthwith stopped by the Sheriff of the District in which such road may be located, or by the Marshal of the Nation, by giving notice to the parties using said roads, or at whose instance the same may have been cut out, that the same are put down and required to be stopped by them by virtue and in obedience to the provisions of this resolution; and every person continuing to keep open or use such roads thereafter, shall be considered as if they had cut and opened the same since the passage of this resolution, and shall be subject to such penalty as shall hereafter be prescribed.

Be it further Resolved, That it shall be the duty of the several Sheriffs of the Districts of this Nation and the Marshal of the Nation, upon information being lodged with them,

or in case of any violation of the provisions of this resolution coming to their knowledge, to forthwith arrest such violators, and to carry them before one of the District Judges who shall bind them over to appear at the next District Court for the District in which the offence shall be committed, in a bond with such security as the said Judge shall deem sufficient to compel the said violators to appear at the Court aforesaid and stand their trial; and in the event of any person or persons so arrested refuse to give good and sufficient security for his or their appearance at Court, as aforesaid, then it shall be the duty of the Judge before whom such person or persons may be brought to inflict upon them the penalty hereafter specified.

Be it further Resolved, That any person or persons who shall violate any of the provisions of this resolution shall, for every such offence, for which he or they are convicted, pay a fine of 100 dollars, one half to go to the arresting officer and the other half to be paid into the National Treasury, which said fines shall be collected by any qualified officer of the Nation, by seizing and selling any property belonging to said person or persons, as in cases of other fines imposed by the laws of this Nation.

Be it further Resolved, That this resolution shall be considered as an amendment to the resolution of 30th Oct., 1819, on the subject of roads, and that the following words in said resolution, "or any such cases as may be brought before them for trial," be, and the same are hereby repealed.

New Echota, Nov. 11th, 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker Coun.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council Convened, That in case a vacancy should happen in the General Council, either by death or resignation of any of the members, previous to the next General Election, the District Judge of the District in which such member may reside or have resided, shall notify the Principal Chief of the same.

Be it further Resolved, That, in all such cases of vacancy, as may happen as above mentioned, the Priucipal Chief shall

have power to issue a writ of election to fill such vacancy, until the next general election, and shall appoint such persons as he may deem suitable to superintend the election.

New Echota, 12th Nov., 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council Convened That all vacancies, which may occur in the several Districts, of Sheriffs or Constables, shall be filled by appointments made by the Principal Chief, until the next General Election for members to the General Council, any law to the contrary notwithstanding.

Be it further Resolved, That if any vacancy should occur in the several Districts, the District Judge shall notify the Principal Chief of the same, and recommend some suitable person to fill the vacancy, and the person appointed shall be required to enter into bond with the Treasurer agreeably to law, before he shall be commissioned.

New Echota, Nov. 22th, 1828.

LEWIS ROSS, Pres't N. Com.

Concurred—GOING SNAKE, Speaker Coun:

Approved—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That if any person or persons shall interrupt, by misbehaviour, any congregation of Cherokee or white citizens, assembled at any place, for the purpose of Divine worship, such person or persons, so offending, shall, upon conviction thereof, before any of the Courts, be fined in a sum not exceeding ten dollars, to be adjudged by the Court of the District in which such offence may be committed; and if any negro slave shall be convicted of the above offence; he shall be punished with thirty-nine stripes on the bare back.

New Echota, Nov. 12th, 1828.

LEWIS ROSS, Pres't. N. Com:

Approved—JNO. ROSS.

Resolved by the National Committee and Council, in General Council convened, That the sum of fifteen dollars be, and the same is hereby appropriated out of any moneys in the National Treasury, not otherwise appropriated, for the benefit of Joshua Buffington and Alfred H. Hudson, for illegal fees collected from them, by direction of the Supreme Court in 1827.

New Echota, November 13th, 1828.

LEWIS ROSS, Pres't Com.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council Convened, That the two National Turnpikes, on the federal road, shall be let out to citizens of the Nation by the Treasurer of the Cherokee Nation, on the first Monday in January next, to the highest bidder, for one year; and the person or persons bidding off the same shall be required to give bond with sufficient securities, for the payment of the amount of his or their bid into the National Treasury, which payment shall be made quarterly. Any person or persons contracting for either or both of the above named Turnpikes shall be permitted to remove the same four or five miles, from their present location on the road either way, so as to suit their convenience, if they choose to do so.

Be it further Resolved, That the above mentioned Turnpikes shall not be let out, in case the highest bid shall not be more than the amount paid by the Nation annually for the repairing and keeping in good order the said federal road.

Be it further Resolved, That the rates of toll at the said gates shall be as follows, viz:

Wagon and team,	\$1 00
Ditto. two horses,	75
Do. one horse,	50
Two-wheel carriage,	50
Hogs, sheep and goats,	1
Black-cattle,	2
Man and horse,	12 1-2
Pack-horse,	12 1-2
Loose horse,	6 1-4

New Echota, 13th Nov, 1828.

Approved, Oct. 23d—JNO. ROSS.

Resolved by the Committee and Council, in General Council Convened, That the sum of twenty-five dollars be, and is hereby appropriated out of any moneys in the Treasury, not otherwise appropriated, for Jesse Bushyhead, for informing against a certain pedlar vending merchandize without license, from whom collection was made by the officer agreeably to law for such offences, and the above amount of twenty-five dollars being the amount due the informant as provided for by law.

New Echota, 13th Nov., 1828.

LEWIS ROSS, Pres't N. Com.

Concurred—GOING SNAKE, Speaker Coun.

Approved—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That the law passed 4th of July, 1827, authorizing the Treasurer of the Nation, to lease out, to the highest bidder, the ferry and improvements on the Chattahoochie river, on the federal road, be, and the same is hereby repealed.

New Echota, Nov. 13th, 1828.

LEWIS ROSS, res't N. Com.

Concurred—GOING SNAKE, Speaker Coun.

Approved—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That the sum of fourteen dollars and eighty-eight cents be, and is hereby appropriated out of any moneys in the Treasury, not otherwise appropriated, for David Brown, being the amount paid by him with his private money, for a pair of Globes bought in New Orleans, with money contributed to the Cherokees, by the citizens of that City, in 1826.

New Echota, 13th Nov., 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved, Nov. 14th—JNO. ROSS.

WM. S. COODEY, Cl'k Com.

A. M'COY, Cl'k Council.

Resolved by the Committee and Council, in General Council Convened, That the Principal Chief of the Cherokee Nation shall be allowed a salary of three hundred dollars per annum, during his continuance in office, out of the public funds of the Nation. And the Assistant Principal Chief shall be allowed a salary of one hundred and fifty dollars.

The Executive Counsellors shall be paid at the rates of two dollars per day, while in actual service, when called upon by the Principal Chief.

The Treasurer of the Cherokee Nation, shall be allowed for his services, three hundred and fifty dollars per annum.

The Sheriffs of the several Districts shall be allowed for their services fifty dollars per annum, besides their collection fees—any law to the contrary notwithstanding.

New Echota, 13th Nov., 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker Court

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council Convened, That the law passed 13th November, 1824, making it unlawful for citizens of the Nation to receive into their employment citizens of the United States, without obtaining a permit agreeably to law, under the penalty of being fined in a sum not exceeding ten dollars, be, and the same is hereby, so amended, as to raise the above named sum of ten dollars to fifty dollars; and any citizen of the Nation upon being convicted of violation of the above mentioned law, before any of the Courts of this Nation, shall be fined in a sum not exceeding fifty dollars, and not less than one dollar for each, and every such offence, to be assessed by the Court of the respective District.

Be it further Resolved, That this resolution shall go in full force and effect on the first day of January, 1829.

New Echota, 14th Nov., 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

WM. S. COODEY, Cl'k Com.

A. M'COY, Cl'k Coun.

Resolved by the National Committee and Council, in General Council Convened, That all costs arising from prosecutions, for violations of the laws, shall not be paid by the Nation, excepting in such cases as may hereafter be specified, but shall be collected from the person or persons so prosecuted and convicted; and in case the person or persons so convicted shall not be able to pay the same, then, and in that case, the Nation shall pay the same.

Be it further Resolved, That whenever a criminal may be arrested for violation of the laws of Nation, it shall be lawful for the officer to board him or her with the guard at some suitable place, until the time of trial, which expense shall be paid by the Nation, in case the criminal shall be acquitted, but if convicted, he or she shall be required to pay the same if the amount can be collected; and the rates of charges for boarding guards and criminals shall not exceed the following rates, viz: for man and horse per day, seventy-five cents, for man without a horse, fifty cents; and the amount, time, &c. of boarding shall be certified by some lawful officer of the District, which shall be presented to the Principal Chief before a warrant shall be issued for the money.

LEWIS ROSS, Pres,t Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

—o:o—

Resolved by the Committee and Council, in General Council Convened, That when a person shall die without a Will, the nearest relatives of the deceased shall have the right to recommend to the Circuit Court of the District in which the deceased lived, such person or persons as they shall choose, administer on the estate, and it shall be the duty of the Circuit Judge to issue letters of administration to the persons so recommended, provided that he, she, or they, shall make and exhibit on oath a true and just schedule of all the property, debts, dues and demands of right belonging to the said estate, together with all demands that may be against the said estate as far as he, she, or they may know, which schedule shall be filed in the Clerks office; and provided also that said person or persons before obtaining letters of administration, shall execute a bond with good and sufficient securities for the

faithful management and forthcoming of the estate, together with the increase, to the legal heir or heirs of the deceased, so soon as they shall become of age; and that males twenty one years of age shall be considered of lawful age, and females at eighteen.

Be it further resolved, That the administrator or administrators shall be required at the end of every year during their administratorship, upon oath, to make returns to the said court of all the expenses and profits consequent upon the management of such property or estate, which returns shall be filed in said clerks office.

Be it further resolved, That when a person dies and leaves a will, the executor or executors shall be required to render in a true account, upon oath, before the Circuit court, of all the property belonging to the estate, and shall also give bond and sufficient security for the faithful performance of their duties agreeably to the will.

Be it further resolved, That all persons now acting as executors or administrators in this Nation be required to render in a schedule of all the property &c. before the next Circuit Court of their several districts, according to the foregoing provisions, and be required to enter into bond and securities as aforesaid.

Be it further resolved, The in case such executors or administrators fail to comply with the requirements of the provisions of this resolution, he, she or they shall forfeit his, her or their executorship or administratorship.

Be it further resolved, That any person or persons, who is not a citizen of the Nation, shall not be appointed under letters of administration. And in case of an executor or executrix, or administrator or administratrix shall remove out of the limits, of this Nation, his or her appointment shall cease and it shall be lawful to appoint others to act in their places agreeably to the provisions of this resolution.

Be it further resolved, That it shall be the duty of the executors or administrators so soon as they obtain letters agreeably to this resolution, to publish in the Cherokee Phoenix, a notification to all persons indebted to the estate to come forward and make payment, and all persons having claims against the estate to present them for payment, and after such notification, twelve months shall be allowed for any person having claims or demends against the estate to present

them for adjustment, but if the above mentioned time shall expire before such claims shall be presented, the said claims shall be void and not recoverable by law.

New Echota, Nov. 15, 1828.

LEWIS ROSS, Pres't. Com.

Concurred—GOING SNAKE, Speaker Coun.

Approved—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That any person or persons who shall leave their houses, farms or other improvements, and bind themselves by enrolment, or otherwise, with intent of removing out of the jurisdictional limits of this Nation, as an emigrant or emigrants to another country, such person or persons shall forfeit all right, title, claim and interest that he, she or they may have or be entitled to as citizens of this Nation, to the houses farms or other improvements so left.

Be it further resolved, that it shall be lawful for any citizen or citizens of this Nation to take, and occupy for their own use and benefit, any of the houses farms or other improvements which may be abandoned by emigrants, as aforesaid and such citizen or citizens first going into possession of such houses farms &c. shall have a preference right, any contract, bargain or sale made by such emigrant or emigrants, to any other person or persons whatsoever, to the contrary, notwithstanding.

New Echota, 17th Nov., 1828.

LEWIS ROSS, Pres't Com

Approved—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That the resolution passed 12th November, 1825, making it unlawful to attach and sell certain kind of property, therein specified, be, and the same is hereby, so amended, as to include sixty bushels or corn, which quantity shall hereafter be exempted from attachment or sale for debt.

New Echota, Nov. 18th, 1828.

Approved—JNO. ROSS,

Resolved by the National Committee and Council, in General Council Convened That the Editor of the Cherokee Phœnix be, and he is hereby, required to keep a correct and exact account of all contingent expenses attending the printing establishment, and that it shall be his duty, at the commencement of each session of the General Council, to make a detailed report of the amount of moneys received an account of the establishment, also of the disbursements made, the number of subscribers for the Phœnix, and the amount due an account of subscriptions.

Be it further resolved, That the Editor shall selected another Cherokee youth of good qualities and capacity, who will agree, with the consent his parents or guardians,, to serve as an apprentice to the printing business, and for a length of time so as to enable said apprentice, to become master of the art of Printing, and that the said apprentice shall be clothed and boarded in the same manner as is provided by law for the apprentice now in service, at the public expense.

Be it further resolved, That the Editor be, and he is hereby required, to withhold, from the columns of the Phœnix, scurrilous communications which may have a tendency to excite and irritate personal controversies, also, he shall not support or cherish, by publishing communications, or by inserting under the Editorial head, any thing on religious matters, that will savour sectarianism: It shall also be his duty to collect as much original Cherokee matter for the columns of the paper, as his situation and abilities shall enable him to do, and to have the manuscript laws printed in a pamphlet form and attach to the printed laws, as early as practical, and to have an index to the same.

New Echota, 19th Nov., 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council convened, That there shall be a court House built at Echota, for the Supreme Court of the Cherokee Nation. It shall be a framed building, of the following dimen-

sions: twenty-four feet in length by twenty feet in width, two stories high, lower story ten feet, upper story nine feet high, shingled roof of yellow popular shingles, one stair case, one door on each side of the house, plain batten shutters, two fifteen light windows on each side of the house, above and below, also two windows in the end of the lower story where the Judges bench shall be erected: the weather boarding shall be rough, but jointed, the floors shall be rough also, but the lower floor shall be square jointed, and the upper, tongued and grooved; the platform for the Judges' Bench shall be three feet high, eight feet in length, three feet in width, and banistered, steps at each end, with a seat the whole length of the platform; there shall also be half a dozen other seats of dressed pine plank, ten or twelve feet in length; the foundation of the house shall be of good rock or brick, and raised two feet above the ground. The persons contracting for the building of the above mentioned house, shall be required to furnish nails, glass, putty, hinges, locks, and other small necessary articles.

Be it further resolved, That the building shall be let out by the Treasurer of the Cherokee Nation, who shall give a timely notice in the Phoenix to builders, and any person wishing to contract for the same, shall transmit sealed proposals to the Treasurer, stating the amount &c. for which they shall complete the work; and the Treasurer shall continue to receive proposals until the first of February, 1829, on which day, the seals shall be broken, and the lowest bidder shall be bound in a bond with security for the faithful execution of the work, in a workmanlike manner to be completed by the second Monday in October, 1829.

The Building shall be erected on one of the public lots, and the spot shall be pointed out by the Treasurer, who shall be authorized to receive the building when completed, if executed agreeably to contract.

New Echota, 17th Nov, 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

Resolved by the National Committee and Council, in Gen.

eral Council Convened, That an appropriation be, and is hereby, made out of any moneys in the Treasury, not otherwise appropriated, to meet the contingent expenses, allowable by law, and which may become due before the next session of the General Council.

SEC. 7. *Be it further resolved*, That the Principal Chief shall issue a warrant to the Treasury, whenever any such expenses may become due, for the payment of the same.

New Echota, Nov. 19th, 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker Coun.

Approved—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That the resolution passed 12th November, 1825, requiring persons subpoenaed as witnesses, to attend under the penalty of twenty dollars be, and the same is hereby so amended that any person or persons who may be subpoenaed agreeably to law, to appear as witnesses at any of the Courts, shall attend under the penalty of one hundred dollars, unless a reasonable or lawful excuse shall be made to the Court, at which he, she or they, were required to appear.

Be it further resolved, That whenever there are more than three witnesses summonsed to prove one point, the party summonsing, or having them summonsed, shall be bound to pay the costs of the same, as is provided by law.

New Echota, Nov. 19, 1828.

LEWIS ROSS, Pres't N. Com.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council Convened, That George Ward, John Duncan, Moses Downing, John Wright, and James Dorherty be, and are hereby appointed Commissioners to fix upon the most convenient and eligible situation for holding the courts in Hickory Log District.

New Echota, 11th Nov., 1828.

LEWIS ROSS, Pres't Committee,

Resolved by the Committee and Council, in General Council Convened, That Oo-clah-no-tah, W. Bolen, Benchlegs, Sunday, and George W. Owens be, and they are hereby appointed Commissioners to fix upon some eligible situation for holding the courts in Tahquohee District, to be in the most central and convenient part of the District that the aboved mentioned Commissioners may designate.

New Echota, Nov. 14th, 1828.

LEWIS ROSS, Pres't Com.

Concurred—GOING SNAKE, Speaker.

Approved—JNO. ROSS.

—o:o—

Resolved by the National Committee and Council, in General Council Convened, That any person or persons whatsoever, who shall be found guilty of forming unlawful meetings, with intent to create faction against the peace and tranquility of the people, or to encourage rebellion against the laws and Government of the Cherokee Nation, upon conviction, shall receive one hundred stripes on the bare back.

Be it further resolved, That it shall be the duty of the Marshals, Sheriffs, and Constables of the several Districts, to arrest and bring before Circuit and District Judges, within their respective Districts, for trial, all such persons, and in the recess of the courts, it shall be the duty of the Circuit Judges to attend their respective circuits and to organize courts on all such occasions.

Be it further Resolved, That the Circuit Judges shall be allowed two dollars per day in addition to their salaries for each call court in which they may serve, according to law, and the District Judges shall be allowed the sum of one dollar per day, in addition to their salaries for the like services.

New Echota, July 3d, 1828.

LEWIS ROSS, Pres't Com

Concurred—GOING SNAKE, Speaker.

Approved Nov. 18th—JNO. ROSS.

CONSTITUTION

OF

THE CHEROK NATION:

FORMED BY A CONVENTION OF DELEGATES

FROM THE SEVERAL DISTRICTS,

AT NEW ECHOTA,

July, 1827.

WE, THE REPRESENTATIVES of the people of the Cherokee Nation, in Convention assembled, in order to establish justice, ensure tranquility, promote our common welfare, and secure to ourselves and our posterity the blessings of liberty; acknowledging with humility and gratitude the goodness of the sovereign Ruler of the Universe, in offering us an opportunity so favorable to the design, and imploring His aid and direction in its accomplishment, do ordain and establish this Constitution for the Government of the Cherokee Nation.

ARTICLE I.—*Sec. 1.*—The boundaries of this Nation, embracing the lands solemnly guarantied and reserved forever to the Cherokee Nation by the Treaties concluded with the United States, are, as follows, and shall forever hereafter remain unalterably the same, to wit:

Beginning on the north bank of Tennessee river at the upper part of the Chickasaw old field, thence along the main channel of said river, including all the islands therein, to the mouth of the Hiwassee river, thence up the main channel of said river, including islauds, to the first hill which closes in on

said river about two miles above Hiwassee Old Town, thence along the ridge which divides the waters of the Hiwassee and Little Tillico, to the Tennessee river at Tallassee, thence along the main channel, including islands, to the junction of the Cowee and Nanteyalee, thence along the ridge in the fork of said river, to the top of the blue ridge, thence along the blue ridge to the Unicoy Turnpike road, thence by a straight line to the main source of the Chestatee, thence along its main channel, including islands, to the Chatahoochy, and thence down the same to the Creek boundary at Buzzard Roost, thence along the boundary line which separates this and the Creek Nation, to a point on the Coosa river opposite the mouth of Wills creek, thence down along the south bank of the same to a point opposite to Fort Strother, thence up the river to the mouth of Wills creek, thence up along the east bank of said creek to the west branch thereof, and up the same to its source, and thence along the ridge which separates the Tombeccee and Tennessee waters to a point on the top of said ridge, thence due north to Camp Coffee on Tennessee river, which is opposite the Chickasaw Island, thence to the place of beginning.

Sec. 2.—The sovereignty and Jurisdiction of this Government shall extend over the country within the boundaries above described, and the lands therein are, and shall remain, the common property of the Nation; but the improvements made thereon, and in the possession of the citizens of the Nation, are the exclusive and indefeasible property of the citizens respectively who made; or may rightfully be in possession of them; *Provided*, that the citizens of the Nation, possessing exclusive and indefeasible right to their respective improvements, as expressed in this article, shall possess no right nor power to dispose of their improvements in any manner whatever to the United States, individual states, nor individual citizens thereof; and that whenever any such citizen or citizens shall remove with their effects out of the limits of this Nation, and become citizens of any other Government, all their rights and privileges as citizens of this Nation shall cease; *Provided nevertheless*, That the Legislature shall have power to re-admit by law to all the rights of citizenship, any such person or persons, who may at any time desire to return to the Nation on their memorializing the General Council for such readmission. *Moreover*, the Legislature shall have pow-

er to adopt such laws and regulations, as its wisdom may deem expedient and proper, to prevent the citizens from monopolizing improvements with the view of speculation.

ARTICLE II.—Sec. 1.—The power of this Government shall be divided into three distinct departments; the Legislative, the Executive, and Judicial.

Sec. 2.—No person or persons belonging to one of these Departments shall exercise any of the powers properly belonging to either of the others, except in the cases hereinafter expressly directed or permitted.

ARTICLE III.—Sec. 1.—The Legislative power shall be vested in two distinct branches; a Committee and a Council, each to have a negative on the other, and both to be styled the General Council of the Cherokee Nation; and the style of their acts and laws shall be,

“RESOLVED by the Committee and Council, in General Council convened.”

Sec. 2.—The Cherokee Nation, as laid off into eight Districts, shall so remain.

Sec. 3.—The Committee shall consist of two members from each District, and the Council shall consist of three members from each District, to be chosen by the qualified electors of their respective Districts, for two years; and the elections to be held in every District on the first Monday in August for the year 1828, and every succeeding two years thereafter; and the General Council shall be held once a year, to be convened on the second Monday of October in each year, at New Echota.

Sec. 4.—No person shall be eligible to a seat in the General Council, but a free Cherokee male citizen, who shall have attained to the age of twenty-five years. The descendants of Cherokee men by all free women, except the African race, whose parents may have been living together as man and wife, according to the customs and laws of this Nation, shall be entitled to all the rights and privileges of this Nation, as well as the posterity of Cherokee women by all free men. No person who is of negro or mulatto parentage, either by the father or mother side, shall be eligible to hold any office of profit, honor or trust under this Government.

Sec. 5.—The electors and members of the General Council shall, in all cases except those of treason, felony, or breach of the peace, be privileged from arrest during their attendance

at election, and at the General Council, and in going to, and returning from the same.

Sec. 6.—In all elections by the people, the electors shall vote *viva voce*. Electors for members to the General Council for 1828, shall be held at the places of holding the several courts, and at the other two precincts in each District which are designated by the law under which the members of this Convention were elected; and the District Judges shall superintend the elections within the precincts of their respective Court Houses, and the Marshals and Sheriffs shall superintend within the precincts which may be assigned them by the Circuit Judges of their respective Districts, together with one other person, who shall be appointed by the Circuit Judges for each precinct within their respective Districts; and the Circuit Judges shall also appoint a clerk to each precinct.—The the superintendents and clerks shall, on the Wednesday morning succeeding the election, assemble at their respective Court Houses and proceed to examine and ascertain the true state of the polls, and shall issue to each member, duly elected, a certificate, and also make an official return of the state of the polls of election to the Principal Chief, and it shall be the duty of the Sheriffs to deliver the same to the Executive; *Provided nevertheless*, The General Council shall have power after the election of 1828, to regulate by law the precincts and superintendents and clerks of elections in the several Districts.

Sec. 7.—All free male citizens, (excepting negroes and descendants of white and Indian men by negro women who may have been set free,) who shall have attained to the age of eighteen years, shall be equally entitled to vote at all public elections.

Sec. 8.—Each house of the General Council shall judge of the qualifications and returns of its own members.

Sec. 9 —Each house of the General Council may determine the rules of its proceedings, punish a member for disorderly behaviour, and with the concurrence of two thirds, expel a member; but not a second time for the same cause.

Sec.—Each house of the General Council, when assembled shall choose its own officers; a majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent

members in such manner and under such penalty as each house may prescribe.

Sec. 11.—The members of the Committee shall each receive from the public Treasury a compensation for their services which shall be two dollars and fifty cents per day during their attendance at the General Council; and the members of the Council shall each receive two dollars per day for their services during their attendance at the General Council:—*Provided*, That the same may be increased or deminished by law, but no alteration shall take effect during the period of service of the members of the General Council, by whom such alteration shall have been made.

Sec. 12.—The General Council shall regulate by law, by whom and in what manner, writs of elections shall be issued to fill the vacancies which may happen in either branch thereof.

Sec. 13.—Each member of the General Council before he takes his seat, shall take the following oath or affirmation, to wit:

“I, A. B., do solemnly swear, (or affirm, as the case may be,) that I have not obtained my election by bribery, treats or any undue and unlawful means used by myself, or others by my desire or approbation, for that purpose; that I consider myself constitutionally-qualified as a member of and that, on all questions and measures which may come before me, I will so give my vote, and so conduct myself, as may in my judgment, appear most conducive to the interest and prosperity of this Nation; and that I will bear true faith and allegiance to the same; and to the utmost of my ability and power observe, conform to, support and defend the Constitution thereof.”

Sec. 14.—No person who may be convicted of felony before any court of this Nation, shall be eligible to any office or appointment of honor, profit or trust within this Nation.

Sec. 15.—The General Council shall have power to make all laws and regulations, which they shall deem necessary and proper for the good of the Nation, which shall not be contrary to the Constitution.

Sec. 16.—It shall be the duty of the General Council to pass such laws as may be necessary and proper, to decide differences by arbitrators to be appointed by the parties, who may choose that summary mode of adjustment.

Sec. 17.—No power of suspending the laws of this Nation

shall be exercised, unless by the Legislature or its authority.

Sec. 18.—No retrospective law, nor any law impairing the obligations of contracts shall be passed.

Sec. 19.—The legislature shall have power to make laws for laying and collecting taxes, for the purpose of raising a revenue.

Sec. 20.—All bills making appropriations shall originate in the Committee, but the Council may propose amendments or reject the same.

Sec. 21.—All other bills may originate in either house, subject to the concurrence or rejection of the other.

Sec. 22.—All acknowledged Treaties shall be the Supreme law of the land.

Sec. 23.—The General Council shall have the sole power of deciding on the construction of all Treaty stipulations.

Sec. 24.—The Council shall have the sole power of impeaching.

Sec. 25.—All impeachments shall be tried by the Committee;—when sitting for that purpose, the members shall be upon oath or affirmation; and no person shall be convicted without the concurrence of two thirds of the members present.

Sec. 26.—The Principal Chief, assistant principal Chief, and all civil officers, under this Nation, shall be liable to impeachment for any misdemeanor in office; but Judgment, in such cases, shall not extend further than removal from office, and disqualification to hold any office of honor, trust or profit, under this Nation. The party whether convicted or acquitted, shall, nevertheless, be liable to indictment, trial, judgment and punishment, according to law.

ARTICLE IV —*Sec. 1* The Supreme Executive Power of this Nation shall be vested in a Principal Chief, who shall be chosen by the General Council, and shall hold his office four years; to be elected as follows,—The General Council by a joint vote, shall, at their second annual session, after the rising of this Convention, and at every fourth annual session thereafter, on the second day after the Houses shall be organized, and competent to proceed to business, elect a Principal Chief.

Sec. 2.—No person, except a natural born citizen, shall be eligible to the office of Principal Chief; neither shall any person be eligible to that office, who shall not have attained to the age of thirty-five years.

Sec. 3.—There shall also be chosen at the same time, by the General Council, in the same manner for four years, an assistant Principal Chief.

Sec. 4.—In case of the removal of the Principal Chief from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the assistant principal Chief, until the inability be removed, or the vacancy filled by the General Council.

Sec. 5.—The General Council may, by law, provide for the case of removal, death, resignation or inability of both the Principal and assistant Principal Chiefs, declaring what officer shall then act as Principal Chief, until the disability be removed, or a Principal Chief shall be elected.

Sec. 6.—The Principal Chief, shall, at stated times, receive for their services,—a compensation—which shall neither be increased nor diminished during the period for which they shall have been elected; and they shall not receive, within that period, any other emolument from the Cherokee Nation, or any other government.

Sec. 7.—Before the Principal Chief enters on the execution of his office, he shall take the following oath, or affirmation; “I do solemnly swear (or affirm) that I will faithfully execute the office of Principal Chief of the Cherokee Nation, and will, to the best of my ability, persevere, protect and defend, the Constitution of the Cherokee Nation.”

Sec. 8.—He may, on extraordinary occasions, convene the the General Council at the Seat of Government.

Sec. 9.—He shall from time to time give to the General Council information of the State of the Government, and recommend to their consideration such measures as he may think expedient.

Sec. 10.—He shall take care that the laws be faithfully executed.

Sec. 11.—It shall be his duty to visit the different districts, at least once in two years, to inform himself of the general condition of the Country.

Sec. 12.—The assistant Principal Chief shall, by virtue of his office, aid and advise the Principal Chief in the Administration of the Government, at all times during his continuance in office.

Sec. 13.—Vacancies that may happen in offices, the appointment of which is vested in the General Council, shall

be filled by the Principal Chief, during the recess of the General Council, by granting Commissions which shall expire at the end of the next Session.

Sec. 14.—Every Bill which shall have passed both Houses of the General Council, shall before it becomes a law, be presented to the Principal Chief of the Cherokee Nation. If he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journals, and proceed to reconsider it. If, after such reconsideration, two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two thirds of that house, it shall become a law. If any bill shall not be returned by the Prin'l Chief within five days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it; unless the General Council by their adjournment prevent its return, in which case it shall be a law, unless sent back within three days after their next meeting.

Sec. 15.—Members of the General Council and all officers Executive and Judicial, shall be bound by oath to support the Constitution of this Nation, and to perform the duties of their respective offices with fidelity.

Sec. 16.—In case of disagreement between the two houses with respect to the time of adjournment, the Principal Chief shall have power to adjourn the General Council to a such a time as he thinks proper, *provided*, it be not to a period beyond the next Constitutional meeting of the same.

Sec. 17.—The Principal Chief shall, during the siting of the General Council, attend to the Seat of Government.

Sec. 18.—There shall be a Council to consist of three men to be appointed by the joint vote of both Houses, to advise the Principal Chief in the Executive part of the Government, whom the Principal Chief shall have full power, at his discretion, to assemble; and he, together with the assistant Principal Chief, and the Counsellors, or a majority of them may, from time to time, hold and keep a Council for ordering and directing the affairs of the Nation according to law.

Sec. 19.—The members of the Council shall be chosen for the term of one year.

Sec. 20.—The resolutions and advice of the Council shall

be recorded in a register and signed by the members agreeing thereto, which may be called for by either house of the General Council; and any counsellor may enter his dissent to the resolution of the majority.

Sec. 21.—The Treasurer of the Cherokee Nation shall be chosen by the joint vote of both Houses of the General Council for the term of two years.

Sec. 22.—The Treasurer shall, before entering on the duties of his office, give bond to the Nation with sureties to the satisfaction of the Legislature, for the faithful discharge of his trust.

Sec. 23.—No money shall be drawn from the Treasury, but by warrant from the Principal Chief, and in consequence of appropriations made by law.

Sec. 25.—It shall be the duty of the Treasurer to receive all public monies, and to make a regular statement and account of the receipts and expenditures of all public monies at the annual Session of the General Council.

ARTICLE V —*Sec. 1.*—The Judicial Powers shall be vested in a Supreme Court, and such Circuit and Inferior Courts, as the General Council may, from time to time ordain and establish.

Sec. 2.—The Supreme Court shall consist of three Judges, any two of whom shall be a quorum.

Sec. 3.—The Judges of each shall hold their Commissions four years, but any of them may be removed from office on the address of two thirds of each house of the General Council to the Principal Chief, for that purpose.

Sec. 4.—The Judges of the Supreme and Circuit Courts shall, at stated times, receive a compensation, which shall not be diminished during their continuance in office, but they shall receive no fees or perquisites of office, nor hold any other office of profit or any other power.

Sec. 5.—No person shall be appointed a Judge of any the Courts before he shall have attained to the age of thirty years, nor shall any person continue to execute the duties of any of the said offices after he shall have attained to the age of seventy years.

Sec. 6.—The Judges of the Supreme and Circuit Courts shall be appointed by a joint vote of both houses of the General Council.

Sec. 7.—There shall be appointed in each District, under

the Legislative authority, as many Justices of the Peace as it may be deemed the public good requires, whose powers, duties and duration in office, shall be clearly designated.

Sec. 8.—The Judges of the Supreme Court and Circuit Courts shall have complete criminal Jurisdiction in such cases and in such manner as may be pointed out by law.

Sec. 9.—Each Court shall choose its own Clerks for the term of four years; but such Clerks shall not continue in office unless their qualifications shall be adjudged and approved of by the Judges of the Supreme Court, and they shall be removable for breach of good behaviour at any time, by the Judges of their respective courts.

Sec. 10.—No Judge shall sit on trial of any cause, where the parties shall be connected with him by affinity or consanguinity, except by consent of the parties. In case all the Judges of the Supreme Court shall be interested in the event of any cause, or related to all, or either of the parties, the Legislature may provide by law for the selection of three men of good character and knowledge, for the determination thereof, who shall be specially commissioned by the Principal Chief for the case.

Sec. 11.—All writs and other process shall run in the name of the Cherokee Nation, and bear test, and be signed by the respective clerks.

Sec. 12.—Indictments shall conclude, “against the peace and dignity of the Cherokee Nation.”

Sec. 13.—The Supreme Court shall hold its session annually at the seat of Government to be convened on the second Monday of October in each year.

Sec. 14.—In all criminal prosecutions, the accused shall have the right of being heard, of demanding the nature and cause of the accusation against him, of meeting the witnesses face to face, of having compulsory process for obtaining witnesses in his favor: and in prosecutions by indictment or information, a speedy public trial by an impartial jury of the vicinage; nor shall he be compelled to give evidence against himself.

Sec. 15.—The people shall be secure in their persons, houses, papers and possessions, from unreasonable seizures and searches, and no warrant to search any place or to seize any person or things, shall be issued without describing them as nearly as may be, nor without good cause, supported by

path, or affirmation. All prisoners shall be bailable by sufficient securities unless for capital offences, where the proof is evident, or presumption great.

ARTICLE VI.—Sec. 1.—Whereas, the ministers of the Gospel are, by their profession, dedicated to the service of God and the care of souls, and ought not to be diverted from the great duty of their function, therefore, no minister of the Gospel, or public preacher of any religious persuasion, whilst he continues in the exercise of his pastoral functions, shall be eligible to the office of Principal Chief, or a seat in either house of the General Council.

Sec. 2.—No person who denies the being of a God, or a future state of rewards and punishment, shall hold any office in the civil department of this Nation.

Sec. 3.—The free exercise of religious worship, and serving God without distinction shall forever be allowed within this Nation; *Provided*, That this liberty of conscience shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this Nation.

Sec. 4.—Whenever the General Council shall determine the expediency of appointing delegates or other public Agents for the purpose of transacting business with the Government of the United States; the power to recommend, and by the advice and consent of the Committee, shall appoint and commission such delegates or public agents accordingly; and all matters of interest touching the rights of the citizens of this Nation, which may require the attention of the government of the United States, the Principal Chief shall keep up a friendly correspondence with that Government, through the medium of its proper officers.

Sec. 5.—All commissions shall be in the name and by the authority of the Cherokee Nation, and be sealed with the seal of the Nation, and signed by the Principal Chief.

The Principal Chief shall make use of his private seal until a National seal shall be provided

Sec. 6.—A Sheriff shall be elected in each District by the qualified electors thereof, who shall hold his office for the term of two years, unless sooner removed. Should a vacancy occur subsequent to an election, it shall be filled by the Principal Chief as in other cases, and the person so appointed shall continue in office until the next general election, when such vacancy shall be filled by the qualified electors, and the

Sheriff then elected shall continue in office for two years.

Sec. 7.—There shall be a Marshal appointed by a joint vote of both houses of the General Council, for the term of four years, whose compensation and duties shall be regulated by law, and whose jurisdiction shall extend over the Cherokee Nation.

Sec. 8.—No person shall for the same offence be twice put in jeopardy of life or limb, nor shall any person's property be taken or applied to public use without his consent; *Provided*, That nothing in this clause shall be so construed as to impair the right and power of the General Council to lay and collect taxes. All courts shall be open, and every person for an injury done him in his property, person or reputation, shall have remedy by due course of law.

Sec. 9.—The right of trial by jury shall remain inviolate.

Sec. 10.—Religion, morality and knowledge being necessary to good government, the preservation of liberty, and the happiness of mankind, schools and the means of education shall forever be encouraged in this Nation.

Sec. 11.—The appointment of all officers, not otherwise directed by this Constitution, shall be vested in the Legislature.

Sec. 12.—All laws in force in this Nation at the passing of this Constitution, shall so continue until altered or repealed by the Legislature, except where they are temporary, in which case they shall expire at the times respectively limited for their duration; if not continued by an act of the Legislature.

Sec. 13.—The General Council may at any time propose such amendments to this Constitution as two thirds of each house shall deem expedient; and the Principal Chief shall issue a proclamation, directing all the civil officers of the several Districts to promulgate the same as extensively as possible within their respective Districts, at least nine months previous to the next general election, and if at the first session of the General Council after such general election, two thirds of each house shall, by yeas and nays, ratify such proposed amendments they shall be valid to all intents and purposes, as parts of this Constitution; *Provided*, That such proposed amendments shall be read on three several days, in each house as well when the same are proposed as when they are ratified.

Done in Convention at New Echota, this twenty-sixth day of July, in the year of our Lord, one thousand eight hundred

and twenty-seven; In testimony whereof, we have each of us, hereunto subscribed our names.

JNO. ROSS, *Pres't Con.*

Jno. Baldrige, Geo. Lowrey, Jno. Brown, Edward Gunter, John Martin, Joseph Vann, Kelechulee, Lewis Ross, Thomas Foreman, Hair Conrad, James Daniel, John Duncan, Joseph Vann, Thomas Petitt, John Beamer, Ooclenota, Wm. Boling, John Timson, Situwakee, Richard Walker,

A. McCOY, *Sec'y to Con.*

L A W S , & C .

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Resolved by the Committee and Council, in General Council Convened, That the resolution of the General Council, passed 8th November, 1828, vesting in the Treasurer of the Cherokee Nation authority to issue permits to native citizens for the introduction of white men, and all such as are not citizens into the Nation as mechanics, &c., be, and the same is hereby, suspended until further regulations are made on the subject, and that the National Treasurer be notified of this suspension without delay.

New Echota, Oct. 15th, 1829.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council Convened, That from and after the passage of this act, any person or persons, not citizens of the Nation, who shall marry according to law in this nation, and lose by death a wife or husband as the case may be, and not having a child or children by him or her to whom so married, shall be deprived, and is thereby deprived of citizenship, by the death of the Cherokee citizen or citizens, that created his or her right, *i. e.* the right of the said white person or persons or any such, who had become citizens by marriage with any citizens of this Nation.

Be it further Resolved by the Authority aforesaid, That any such citizen or citizens as aforesaid, who shall lose by death, a wife or husband, as the case may be, and have living a child, or children, the fruit of any marriage according to law, shall be and continue a citizen or citizens of the Cherokee Nation so long as they shall remain single or shall marry any other citizen of the nation again.

Be it further resolved, by the authority aforesaid, That any such person or persons aforesaid who shall lose a wife or husband, as the case may be, by death, and have a child or children, the fruit of such lawful marriage, and shall marry a white person or persons of such as come into the Nation, or any other by the law of marriage, shall upon and by such marriage aforesaid, destroy and nullify, his or her rights as the case may be, who shall marry, to citizenship in this Nation; and so long as he, she, or they of such persons aforesaid, shall remain in the country, shall be considered intruders upon the soil of the Nation, and be liable to expulsion and removal from the nation according to laws made and provided in such cases.

New Echota, Oct. 15th, 1829.

Approved—JNO. ROSS

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Resolved by the Committee and Council, in General Council Convened, That all those who have buildings upon the public square of Echota be, and they are hereby, required to remove said buildings from said square before the next annual session of the General Council under the penalty of ten dollars, and of having the same pulled down and removed at their expense.

Be it further resolved, That no person or persons whatsoever, shall be allowed to build upon the said square without special permission from the General Council, under the penalty of forfeiting the same to the Nation, and being fined in a sum of one hundred dollars.

New Echota, Oct. 16, 1829.

Approved—JNO. ROSS:

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Resolved by the Committee and Council, in General Council Convened, That there shall be a person appointed to keep and take care of the public buildings of the Nation, in New Echota, and preserve and retain the keys of the buildings aforesaid; and whose duty it shall be to have the floors and benches of the buildings aforesaid washed and ready for the use of the General Council and the Supreme Court of the

Nation at the commencement of their respective sessions, appointed by law; and who shall be allowed to open the doors of the public buildings during the recess of the aforesaid General Council and Supreme Court, to any minister or ministers, or any other person disposed to hold public worship in the same.

Be it further Resolved, That the salary of the keeper of the public buildings shall be, per annum, ten dollars.

Be it further Resolved, That Elias Boudinot be, and is hereby appointed as the keeper of the public buildings aforesaid.

New Echota, October 16, 1829.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council Convened; That the Clerk of the Council be authorized, and is hereby required to employ a mechanic to repair the Council House floor, door and jams, and to put in the glass that are broken in the windows, and shut up the crevices in the same manner as they were at first before the planks were removed; and also to fix up a shelf over the fireplace of the Council House, which is removed; and fix up the shutters and make plain steps at the door.

New Echota, Oct. 17, 1829.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council Convened, That Noochorwee of Aquohee, who had committed murder, some time ago, is hereby reprimed and discharged from the sentence of death that was pronounced against him by the Circuit Judge, Daniel M'Coy, and that from this date he be, and is, placed under the protection of the laws of this Nation, as a citizen of this Nation, and any person or persons who shall contrary to this act, mal-treat his body, or take away his life, shall abide and experience the consequences of the law, as if it had been done to him in a state of innocence.

New Echota, 19th October, 1829.

Approved—GEO. LOWREY *Ass't Prin'l Chief.*

Resolved by the Committee and Council, in General Council Convened, That the law passed 12th of November, 1824, authorizing the issuing of permits for five years to mechanics of the several branches of trade &c. be, and the same is hereby, repealed;—and it shall not be lawful from and after the passage of this act to issue a permit to any person or persons whatsoever, for a greater length of time than one year.

Be it further Resolved, That no permit shall be issued for the introduction of mechanics into the Nation *with their families*, save those who are entitled to cultivate twelve acres of land by the law passed 26th October, 1819, viz: Blacksmiths, Millers, Ferrymen and Turnpike-keepers, all others not allowed this privilege, excepting schoolmasters, shall be prohibited from bringing into and keeping their families in the Nation.

Be it further Resolved, That whenever a citizen wishes to procure a permit, he shall be required to petition the National Treasurer for the same, and shall obtain three or more respectable signers to said petition in his own neighborhood, setting forth the necessity of granting said petitioner a permit, also stating the name, character and profession of the mechanic petitioned for, and no two men shall be introduced under the same permit under any circumstances whatever.

Be it further Resolved, That if any person or persons petitioning the National Treasurer as above for a permit, and obtaining the same, shall introduce into the country a man who should prove not to be a mechanic, or such as he is stated to be in the petition, or bring into the Nation a family not allowed by law, he shall be fined in a sum, to be assessed by the District or Circuit Court of the respective District, not less than twenty-five, nor exceeding fifty dollars, which sum, when collected, shall be paid into the National Treasury; and in case the person or persons so offending shall not be able to pay said fine, the persons who may have signed the petition praying for the permit shall be held equally bound for the same, and the person so brought into the Nation expelled.

Be it further Resolved, That no person who shall have obtained a permit for a mechanic shall be allowed to employ such mechanic on his farm, under the penalty prescribed in the resolution passed 14th November, 1828, for employing citizens of the United States without permission.

This is to be considered a supplement to the amendment of 8th November, 1828, to the law passed 26th October 1819.
Echota, 21st October, 1829.

Approved—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That in case of the removal, death, resignation, or inability of the Principal Chief of the Cherokee Nation, to discharge the duties incumbent upon him by law, the Assistant Principal Chief shall act as such and perform the duties accordingly, until such vacancy or disability shall be removed by the General Council; and in this case the President of the National Committee shall act as Assistant Principal Chief; and in the event the Principal and Assistant Chiefs shall not be able to discharge respectively their duties, in consequence of removal from office, resignation, death, or otherwise, the President of the Committee shall perform the duties of Principal Chief, and the Speaker of the Council that of Assistant Principal Chief, until the General Council in session shall fill such vacancies or remove the inability.

Echota 21st October, 1829.

Approved—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That Edward Graves be and is hereby appointed to copy the journals of the two branches of the Legislative Council, and translate the same for publication in the Cherokee language, for the benefit of distant readers in the Nation, to be published weekly in the Cherokee Phoenix, and whose compensation shall be fifty cents per day while in actual business, during the session of the General Council.

New Echota, 22d October, 1829.

Approved—JNO. ROSS.

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Whereas, in order to testify to the talented author of a series of essays publishing in the National Intelligencer at

Washington city, over the signature of William Penn, and to the world, the respect and gratitude of the Cherokee people for the able exposition and defence of their rights as secured and recognized by subsisting treaties with the United States; and in order to ensure a more extensive circulation of the same, and afford to the citizens of this Nation the means of becoming more clearly acquainted with the relationship they sustain to the General Government, and the sure basis upon which they now stand upon the soil of their ancestors, as have been so explicitly demonstrated by the voluntary services of this able advocate in the cause of suffering humanity, therefore,

Resolved by the Committee and Council, in General Council Convened, That the Editor of the Cherokee Phoenix be, and he is hereby requested to publish in pamphlet form two thousand copies of the series of essays now publishing in the National Intelligencer, over the signature of William Penn, on the "Present crisis in the condition of the American Indians," and that he be authorized to employ an assistant to aid in the translation of the same into the Cherokee language, which shall be printed in both languages in parallel columns, as early as it may be practicable to accomplish the same.

Approved, 27th October—JNO. ROSS.

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Whereas, a law has been in existence for many years, but not committed to writing, that if any citizen or citizens of this Nation shall treat and dispose of any lands belonging to this Nation without special permission from the National Authorities, he or they, shall suffer death, therefore,

Resolved by the Committee and Council, in General Council Convened, That any person or persons who shall, contrary to the will and consent of the Legislative Council of this Nation, in General Council convened, enter into a treaty with any Commissioner or Commissioners of the U. States, or any officers instructed for the purpose, and agree to sell or dispose of any part or portion of the National lands defined in the Constitution of this Nation, he or they so offending, upon conviction, before any of the Circuit Judges or the Supreme Court, shall suffer death; and any of the Circuit Judges aforesaid are authorized to call a court for the trial of any such person or persons so transgressing.

Be it further Resolved, That any person or persons, who shall violate the provisions of this act, and shall refuse, by resistance, to appear at the place designated for trial, or abscond, are hereby declared to be outlaws, and any person or persons, citizens of this Nation, may kill him or them so offending, in any manner most convenient, within the limits of this Nation, and shall not be held accountable to the laws for the same.

Be it further Resolved, That if any citizen or citizens of this Nation shall enter into a treaty, with the United States Government, for any object whatever, other than a cession of land, he or they, upon conviction, shall be punished with one hundred lashes on the bare back; and no treaty shall be binding upon this Nation, which shall not have been ratified by the General Council, and approved by the Principal Chief of the Nation.

New Echota, Oct. 26th, 1829.

Approved 27 Oct., 1829—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That from the date of this Resolution, the payment of all moneys due or that may become due by bonds or loans to the National Treasury, be, and is hereby suspended for the space of two months, during which time the debtors shall be required to come forward and renew their bonds by giving five approved securities and paying up the interest due thereon; and any person or persons complying with the above requirement, shall be allowed to pay his or their bond or bonds by six instalments of six months each with the interest due on the principal at the expiration of each instalment; and in case any person or persons shall renew his or their bonds as above, and fail to pay the first instalment and interest as it becomes due, the Treasurer shall proceed to have the same collected agreeably to law, and not more than one instalment and interest at any one time, unless the debtor or debtors fail to comply with the above requirements to renew his or their bond or bonds within the space of two months allowed them; then, in that case, the whole amount shall be collected.

This to be an amendment to the Resolution passed 22d October, 1828, extending further indulgence to persons in-

debted to the National Treasury for loans; and so much of said resolution as militates with the provisions of this act be, and is hereby repealed.

New Echota, Oct. 27th, 1829.

Approved—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That the law passed 25th October, 1824, on the subject of letting out the federal roads to the lowest bidder, to be kept in repair, be, and the same is hereby repealed, and that the following be substituted in lieu thereof.

Be it further Resolved, That the following shares alone shall hereafter be let out to the lowest bidder, who shall be a citizen of this Nation, for the term of five years, from the first of December next, viz: from Walker's ferry to Five Killer's, from the mouth of O-wah-ko-hee river to Conasauga river, thence to Vann's mill creak, thence to the middle of Coosewaytee river, thence to the middle of Talking Rock creek, thence to the middle of Long-swamp creek, and thence to the middle of Etowah river, and from thence to Chattahoochee river, making in all eight shares. The road to be cut and opened twenty-four feet wide, to be clear of trees, and the causeways covered with dirt, and, together with the digging of mountains and hills, to be fourteen feet wide, clear of large rocks projecting above the level of the road, roots and grubs, excepting where the road passes through a mountain or hills, and where in consequence of rocks, &c., it may be impossible to make it the above width, then twelve feet shall be considered a sufficient width; the banks of all water courses to be put in complete order.

Be it further Resolved, That the contracts for keeping the said shares in good repair shall be let out to the lowest bidder by the National Treasurer at Coosewaytee, and all contractors shall be required to give bonds with sufficient security for the faithful performance of their respective contracts in a penal sum double the amount for which he or they may undertake to keep his or their share or shares in good repair; and the Treasurer shall be required to give public notice at least twenty days previous to the time of letting out the same.

Be it further Resolved, That the Treasurer be, and he is hereby authorized and directed to appoint one or more commissioners to review the road once in four months throughout the year, whose duty it shall be to report to him on the situation of said roads, and in case of violation on the part of any of the contractors, of the provisions of this resolution, suits shall be instituted against such person or persons in the courts of the respective District in which he or they may reside, who, upon conviction, shall forfeit and pay double the sum of one year's payment; and the said share or shares shall be forfeited and let out again upon the Treasurer's receiving information of any part of the road not being repaired agreeably to the provisions of this act, from the commissioner appointed to examine said road: he shall notify the contractor of the same, and in case said contractor shall not put in good order such part or parts of said road before the commissioner re-examines the same, then the Treasurer shall institute suit against him as above mentioned.

New Echota, October 30, 1829.

Approved—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That the law imposing a poll tax on the citizens of this Nation, also the one imposing a tax on citizen merchants, be, and they are hereby suspended, until the General Council shall deem it expedient to remove such suspension.

New Echota, October 31, 1829.

Approved Nov. 2d.—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council Convened, That from and after the passage of this act, if any citizen of this Nation, shall bind themselves by enrollment or otherwise as emigrants to Arkansas, or for the purpose of removing out of the jurisdictional limits of the Nation, he, she or they enrolling or otherwise binding themselves, shall forfeit thereby all the rights and privileges he, she or they may have, previously thereto, claimed or enjoyed as citizens of this Nation, and shall be viewed in the same

light as others not entitled to citizenship, and treated accordingly.

Sec. 2d. Be it further Resolved, That if any person or persons, citizens of this Nation shall sell or dispose of his, her or their improvements to any person or persons so enrolled or otherwise bound as above mentioned, he, she or they shall be viewed as having disposed of his, her or their improvements to a citizen of the United States, and shall be ineligible to hold any office of honor, profit or trust in this Nation, and upon conviction thereof, before any of the Circuit Courts of the several Districts, be fined in a sum not less than one thousand dollars nor exceeding two thousand dollars, and punished with one hundred lashes.

Sec. 3d. Be it further Resolved, In order to prevent any person or persons from screening him, her, or themselves from the penalties above prescribed by pretending to have sold or disposed of his, her or their improvements to a lawful citizen and not an emigrant, all citizens of this Nation who may hereafter buy, sell or dispose of in any manner their improvements to each other, be, and they are hereby required, the disposer as well as the purchaser of such improvements to make affidavit, to be filed in the Clerk's office of the District, before any of the District Judges or clerks of the several Courts, that he, she or they did not dispose or transfer, purchase or obtain such improvement, for the purpose of having it valued by the United States Commissioners or Agents, or were not acting as agents of emigrants in making such purchase or transfer; and in case any person or persons shall fail to comply with this requirement, such person or persons shall upon conviction before any of the Circuit Courts in this Nation, pay a fine of not less than one dollar, nor exceeding two hundred dollars for every offence so committed.

Be it further Resolved, That if any citizen or citizens of this Nation, shall dispose or transfer his, her or their improvements without complying with the requisition of the third section of this act, and the person or persons to whom the sale or transfer of such improvements may be made, should thereafter by enrolment or otherwise become an emigrant or emigrants, and shall get said improvement or improvements valued by agents of the General Government within thirty days after such purchase or transfer shall have been made, or at any time whilst the disposer continues to remain

in possession of the same, then, in that case, the person or persons who may have so disposed of or transferred the improvements as aforesaid, shall be subject to the same penalty prescribed in the 2d section of this act, for disposing of improvements to emigrants.

Be it further Resolved, That any person or persons whosoever who have bound themselves together by enrolment or otherwise, as emigrants under the treaty of 1828, with the Arkansas Cherokees, or who have had, or intend to have their improvements valued by the agents of the General Government, and do not remove out of the jurisdictional limits of this Nation within fifteen days after the passage of this act, they shall be viewed and treated as intruders in the same manner as those who may become emigrants hereafter.

Sec. 4th. *Be it further Resolved*, That the Principal Chief of the Nation be, and he is hereby authorized, by and with the advice of the executive counsellors, to order the apprehension of any intruders within the limits of this Nation to be delivered over to the Agent of the United States for the Cherokees to be prosecuted under the intercourse laws of the United States, or to *expel*, "or to *punish* them or not as they please."

New Echota, 31st Oct., 1829.

Approved—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That the elections to be holden hereafter in the several Districts for members of the General Council, Sheriffs and Constables, shall be held at the following precincts until otherwise altered by the General Council, viz: Chickamauga District: The first precinct to be at the Court House, the second at Hunter Langly's in Lookout Valley; third at Hick's Mill, and the fourth at Kah-noh-cloo's. Chattooga District. First precinct at the Court House, second at Ah-ne-lah-kayah's in Turkey Town, third at James Fields', Turnip Mountain, fourth at Laugh-at-mush's, Will's Valley, fifth at Edward Gunter's in Creek Path, and sixth at Raccoon Town, at Little Turtle's house. Coosewatee District: First at the Court House, and the third at Ellijay. Ahmohee District: First at the Court House, second at Squires in Long Savannah, third

at Chee-squah-ne-ta's, fourth at Swimmers, Highwassee Old Town. Hickory Log District: First at the Court House, second at the old Court House, third at or near Big Savannah. Hightower District: First at the Court House, second at Pipes Spring, third at Yon-nah-oo-woh-yee's. Tahquohee District: First at the Court House, second at Choowalooke's, third at Oowatee's, fourth at Skenah Town, fifth at Beach Town. Aquohee District: First at the Court House, second at Lame Dick's, third at Highwassee Town, fourth at widow Nettle Carriers', fifth at Chee-yoh-ee.

Be it further Resolved, That two superintendents and one clerk shall be appointed to take the votes at each precinct, and it shall be the duty of the Circuit Judges respectively to make such appointments while on their Judicial Circuit last preceeding the general elections for members of the General Council, and shall notify the managers and clerks of their appointment, by the Sheriff of the District, and in case either of the Circuit Judges shall fail to hold his courts agreeably to law, or any of the managers or clerks shall refuse to act, the District Judge shall be authorized to fill such vacancies; and in case any shall fail to attend on the day of the election, the voters shall be allowed to choose some suitable person or persons to act in his or their stead.

Be it further Resolved, That the clerks shall particularly take down the names of all persons voting and for whom they may vote; and the managers and clerks shall meet at the court house in their respective Districts on the Wednesday succeeding the election, then and there to count the votes and issue a certificate to each member elect, of his constitutional election.

Be it further Resolved, That the managers and clerks while acting shall be upon oath, and shall not be entitled to receive any compensation from the National Treasury for their services.

New Echota, 2d Nov., 1829.

Approved—JNO. ROSS.

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Whereas, It has long been an established custom in this Nation and admitted by the courts as law, yet never committed to writing, that the property of Cherokee women after their

marriage cannot be disposed of by their husbands, or levied upon by an officer to satisfy a debt of the husband's contracting, contrary to her will and consent, and disposable only at her option—therefore,

Resolved by the National Committee and Council, in General Council Convened, That the property of Cherokee, and other women, citizens of this Nation, after their marriage shall not be taken or disposed of in any manner contrary to her consent, for the purpose of satisfying a debt contracted by her husband, nor shall the property of the husband be liable to seizure, or otherwise to satisfy the debts contracted by the wife.

Be it further Resolved, That whenever a levy may be made on any property claimed by either the husband or wife, or any other person as not belonging to the one indebted, he or she, so claiming such property, shall be required to enter into bond with security, for the forthcoming of such property at the District or Circuit Court next to be holden in the respective District, and the right thereof to be then and there tried agreeably to law, and in case the person claiming such property shall fail to establish the legality of his or her claim, the debtor shall forfeit and pay twelve and a half per cent. on the amount of such debt, in addition to the lawful interest for the benefit of the creditor or creditors.

New Echota, 2d Nov., 1829.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council convened, That the law establishing precincts, for holding elections for members of the General Council; the following be added to those already made in Coosawatee District to wit: at New Echota, shall be the fourth precinct, and at the Town House of Pine Log and Salequohya the fifth precinct; at Shoemake, at the house of Eli Harlin, where Jacob Harnage used to live to be the sixth precinct; and also in Hightower District, Cedar Creek, at or near Samuel Roves, to be a precinct, in addition to those already in existence.

New Echota, Nov. 3d, 1829.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council Convened, That the compensation of the men

who may from time to time be employed by the Principal Chief and Executive Council, in executing the law passed, on the subject of intruders, shall be one dollar per day while in actual service.

New Echota, 4th Nov., 1829.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council Convened, That the sum of one hundred dollars be, and the same is hereby, appropriated out of any monies in the Treasury not otherwise appropriated, for Elias Boudinott, as additional pay for his services for the present year as Editor of the Cherokee Phoenix, which sum was promised to him by the Principal Chief before he would accept of the appointment as Editor after he had tendered his resignation.

New Echota, Nov. 4th, 1829.

Approved—JNO. ROSS.

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Resolved by the National Committee and Council, in General Council Convened, That Stephen Foreman be, and he is hereby, appointed assistant Editor of the Cherokee Phoenix for the term of one year, whose duties shall be to translate all public documents for publication, from the English into the Cherokee language, and all English news deemed useful for Publication shall also be translated into the same by the assistant, under the direction of the principal Editor of the Cherokee Phoenix aforesaid.

Be it further Resolved, That the compensation of the assistant Editor aforesaid, shall be two hundred dollars per annum, to be paid quarterly by the National Treasurer; and so much of the law passed this session of the General Council, authorizing the Editor of the Cherokee Phoenix to appoint an assistant translator from English into Cherokee, &c, is hereby repealed.

New Echota, Nov. 4th, 1829.

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Resolved by the National Committee and Council, in General Council Convened, That the sum of sixty dollars be, and

the same is hereby, appropriated out of any monies in the National Treasury not otherwise appropriated, for the benefit of John Candy, an apprentice to the printing business in the office of the Cherokee Phoenix, for the purchase of clothes during the ensuing year. And an appropriation be, and also is hereby made as above, for the benefit of Thomas B. Watie, another apprentice, to be placed in the hands of John F. Wheeler, and to be applied by him to the purchase of such articles of clothing as said Watie may need; *Provided*, that the aforesaid apprentices bind themselves to serve their time out faithfully for the term they have agreed to serve, that is, three years for said Candy from the time of his commencement, and three years for said Watie, from the time of his commencing business; and that the Editor be, and he is hereby required to have the said apprentices bound in a written obligation, according to the contemplation of the law passed 19th Nov., 1828, and to place the same in the hands of the Principal Chief before he shall be authorized to issue warrants for the sums above allowed said apprentices for the purchase of their clothing, which said sums shall be drawn quarterly from the from the Treasury.

New Echota, Nov. 9th, 1829.

Approved—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That Kahetehee be and he is hereby appointed to take good care of an old blind man, named Big Bear, at his house, and supply him with food, and wash his person and clothes, and keep him in a decent condition, for which, he shall be allowed one dollar a month as a compensation, to be paid at the end of the year, or sooner, in case of Big Bear's decease.

Echota, C. N. November 9th, 1829.

Approved—JNO ROSS.

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Resolved by the Committee and Council, in Genral Council Convened, That the Treasurer of the Cherokee Nation be, and he is hereby directed and required to dispose of all the

public gun-powder now on hand, or which may hereafter belong to the Nation during his continuance in office, in such manner as he may deem most advantageous to the Nation, and the proceeds arising therefrom shall be placed in the National Treasury.

Be it further Resolved, That he be, and he is hereby further directed and required to obtain a list of the names of all persons who have purchased town lots in Echota at public sale, and who have not paid for them; and all such persons be, and they are hereby, required to make payment to the Treasurer by the first of January next, or otherwise enter into bond and security with the Treasurer, before that time, to pay the amount of their purchases, with interest, in six months; and in case any person or persons, who have bid off lots shall fail to make payment as above, or enter into bond, the Treasurer shall institute a suit against him or them for the recovery of the same.

Echota, C. N. November 9th, 1829.

Approved—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That an appropriation be, and the same is hereby made, out of any moneys in the Treasury not otherwise appropriated, to meet the contingent expenses, allowable by law, and which may become due before the next General Council.

Be it further Resolved, That the Principal Chief shall issue a warrant to the Treasury, whenever any such expenses may become due, for the same.

Echota, November 9th, 1829.

Approved—JNO. ROSS.

—o:o—

Resolved by the National Committee and Council in General Council Convened, That from and after the passage of this act, any person or persons who shall be summoned to assist in taking or guarding any criminal or criminals, under the authority of any lawful officer or officers of the Nation, shall be allowed a compensation of fifty cents per day, and this

shall be in lieu of the allowance provided for by the law passed November 8, 1825, and the same be, and is hereby repealed.

And be it further Resolved, That it shall be the duty of the several Judges to make out a bill of costs for every case decided by their respective Courts, and when appeals are taken to a higher Court the bill of costs shall be transmitted up to said Court, certified to by the Judge and Clerk; and when a verdict is given in a criminal case, the bill of cost shall be made out as aforesaid, and an execution issued against the property of the person or persons cast in the prosecution; and it shall be the duty of the officers to make collection, and if no property can be found belonging to any criminal or criminals convicted, it shall be the duty of the officer to make a report to the Court at the next term; and upon making the following oath before the Court.

"I, A. B. do solemnly swear that I have made diligent search for property to levy upon, for the costs of suit, in a criminal action against C. D. who was convicted in this

District in last on a charge of

and that after every exertion, I have been unable to find any species of property belonging to C. D. the criminal convicted;" It shall then be the duty of the Judge to direct the Clerk to make out a copy of the bill of cost, and certify that it had been returned by the officer, with the oath required, that no property could be found;—and this certificate shall be presented to the Principal Chief for a warrant on the National Treasury for the costs which are admissable by law in such cases.

Be it further Resolved, Whenever a warrant is issued, for the apprehension of a criminal, the officer or officers to whom it is directed shall not (unless he apprehends violent resistance) press more than two persons, to aid him in the apprehension and guarding the criminal. So much of all laws militating against this are hereby repealed.

New Echota, Nov. 10, 1829.

Approved—JNO. ROSS.

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Resolved by the Committee and Council, in General Council Convened, That from and after the passage of this act,

the compensation of the President of the Committee shall be two dollars and fifty cents per day, and the Clerk thereof, the same, and the Interpreter to the Committee, being a member thereof, two dollars, and all others, of the Committee, shall receive one dollar and fifty cents a day.

Be it further Resolved, That the compensation of the members of the Council shall be as follows: The Speaker shall be entitled to two dollars and fifty cents a day, and the balance one dollar and fifty cents each a day, any law to the contrary notwithstanding.

New Echota, Nov. 10, 1829.

Approved—JNO. ROSS.

L A W S
OF THE
“OLD SETTLERS,”
OR
WESTERN CHEROKEES:
ADOPTED
AT
V A R I O U S P E R I O D S .

—o:o—

SEC. 1st.—*Establishing the Executive Department.*—On examining the National papers and documents containing the laws of the Cherokee Nation, we find that the first law committed to writing was done at a Council held on Piney Creek at John Smith's house, bearing date of 11th September, 1824, which law, or act of said date, refers back to a law passed at a Council held Tick-a-to-ka's village, Illinois Bayou, A. T., on the 21st of July, 1824, at which time the Nation was divided into four Districts, and the people of each District were required to select or appoint two persons out of each one of their respective Districts, who were to serve for a term of twelve months, and when convened were to be called the National

Committee. Accordingly, the people met in their respective Districts and selected their members making in all eight members, which members convened at John Smith's on Piney, Sept. 11th, 1824, as before stated; and after organizing themselves into a Committee, Col. Walter Webber was called upon to preside as Chairman of the Committee, and D. Brown appointed clerk, whereupon the National Committee proceeded as follows:

Resolved by the National Committee, in General Council Convened, That from and after the date of this, the Executive Department of the Cherokee Government shall consist of three persons, that is, a First Chief, a Second Chief, and a Third or minor Chief, which Chiefs shall serve for a term of four years from the date of their appointment, and the First and Second Chiefs shall receive a salary of one hundred dollars each annually, and the Third or minor Chief, sixty dollars.

By order of the National Committee.

Piney, Sept. 11th, 1824.

WALTER WEBBER, *Chairman.*

Approved—JOHN JOLLY, *Princ'l Chief.*

—O:O—

In 1829, the Treaty of 1828 had taken place, and the people of the Cherokee Nation had now settled in their present country, ceded to them by said Treaty in exchange for the one occupied by them under Treaty of 1817-18; and at a general council or meeting of the people from different parts of the Nation, held at Tah-lon-tus-kee Council House in 1832, the foregoing act or resolution, (Piney, Sept. 11, 1824,) was so amended as to place all three of the Chiefs upon the same footing, having the same power and the same authority, and entitled to the same salary, one hundred dollars per annum, yet retaining their ranks as First, Second and Third Chief. See Messrs. Jolly, Black Coat and Webber's Commissions as Chiefs—1832.

—O:O—

Whereas, the Chiefs of the Cherokee Nation have called the National Committee and Council together for the purpose of selecting a Chief to fill the vacancy occasioned by the death

of Col. W. Webber, who occupied the office of Third Chief of the Cherokee Nation; now, therefore,

Resolved by the Committee and Council, in General Council Convened, That Thomas Chisholm be, and he is hereby, fully appointed and constituted as such to serve and fill the vacated office of Third Chief of the Cherokee Nation, who shall serve out the balance of the four years term the deceased Chief had to serve, ending 1836.

Furthermore, the National Committee and Council have thought it advisable and necessary to have two assistant councillors attached to the Chiefs, and also a clerk, and therefore appoint John Rogers and John Looney to the said station or office, and James M. Payne, clerk, which persons are to serve until the present term of the Chiefs is out.

Tah-lon-tee-skee, July 16th, 1834.

Approved—JOHN JOLLY, *Princ'l Chief.*



Thomas Chisholm, Third Chief, having deceased in the autumn of 1834, and Black Coat, Second Chief, having also died in the spring of 1835, the Principal Chief deeming it expedient, has therefore called the National Committee and Council together, and also notified and invited the people generally to attend for the purpose of selecting a Second and Third Chief to fill the vacancies occasioned by the death of the two above named Chiefs.

But people, on account of sickness, being unable to attend generally, the National Council has thought it unadvisable to make a permanent selection of the Chiefs at present, it being however, necessary to have the vacancies filled, the National Council has temporarily appointed Messrs. Joseph Vann, and James Rogers to occupy the said vacated offices until the next annual National Council meets, when a regular appointment of Chiefs to the said offices will take place, and preparatory to this arrangement,

Resolved by the Committee and Council, in General Council Convened, That at the next ensuing annual National Council, the National Committee and Council shall proceed by a joint vote of the two houses to elect a Second and Third Chief of the Cherokee Nation, who, when elected, shall serve a term of four years from the date of their election to said offices.

Further Resolved, That the principal Chief, John Jolly, shall serve out his present term, and at the expiration of which, (Oct., 1836,) he shall be reinstated in the same office and the station he now occupies, (1st Chief,) for a term of four years more, and the appointment shall be made and performed in a manner according to the former usages and customs of the Cherokeees on such occasions.

Tah-lon-tee-skee, June 4th, 1835.

Approved—JOHN JOLLY *Princ'l Chief.*

—o:o—

LAWs enacted by the National Council exhibiting the authority delegated to the Chiefs, and also setting forth the nature and extent of their duties while occupying the office of Chiefs of the Cherokee Nation.

Art. 1st. *Resolved by the Committee and Council, in General Council Convoed*, That the duty of the Chiefs of the Cherokee Nation shall be to sign all the acts and resolutions of the National Council, that is, such acts and resolutions as are designed to be laws for the government of the Cherokee people and their Nation.

Resolved further, That all communications from the National Council to the United States Indian Department, or to an Indian Agent, of a general nature and National importance, shall be submitted to the Chiefs for their consideration and approval; likewise, all communications or resolutions of the National Council relating to another nation or government, and also matters of National importance shall require the approbation and sanction of the Chiefs to make them valid.

Resolved further, That all treaties or compacts entered into by and between this Nation and another Nation, shall also require the approbation and sanction of the Chiefs, without which such treaties or compacts shall be of no force.

And Resolved further, That all documents or resolutions of the National Council, partaking of the nature of those herein above mentioned, shall be subject to the Chiefs' consideration as before specified, and the same shall be submitted to them by the National Council for that purpose, and if the Chiefs refuse to approve of or sanction such documents or resolutions, they shall thereby be null and void, and of no force; but if the Chiefs approve of and sanction them, they shall then be

valid, lawful and binding upon the Cherokee Nation.

ART. 2d. *Resolved further*, That as the Executive or head of the Cherokee Government consists of three persons or chiefs, it shall be, and is therefore, hereby required that all three of the Chiefs signatures shall be affixed or signed to a national document or resolution of the National Council, to cause and make such documents or resolutions valid; that is, such as may be submitted by the National Council for such purpose, and any such document or resolution not having the signatures of all the Chiefs affixed or signed to it, the same shall be void and of no force.

ART. 3d. *Resolved further*, That it is hereby made the duty of the Chiefs to be present at and attend the annual National Councils, and other Councils if necessary, for the purpose of approving of and sanctioning such documents and resolutions as the National Council may submit to them for that purpose; and it is further hereby understood that not a less number than two of the Chiefs can act officially, and it is therefore required that at least two of them should be together when on duty to cause their acts to be valid.

And it is furthermore provided, That in case one of the Chiefs should be unable to attend a National Council or other place, as the case may be, when and where his presence was required, such Chief shall have the right to authorize, by giving a certificate to that effect, either of the other two Chiefs to sign his name to any document for him if necessary during his absence, and the same shall be as valid and lawful as if the absent Chief had been present and written his own signature.

4th. *Further Resolved*, That the Chiefs shall have the right to withhold their approval and sanction to any document or resolution, which may be laid before them by the National Council, if in their opinion their approval of such document or resolution would be improper or injurious to the welfare of the Cherokee Nation; but it shall be necessary for them to return such document or resolution to the National Council then in session, accompanied with their advice and opinion, and also their reasons for withholding their approval and sanction.

ART. 5th. *Resolved further*, That when a subject is laid before them, (the chiefs,) for their consideration, and they should disagree in opinion, a majority of the same opinion.

shall rule, that is, if two of the Chiefs are of one opinion their opinion shall prevail, and equal to a decision, and which shall be the same as if all three of them had agreed in opinion, and they can proceed accordingly to approve of and sanction as the case may be.

ART. 6th. *Resolved further*, That it shall be the duty of the Chiefs to observe the laws of the Cherokee Nation, to look over its welfare and the prosperity of their people, and also to advise the National Council upon matters of National importance, and point out such subjects as they wish the National Council to act upon. But in case any of the Chiefs should so far forget the importance of his station or trust imposed upon him, as to violate the duties assigned to him, or do anything contrary to the nature of his office, such chief shall be tried for the offence committed, by a joint Council, composed of the National Committee and Council of the Cherokee Nation, and the President of the National Committee shall preside over the joint Council for the purpose of sanctioning whatever may be decided upon, but shall not be entitled to a vote while presiding over such a Council.

7th. *Resolved further*, That in case any of the Chiefs should be charged with a violation of the duties assigned to him, or of doing anything contrary to the nature of his office, and such Chief or Chiefs, are brought to trial, it shall require a vote of the same opinion, of two thirds of the said joint Council, to form a decision and confirm an impeachment; and in case an impeachment is confirmed as above specified, such Chief or Chiefs, so impeached, shall thereby forfeit the office as Chief of the Cherokee Nation, and their commission as such, be null and void.

8th. *Resolved further*, That all communications of a National character, to and from this Nation and any other Nation or government, shall be received by and through the Chiefs. And any public document of the above description transmitted otherwise, shall not be considered official by the National Council.

9th. *Resolved further*, That the Chiefs shall have the authority to call a National Council on matters of National importance, if they deem it expedient, and necessary; but on common matters, they can act themselves, and it is furthermore provided, that the Chiefs can send expresses on public business at the Nation's expense, but shall be required to

give their expenses a certificate to the National Council specifying the length of time the expresses were on duty.

Tah-lon-tee-skee, Oct. 29th, 1835.

Approved—JOHN JOLLY, *Prin'l Chief.*

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Resolution relative to filling the vacancies of the Office of Chiefs.

Resolved by the National Committee and Council, in General Council Convened, That whereas a vacancy occurs in the first or second Chief's stations before their term is out, caused by death or by resignation, or by removal from office of either of the said Chiefs, the next chief or chiefs in rotation, as the case may be, shall be promoted to fill the vacancies thus occasioned, or if a vacancy should occur in the second Chief's station by promotion, the same regulation shall be observed; so that in all instances, where a vacancy occurs in the first or second Chief's station, the vacancy may finally fall on the third Chief's station, in order that the Chief to be elected to fill the vacancy shall come in as third Chief; and it shall not be lawful under any circumstances whatever, for a new Chief to be elected to a station, ahead of the senior Chiefs in office before their term is out; and where a vacancy occurs in the third Chief's station, by the death of the third Chief, or by any of the foregoing circumstances, before such Chief's term is out, the vacancy shall be filled by electing, as the law directs, another Chief, to that station, but shall not be elected for a longer term than to serve out the balance of the term, the vacated Chief had to serve at the time of his station becoming vacant. And also in no instance shall a Chief's term for which he was first elected, be prolonged or shortened, on account of his being promoted—in order, that all the Chief's (three in number) terms may expire at the same time.

Tah-lon-tee-skee, Oct. 29th, 1835.

Approved—JOHN JOLLY, *Prin'l Chief.*

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SEC. 2d. *An Act relating to the National Council and Members.*

Resolved by the Committee and Council, in General Coun-

eil Convened, That the law heretofore in force, requiring the National Council to commence annually, on the first Monday in September, be, and is hereby repealed, and in lieu thereof,

Resolved, That from and after this date, the annual National Council shall commence on the first Monday in October, annually, which shall be held at Tah-lon-tee-skee Council House, Cherokee Nation.

Resolved further, That from and after this date, each member of the National Committee and Council, and Clerks of each House, shall be and are hereby required to be present at Tah-lon-tee-skee Council House, annually, by 10 o'clock A. M., on the day set forth by law for the annual National Council to commence. And also, if the Chiefs should call a Council, and a place and time for the National Council to meet, they (the members and clerks) shall be present at the place appointed by 10 o'clock A. M., on the day set forth by the Chiefs for the Council to meet. And any member or members, or clerks of the National Council, failing to attend an annual National Council or a call Council, at the time and place as above required, shall be subject to, and forfeit a fine of five dollars each per day, for each and every day such member or members, or clerks, are absent; which fine shall be paid into the National Treasury. But in case, any such member or clerk shall be unable to attend as above required, on account of their being sick, or any of their family, or if they have any other justifiable cause or detention for non-attendance, they shall then be exempt from fine, but shall in such a case, inform the Council then in session, of their situation, otherwise the fine may stand open against them.

Approved—JOHN JOLLY, *Prin'l Chief*.

—o:o—

An Act relative to electing Presidents and Clerks of the National Council.

Resolved by the National Committee and Council, in General Council Convened, That from and after this date, the National Committee and Council shall at the next annual National Council held after their election, as such members, proceed to elect a chairman or president, and a clerk to each House, each House shall act separately and elect its presiding officers, and who shall be elected from among the mem-

bers of the two Houses respectively, which presiding officers and the clerks shall not be elected for a longer term than the members then in session have to serve, requiring all their terms of services (presiding officers and clerks) to expire at the same time.

Tah-lon-tees-kee, May 8th, 1834.

Approved—JOHN JOLLY, *Prin'l Chief.*

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An Act fixing the pay of the Members and Clerks of the National Council.

Resolved by the Committee and Council, in General Council Convened, That from and after this date, each member of the National Committee and Council, and the presiding officers of each House, shall receive for their services two dollars per day each, for the time they serve; and the Clerks two dollars and a half per day for the time they serve; to be paid out of the National funds or annuity, and out of which amount allowed them, they shall board and lodge themselves, during the sitting of a National Council, unless otherwise provided.

Tah-lon-tees-kee, May 9th, 1834.

Approved—JOHN JOLLY, *Prin'l Chief.*

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An Act relative to vacancies in the seats of absent Members of the National Council.

Resolved by the National Committee and Council, in General Council Convened, That from and after this date, where a member or members of the National Committee and Council is absent, or unable to attend a Council, such member's vacancy shall remain void, until the absent member or members are able to take their seats in Council,—and such members' vacancies in the National Council, shall not be filled by other persons as heretofore been the custom.

Tah-lon-tees-kee, Nov. 4th, 1834.

Approved—JOHN JOLLY, } *Chiefs.*
BLACK COAT. }

An Act prohibiting the sale of Ardent Spirits during Council.

Resolved by the National Committee and Council, in General Council Convened, That from and after this date, it shall be unlawful for any person or persons, to vend ardent spirits, within five miles of the National Council House, (Tah-lon-tees-kee) during the session of the National Council; and it shall also be unlawful to vend ardent spirits within five miles of a call Council, during the session, and any person or persons, violating (this law inclusive,) shall pay a fine of five dollars, for each and every such offence; and the money arising from such fines shall be paid unto the National Treasury.

Tah-lon-tees-kee- Sept. 19th, 1831.

Approved—JOHN JOLLY.

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An Act prohibiting the issuing of Due Bills on the National Funds.

Resolved by the National Committee and Council, in General Council Convened; That from and after this date, it shall be unlawful, for the National Committee and Council or Chiefs, to draw and issue a due bill payable out of the National funds or annuity, for services rendered the Nation, or otherwise; and any such due bill drawn after this date shall not be valid.

Resolved further, That from and after this date, all debts, dues or demands, which may become due, against the Cherokee Nation, for services rendered or otherwise created, and the same admitted to be just, and passed by the National Council, shall be registered in the National register by the Clerk of the National Committee, which accounts, claims, &c., thus admitted and registered, shall be payable out of the National annuity or other National funds.

Tah-lon-tees-kee, Dec. 3d, 1833.

Approved—JOHN JOLLY.

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A Resolution appointing W. Thornton Keeper of Public Papers.

Resolved by the National Committee and Council, in General Council Convened, That W. Thornton, be, and he is

hereby appointed and authorized to take charge of the National papers and documents, of the Cherokee Nation; and the clerk of the Chiefs, and the clerks of the National Committee and Council shall be, and are hereby required to render to said person all the public papers and documents (Chief's papers excepted) which may be, now or hereafter, in their possession.

Tah-lou-tees-kee, Nov. 4th, 1834.

Approved—JOHN JOLLY.

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SECTION 3D.

An Act relative to the duties of the Judges and Light Horse.

Resolved by the National Committee and Council, in General Council Convened, That it shall be, and it is hereby made the duty of the District Judges to act upon all cases laid before them for trial and decision, by the National Light-Horse or other citizens of the Cherokee Nation, and to decide upon them agreeably to law and evidence, (that is such cases as come within their jurisdiction, and respective districts;) and it is hereby further required, that the Judges in each District shall keep an authentic and correct record of all their decisions upon cases of trial, setting forth the Nature of the case decided upon the evidence proceeded for or against it, and their final decision.

Resolved further, That where the District Judges are unable to form a decision upon a case, they shall have, hereby, the right to refer the parties concerned in the case to the National Council for a decision.

Resolved further, That it shall be the duty of the Judges to superintend the elections held according to law in their respective Districts, and to give each member elected to the National Council, and to each Judge and Light-horse, a certificate, certifying to the National Council, that such members, Judges and Light-horse were truly elected according to law, as set forth in their certificate.

Tah-lou-tees-kee, Sept. 10th, 1831.

Approved—JOHN JOLLY, } Chiefs,
BLACK COAT. }

An Act, granting a person Convicted of Theft to make an Appeal.

Resolved by the National Committee and Council, in General Council Convened, That if any person or persons should be convicted of theft, before the District Judges, and such person or persons, so convicted, believes that they have been unjustly convicted, they shall have the right to demand an appeal to the National Council for a new trial, and the Judges before whom the case was tried, are hereby required to grant such convicts an appeal;—provided the convict can make it appear to the Judges, that he, she, or they, had not at that time a fair and full trial; and in case an appeal is granted, under the foregoing circumstances, the person or persons obtaining such an appeal, shall be required to give bond for double the amount of the property alleged to have been stolen, and also to give good security for their appearance at the ensuing National Council thereafter. But in case such bond and security is not given, an appeal shall not be granted.

Tah-lon-tee-skee, March 21, 1831.

Approved—JOHN JOLLY.

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An Act, fixing the pay of Judges and Light-Horse.

Resolved by the Committee and Council, in General Council Convened, That the District Judges shall be allowed for their services, twenty-five dollars each per year, and the National Light-horse, forty dollars each per year, which amounts shall be paid out of the National annuity or other National funds.

Tah-lon-tecs-kee, May 10th, 1834.

Approved—JOHN JOLLY.

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An Act, relative to the duties of the National Light-Horse.

Resolved by the National Committee and Council, in General Council Convened, That the National Light-horse of each District in the Cherokee Nation, shall be, and they are hereby required to be present and attend all National Coun-

cils, provided they are able and have no duties to attend to in their Districts, during the session of the National Council: whose duty it shall be to preserve peace and good order at and about the Council, during its session.

Resolved further, That it shall be the duty of the National Light-horse, to suppress stealing, breaking open and burning houses, and to bring criminals and offenders of the law to justice, and to protect orphans and their property, and to execute the decisions of the Judges when required.

Resolved further, That it shall be the duty of the Light-horse to collect debts, or accounts; provided, such debts or accounts are disputed by the debtor, and afterwards proven by the creditor before one or more of the District Judges to be just, in which case the Light-horse can proceed to collect, and demand, ten per cent. for collection off the debtor.

Further Resolved by the National Committee and Council, in General Council Convened, That if the National Light-horse should have a horse to die from under them, while on duty, such horse shall be appraised by two good disinterested men, for what such horse was worth, before he died, and the owner shall be required to obtain a certificate of the amount of such appraisement, from under the hands of the appraisers, which shall be a voucher of such appraisement; and if the National Council is satisfied, that such horse did die, while on duty, the amount thereof shall be paid out of the National annuity or other National funds. But if such horse should die, while returning from off of duty, then the Nation shall be exempt from payment.

Tah-lon-tee-skee, March 21, 1831.

Approved—JOHN JOLLY.

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An Act relative to Stray Property.

Resolved by the Committee and Council, in General Council Convened, That it shall be the duty of the National Light-horse, to take up all stray property, such as horses, cattle and hogs, which they may find in their respective Districts, and to put the same unto good, honest, and careful hands for safe keeping, until the expiration of six months, as set forth by law, hereafter expressed, unless an owner should prove it away under the law in a shorter time.

Further Resolved, That such persons as have charge of stray stock, under the law, shall be allowed for their trouble of keeping it, fifty cents per week for each horse, and fifty cents per month for each head of cattle, and twenty-five cents per month for each hog, which charges are to be paid according to the time the stock is in charge, and to be paid by the owner, before taking the stock out of the hands of the keeper, which charges may be paid in trade, or cash, as the owner wishes. But in case no owner should come forward for such property, until the expiration of six months, and it should be sold as the law hereafter directs, at public auction, for the benefit of the Nation, then the keeper shall have recourse on the Nation, (Nat'l Council) for their charges, payable out of the sale money of such stock when collected; but the keeper in such case shall be required to obtain from under the hands of the Light-horse a certified account of their charges, which shall be a voucher to the National Council for the true amount due for keeping.

Resolved further, That it shall be the duty of the National Light-horse, after taking up and putting in care stray stock, as herein before required, to advertise such stock for six months at two or more public places in their respective Districts, setting forth in the advertisement, the kind of stock, and giving a full description of it, and notifying also in the advertisement, that the owner must come forward and prove and pay charges, and take it away, otherwise, at the expiration of six months, from the date of the advertisement, such stock will be sold at public auction, for the benefit of the Cherokee Nation.

Furthermore, The Light-horse advertising such property, are hereby required to transmit a copy of the same to the Light-horse in each of the other districts, whose duty shall be to advertise the same also for six months, in their respective Districts, and likewise a copy of the advertisement must be recorded in the District Judge's office, where the property was taken up, and another copy must be transmitted to the United States Agent.

Resolved further, That the National Light-horse shall be entitled to, for taking up and advertising stray stock, as the law directs fifty cents per head for cattle, and one dollar per head for horses, and twenty-five cents per head for hogs, to be paid by the owner, or the Nation, as the case may be.

Resolved further, That if any person or persons, should assume a claim to stray property, which is taken up and advertised as the law requires, before the expiration of six months, as set forth in the advertisement, and the said claimant proves before the District Judges to the satisfaction of the Lighthouse, who took up and advertised the property, that the property advertised is their property, (claimants) then the National Light-horse shall put such claimant in possession of the property proven, after the charges for keeping and advertising have been satisfied.

Resolved further, That all stray property, such as horses, cattle and hogs, which is and may be taken up and advertised under the law, and no owner, for such stock appearing until the expiration of six months, as set forth in the advertisement; all such stock so advertised shall be immediately sold by the National Light-horse at public auction, to the highest bidder, on a credit of twelve months, for the benefit of the Nation. And the Light-horse who sell such property under the law, shall cause the purchaser to execute a bond for double the amount of the purchase money, and also to give good security for the sure payment of the same when due, which bonds shall be in such cases, drawn payable to the National Council for the benefit of the Cherokee Nation. And all purchasers of such property, under the law, shall be, and are hereby bound to keep such property, so purchased twelve months from the time of purchasing it under the law; and in case an owner should come within the said time, (12 months) and prove as before stated to the satisfaction of the Lighthouse, that such property so sold was his or their's; then the Light-horse, shall put the claimant in possession of the property after all charges according to law, have been satisfied—likewise if an owner should prove such property to be his or their's, after the twelve months run out, then such claimant shall be entitled to four fifths of the money which it sold for under the law.

Tah-lon-tees-kee, March 24, 1831.

Approved—JOHN JOLLY.

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Resolution respecting the Light-Horse to defend themselves.

Resolved by the National Committee and Council, in General Council Convened, That if any person or persons, should

raise a weapon against one or more of the National Light-horse while in the exercise of their duty, they shall be, and are hereby made justifiable in such case to defend themselves; and if any one or more of the Light-horse should kill such person or persons, so raising a weapon, he or they (the Light-horse) shall not be accounted guilty of murder.

Tah-lon-tees-kee, March 29, 1831.

Approved—JOHN JOLLY.

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An Act authorizing the Light Horse to summons assistance.

Resolved by the Committee and Council, in General Council Convened, That where any of the National Light Horse are unable to bring criminals or other persons to justice, they shall be, and are hereby empowered to summons one or two persons and not more to assist them in executing their duties; and the person or persons so summonsed shall be entitled to one dollar per day while in service, payable out of the National funds. And the Light Horse shall be, and they are hereby required to give each person so summonsed, a certificate to the National Council specifying the time such persons were in service and the amount due. And in case the Light Horse should summons any person or persons to assist them in their duties, and if such person or persons so summonsed should refuse to serve, he or they so refusing, shall forfeit and pay a fine of five dollars each for the benefit of the Cherokee Nation.

Tah-lon-tee-skce, Sept. 19th, 1831.

Approved—JOHN JOLLY, *Princ'l Chief.*

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An Act respecting Election.

Resolved by the Committee and Council, in General Council Convened, That from and after this date, the members of the National Committee and Council, and the Officers (Judges and Light Horse,) of the Cherokee Nation, shall be elected by a vote of the people, given in at their respective precincts in each District, and for which purpose it is hereby

Further Resolved. That the people of the Cherokee Nation

shall meet at their respective precincts in each District once in two years, on the second Monday in July, and proceed to elect by vote, two members of the National Committee and two members of the National Council, which members shall be elected to serve two years from the date of their election; and there shall be also elected at the same time and place two District Judges and two National Light Horse to serve two years from the date of their election, whose duties shall be to serve in their respective Districts as set forth by law.

Resolved further, That the elections held in each District for the above specified purpose shall be Superintended by the Judges of the same District, and each candidate for the above named offices shall make known to the Judges superintending the election which office they design running for; and it shall be the duty of the Judges to have this distinctly understood by the people before voting, after which they can proceed to vote one at a time by calling the names of such candidates which they judge are the best qualified to fill the office running for, and after all the people present have voted, the Judges shall count out publicly the number of votes given to each one of the candidates took up for the same office, and make it known to the people present which candidate obtains the highest number of votes for such office, and such candidates as have thereby gained the highest numbers of votes for the different offices shall thereby be considered duly and lawfully elected to the respective offices for which they were candidates and run for. And it shall be the duty of Judges as before required under section third to give each member thus elected to the National Committee and Council, Judges and Light Horse, a certificate of their election, which shall be their voucher to the National Council of such members Judges and Light Horse having been duly elected according to law.

Resolved further, That all elections under the law as herein above specified for the purpose of electing members to the National Committee and Council, Judges and Light horse shall be, and are hereby required to be held at the following named places in each District; that is the precinct or place for holding elections under law the in Lees Creek District, shall be at the present residence of Little Charles, on Skin Bayou, that in Salisaw District at Fox's residence on Salisaw Creek; that in Illinois District at the National Council House (Tah-

lon-tee-skee,) and that in Neosho District at John Drew's residence on Bayou Menard

Tah-lon-tees kee, May 10th, 1834.

Approved—JOHN JOLLY, *Princ'l Chief.*

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SECTION 5TH.

An Act relative to Estates and Administrators.

1st. *Resolved by the National Committee and Council, in General Council Convened,* That where a citizen of the Cherokee Nation dies, and previous to his death, and while possessed of his natural reason and senses, he or they should make or cause to be made, their written will for the disposition of their property after death, or if they should make verbal, all such wills either written or verbal, and the same attested by two or more good witnesses, shall be valid and binding in law to all intents and purposes, unless the law directs otherwise.

2nd. *Resolved further,* That if a person should in their will name and appoint a person or persons to administer on the Estate, or they should appoint an executor or executors to their will, such person or persons so appointed, shall be the proper and legal administrator of such an Estate, or executors to their will, such person or persons so appointed shall be the proper and legal administrator of such an Estate, or executors of the will thus assigned to them, provided such person or persons so appointed are natives of the Cherokee Nation.

3d. *Resolved further,* That no will on the Estate of a deceased person shall be exempt from the payment and satisfying of all just debts and demands against it, (or the Estate) and any such will or other disposition of an Estate, and not having in it this provision, (payment of all just debts and demands) shall not be valid until it shall have first conformed to this and other regulations of the law.

4th. *Further Resolved,* That all wills either written or verbal on the Estates of deceased persons, and also all administrators or executors therein named and appointed as such, shall be inclusive subject to the law regulating Estates and Wills of deceased persons.

5th. *Resolved further*, That all Estates of deceased persons after satisfying all just debts and demands against them, the balance of such Estates shall be equally divided between the heirs of the deceased, unless otherwise directed by a Will of the deceased person, to whom the estate belonged.

6th. *Resolved further*, And it is hereby furthermore provided, that where a man and woman are living together as man and wife, and either of them should die without a Will, and having no heir or heirs, half of the estate of the deceased, shall belong to the survivor, and the other half to the nearest relatives of the deceased; and at if length, the survivor should die heiress, and without making a will, their estate shall also belong to their nearest relatives.

7th. *Further Resolved*, That all persons, whomsoever, that are, and may be appointed by law, or otherwise chosen to administer on the estates of deceased persons, or as Executors to Wills shall be, and are hereby required to render in, before the Judges of the District, where such an Estate, thus in their charge belongs; a just and correct Schedule of all the property belonging to the Estate, they have thereby the charge of, and the Judges shall estimate the value thereof, and retain the Schedule of property in their Office, and in addition to this, such Administrators, or Executors shall be, and are hereby required to execute a bond in the presence of the Judges for double the amount of the Estate according to the Schedule rendered in, and moreover, to give good security, deemed so by the Judges, for their faithful performance, and just management of the Estate in their charge. And all such bonds, shall be drawn payable to the Chiefs of the Cherokee Nation, for the benefit of the heirs of the Estate for which the bond was given; which bond and the obligations of the securities attached thereto, shall be retained in the Judge's Office, until complied with as the law requires, and according to promise.

8th. *Further Resolved*, That when a person dies without making a Will of the property, it shall be, and it is hereby annexed to, and made the duty of the Judges of the same District where such an Estate lies, to appoint one or two suitable persons to administer on and take charge of such Estate, but shall require such person or persons so appointed to render in a Schedule of all the property belonging to the Estate, and to give bond and good security as the law requires.

9th. *Further Resolved*, That where the Estate of a deceased person consists of horses, cattle, and hogs, and an Executor or Administrator is appointed by or according to law, to take charge of such estate, the Administrator or Executor, shall be and are hereby allowed for his trouble with the stock, one third of all the increase (original stock excepted) of horses and cattle, belonging to the Estate, and if there be any hogs, they shall be disposed of for the benefit of the heirs of the Estate.

10th. *Further Resolved*, That it is herein provided, that where a person dies, and their estate is in debt, the dwelling houses, and other buildings belonging to the place, and household furniture, the plantation, farming tools and geering, shall all be exempted from sale, and shall not be used to satisfy debts against the estates, but shall be reserved in all instances whatever, for the use of the survivor and heirs of the Estate. All laws to the contrary notwithstanding.

Tah-lon-tees-kee, May 10th, 1834.

Approved—JOHN JOLLY:

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SECTION 6TH.

An Act for the punishment of criminal offences.

Resolved by the National Committee and Council in General Council Convened, That where a part of the penalty under the law for a crime is punishment by whipping, such punishment shall be inflicted by the Light Horse, and the number of stripes or lashes to be received by criminals shall be from twenty-five to sixty, neither more nor less; but to be regulated as the Judges may decide according to the magnitude of the crime committed.

Resolved further, That whosoever shall be guilty of theft, robbery, breaking open or burning houses, or of committing a rape upon a female, shall be tried before the Judges of the District where the offence was committed, and if convicted of for either of the above offences by good evidence, such person or persons so convicted, shall suffer the penalty of the law by receiving as many lashes on the bare back as the Judge may decide, and also such convicts shall make whole the property

destroyed or damages done the injured person, or if for theft, the property stolen shall be returned to the person from whom it was taken.

Tah-lon-tees-kee, March 21, 1831.

Approved—JOHN JOLLY.

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An Act prohibiting the cutting down of Pecan trees and setting the woods on fire.

Resolved by the Committee and Council, in General Council Convened, That from and after this date it shall be unlawful for any person or persons to cut down or fell a pecan tree or trees barely for the purpose of obtaining the pecans on such trees; and any person or persons violating this law shall be tried before the Judges of the District where the offence was committed, and if convicted, he, she or they so convicted shall pay for each and every such offence five dollars, one half to be paid to the informer and the other half to the Light Horse arraigning such offenders to trial.

And it shall also be unlawful for any person or persons to set the woods on fire within the limits of the Cherokee Nation before the first of March in each year, from and after this date, and any person violating this law shall be tried before the Judges of the District where the offence was committed, and if convicted they shall pay a fine of five dollars for each and every offence, and pay for all damages done by the fire so set out, one half of the fine to belong to the informer and the other half to the Light Horse.

And the National Light Horse of each District shall have cognizance of each of the above offences.

Tah-lon-tees-kee, March 22, 1831.

Approved—JOHN JOLLY.

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An Act prohibiting the sale of Land, &c.

Resolved by the National Committee and Council in General Council Convened, That if any person or persons should sell or bargain the land of the Cherokee Nation, or any part there-

of, to a different Nation, or to any person or persons without proper authority from the National Council, and the same approved of by the Chiefs of the Cherokee Nation, they (the offenders,) shall be tried for each and every such offence before the National Council, and if convicted by good evidence, such offender or offenders shall suffer death; but if detected before they have actually sold the land, then the punishment shall be one hundred lashes on the bare back, to be inflicted by the National Light-horse. All laws to the contrary notwithstanding.

Resolved further, That if any person or persons should endeavor to cause the lands of the Cherokee Nation to be laid off into sections, or to make divisions in it, or meddle themselves in such way, or in any manner, whatever, with the land, without proper authority from the National Council, and the same approved of by the Chiefs of the Cherokee Nation, such person or persons, shall, on conviction, before the National Council, receive one hundred lashes on the bare back, to be inflicted by the National Light-horse. All laws to the contrary notwithstanding.

Tah-lon-tees-kee, March 23d, 1831.

Approved—JOHN JOLLY.

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An Act imposing a Fine for Harboring unruly White Men.

Resolved by the National Committee and Council, in General Council Convened, That if any person or persons, should from and after this date, harbor a citizen or citizens of the United States, about their house or other place in the Nation, who have been turned out of the Nation for a crime or misbehaviour committed in it, and such fact should be proven, before any of the Judges, that such person or persons, (natives) are or have been harboring such people of the said description and character, he, she or they, (the offenders) shall pay for each and every such offence, one hundred dollars, for the benefit of the Cherokee Nation; which amount may be collected by the National Light-horse in any kind of property, to be valued by the Judges before whom the case was tried; which property, so valued, and taken, shall be sold by the National Light-horse to the highest bidder, at public

auCTION, on a twelve months' credit, the purchaser to give bond and give good security, for the sure payment, drawn payable to the Chiefs of the Cherokee Nation, for the benefit of the Nation.

Tah-lon-tees-kee, Dec. 2d, 1833.

Approved—JOHN JOLLY.

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An Act relative to Breach of Marriage.

Resolved by the National Committee and Council, in General Council Convened, That it shall be unlawful for a white man, (citizen of the United States) living in the Nation, to have more than one wife; neither shall he make use of the woman's (his wife) property without her consent.

Furthermore, If a whiteman should leave his wife, without a just cause, such white man shall be tried for such act, before the Judges, and if convicted, he shall pay the woman left, for all damages done her for breach of marriage and for deceiving her. The amount of damages to be decided by the Judges.

Piney, Sept. 24, 1824.

Approved—JOHN JOLLY, }
BLACK COAT. } *Chiefs.*

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An Act prohibiting White Men Cutting Timber.

Resolved by the National Committee and Council, in General Council Convened; That from and after this date, it shall be unlawful for any person or persons, living in the Nation, to authorize a white man or men, in any shape or manner whatever, to cut lumber or timber upon the lands of the Cherokee Nation, for the use of a white man or men, living out of the Nation. And any person or persons living in the Cherokee Nation, violating this law, shall, on being convicted for such offence, before the Judges of the District where the offence was committed, pay a fine of fifty dollars for each and every such offence, for the benefit of the Nation; or if any person or persons, living in the Nation, should hire to

cut lumber or timber, on the lands of the Nation, for the use of a white man or men, living out of the Nation, they shall pay a fine of fifty dollars. Citizens of the Nation are not prevented by this law, from cutting Cord-wood for Steam-boats.

Tah-lon-tees-kee, March 23, 1831.

Approved—JOHN JOLLY.

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SECTION 7TH.

An Act of Oblivion between the Seven Clans, &c.

Resolved by the National Committee and Council, in General Council Convened, That all lives taken, for which the different clans of the Cherokee people (7 clans) are indebted to each other for lives taken previous to this date, shall be, and are hereby forgiven; and all such claims for life taken as above stated, heretofore existing between the said different Clans, and up to the present time, shall cease to exist, and be forever forgotten, and suffered to pass out of remembrance.

Piney, Sept. 24th, 1824.

WALTER WEBBER, *Chairman.*

Approved—JOHN JOLLY.

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An Act Relative to Casual Deaths.

Resolved by the National Committee and Council, in General Council Convened, That hereafter if it should so happen, that one or more persons should accidentally, and without malice or revenge, kill or cause the death of one or more persons, the case shall be tried before the Judges of the District where the circumstances took place, or by the National Council, and if it should be proven satisfactory, before either of the said authorities, that the cause of such person or persons' deaths was by accident, and without malice or revenge, the person or persons arraigned to trial, and thus cleared of being guilty of murder shall be acquitted and set at liberty.

Piney, Sept. 24th, 1824.

Approved—JOHN JOLLY, *Prin'l Chief.*

SECTION 8TH.

GENERAL LAWS.

An Act Confirming former Decisions.

Resolved by the National Committee and Council in General Council Convened, That from and after this date, all decisions of the Committee and Council or Light-horse companies, or Chiefs in Council, shall be final and conclusive, And the Committee and Council, Judges and Light-horse companies, shall have no cognizance of such cases that have transpired previous to this date, under the then existing laws and customs of the Cherokees. This law shall not be so construed, as so prevent the investigation of any due bills that may have been illegally issued by the National authorities.

Tah-lon-tees-kee, March 23d, 1831.

Approved—JOHN JOLLY.

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An Act defining Lawful Fences.

Resolved by the National Committee and Council, in General Council Convened, That all persons having farms or other enclosures within the limits of the Cherokee Nation, are hereby required to have a fence of nine good rails high, and the cracks in the fence within the space of two feet from the ground up, not to exceed four inches in width. And all fences filling this description, shall be considered lawful fences, and all as falls short of it, shall be without the law's protection. And should stock of any kind break into or over a lawful fence, the damages shall be estimated by two good disinterested men; and the owner of such stock shall pay the person injured, the amount of such estimation of damages, and the person injured must notify the owner of the stock to come and take it away.

Resolved further, That if stock of any kind (horses, cattle, and hogs) should break into or over an unlawful fence, and the owner of the fence should kill or cause to be killed, or injure such stock, he, she or they, shall be accountable to the owner of the stock for all damages done it.

Tah-lon-tees-kee, March 23d, 1831.

Approved—JOHN JOLLY.

An Act prohibiting Negro Slaves to own Property.

Resolved by the National Committee and Council, in General Council Convened, That after the expiration of six months from and after this date, no slave or slaves in the Cherokee Nation, shall have the right or privilege to own any kind of property whatever. And therefore, all slaves in the Cherokee Nation, now owning any kind of property, are hereby required to sell or dispose of it previous to the expiration of said six months. And if any slave or slaves now holding property, and failing to comply with this law, by not selling it off by the above named time, shall thereby forfeit their property to their owners, and the National Light-horse are hereby required to enforce and carry into effect this law in their respective Districts.

Resolved further, That if a slave or slaves are caught gambling or intoxicated, or if they should in any way abuse a free person, he, she or they, (negroes) shall for either of the above offences, receive sixty lashes on the bare back for each and every such offence, to be inflicted by the Light-horse.

Tah-lon-tees-kee, Dec. 3d, 1833.

Approved—JOHN JOLLY,
BLACK COAT,
W. WEBBER.

} Chiefs.

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An Act relative to abandoned Improvements.

Resolved by the Committee and Council, in General Council Convened, That from and after this date, all improvements within the Cherokee Nation, such as fencing, cleared lands, and buildings of any description, and which have been made or caused to be made, or improved by United States license traders, or by white intruders, shall, when abandoned, or intruders removed therefrom, revert to the Cherokee Nation.

Resolved further, that it is hereby enjoined as a duty upon the Judges of the same District where such improvements may be, to make sale of them as herein stated; that is, the Judges as above stated shall repair to the place where such improvements are and take a minute description of them and

publish the same for four or six months, at two or more public places in the Nation, notifying in the advertisement that at the expiration of such time the improvements or buildings as the case may be, thus advertised, will be sold to the highest bidder, at public auction on a twelve month's credit, and that the purchaser will be required to give bond and good security for the sure payment of the purchase money. Accordingly, at the expiration of said time (four or six months) the Judges shall repair to the improvement advertised, or to a more suitable place, and make sale of it as mentioned in the advertisement, and procure from the purchaser a bond for double the amount of the purchase money, with approved security attached thereto, which bond shall be drawn payable in twelve months from the date of purchase, and made payable to the National Council or Chiefs for the benefit of the Nation; and at the next ensuing National Council thereafter, all such bonds shall be handed in to the National Council. And after such sale has been effected the Judges and Light-Horse will see that the purchaser under the law gets peaceable possession of the improvement purchased.

Resolved further, That all improvements or buildings which may revert to the Nation by the foregoing resolution, from and after this date shall not be taken possession of or meddled with by any person or persons in any way whatever, unless they shall have first obtained a right by purchase under the law, and if any person or persons should disregard this law and proceed to a violation, he, she or they shall be subject to and forfeit a fine at the discretion of the National Council.

Tah-lon-tee-skee, March 2d, 1831.

Approved—JOHN JOLLY, *Prin'l Chief.*

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An Act authorizing the Chiefs to receive Public Monies.

Resolved by the Committee and Council, in General Council Convened, That from and after this date, all the annuities which may become due from the United States shall be paid over to the Chiefs, who shall be, and they are hereby authorized to receive and receipt for the same for and in behalf of the Nation, which money shall be kept safely in their hands

until the National Council shall, by law, regulate its disposal.
Tah-lon-tees-kee, October 25, 1834.

Approved—JOHN JOLLY.

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*An Act prohibiting citizens of the United States keeping
 Public Tables.*

Resolved by the Committee and Council, in General Council Convened, That from and after this date, no other than citizens of the Cherokee Nation shall keep a tavern or public table at a Council or public gathering in the Nation, (fruit, flour and Bacon not prohibited from being brought in for sale;) and person or persons not citizens of the Nation, violating this law shall forfeit and pay the Nation one hundred dollars, to be collected forthwith, by the National Light-Horse.

Tah-lon-tees-kee, Nov. 14, 1835.

Approved—JOHN JOLLY.

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An Act relative to Public Blacksmith Shops.

Resolved by the National Committee and Council, in General Council Convened, That two persons in each District be and are hereby appointed to superintend the public blacksmith in their respective Districts.

Resolved further, That the two Committee members of each District be, and they are hereby appointed and authorized to superintend the said Smiths in their respective Districts, whose duty shall be to see that the said Smiths do all they are required to do under their instruction from the Agent. The Committee members of each District to be furnished with a copy of said instructions.

Resolved further, That in case any of the Blacksmiths should fail to do their duty, per instructions of the Agent, and the superintendents think it necessary, they can report such Smith to the Agent for a further investigation of the case, which Smith shall be required to do his duty or remove as the Agent may decide.

Tah-lon-tees-kee, Oct. 26th, 1835.

Approved—JOHN JOLLY, *Prin't Chief.*

An Act relative to the School Fund, (Treaty 1828.)

Resolved by the Committee and Council, in General Council Convened, That the balance of the school fund now due, and which may be due this Nation from the United States Government and treaty 6th May, 1828, shall be and is hereby equally proportioned between the four Districts of this Nation, (the balance of division to be governed by former resolution on this fund passed March 27th, 1833.)

Resolved further, That each District shall, by and under this resolution, have the entire management of their respective portion of said fund to do and act with it as may seem best for promoting the object and design for which said fund was appropriated.

Resolved further, That all resolutions passed by the National Council in March 27th, 1833, militating against the herein foregoing resolutions, shall, from and after this date, cease to be in force, and are hereby made null and void, (the payment at Dr. Palmer's station per resolution March 27th, 1833, not prevented up to this date.)

Tah-lon-tees-kee, Oct. 27th, 1835.

Approved—JOHN JOLLY, *Prin'l Chief.*

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An Act relative to Salines.

Resolved by the National Committee and Council, in General Council Convened, That all Salines within the limits of the Cherokee Nation are the property of the Cherokee Nation.

Resolved further, That no person or persons shall have the right to work a Saline in the Nation without obtaining a lease for such purpose from the National Council.

Resolved further, That the former laws regulating the Salines of the Nation, (1829) shall be and are hereby repealed from and after this date.

Resolved further, That after the present leases on Salines are out, all such Salines shall be leased out to the highest bidder, and such bidders shall be entitled to leases on such Salines as bid for by giving their bond with approved security. The rents to be paid in cash annually, and no lease on a Sa-

line shall be given for a longer term than five years at a time

Resolved further, That all persons getting leases on Salines as above stated, shall furnish their own metal and other preparations necessary for such purpose, (salt kettles, furnace, shed, troughs, salt house and the like are here meant,) and when their lease runs out such preparation and the kettles shall revert to the Nation.

Resolved further, That where a bond is taken for the rent of a Saline, it shall be drawn for double the amount of the annual rent, and made payable to the Chiefs for the benefit of the Nation. An in case any person or persons having such a lease, and if he or they should fail to pay the rent annually such person or person so failing shall forfeit and pay the Nation the amount of their bond. And in case they should violate the law on Salines, or any part of such regulations as are herein mentioned, they shall forfeit their leases and likewise their metal and other preparations mentioned in the foregoing article.

Resolved further, That no others but citizens of the Nation shall have the right to lease or rent a Saline lying within the limits of the Nation, neither shall it be lawful for a citizen of the United States to be taken into partnership, or be sharers in a Saline in any way whatever.

Further Resolved, That all the salt now due and which may be due the Nation for the present leases on Salines, shall be and is hereby valued at fifty cents per bushel, (50 lbs.,) the salt that is to be issued to individuals excepted, and such persons as now have leases shall have the right to pay the Nation cash at the above rates annually instead of salt.

Tah-lon-tee-skee, Dec. 6th, 1833.

Approved—JOHN JOLLY.

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The first law established among the Cherokees on Arkansas, and entered by request of the old Chief, John Jolly.

Resolved, That there be and is hereby appointed a Light-Horse company whose duty shall be to preserve peace and good order among the Cherokees on Arkansas, to suppress stealing, and punish such as may be caught in such an act.

Resolved further. That the Light-Horse company shall not

have any thing to do with a case for stealing which has been committed previous to this date, neither shall it be lawful for any Light-Horse company hereafter appointed, or Chiefs to have any cognizance of such cases, (stealing) if committed previ to this date.

Dardenelle Rock, 1820.

JOHN JOLLY, *Prin'l Chief.*

Walter Webber, Black Fox, Spring Frog, Too-cho-wuh, and others, Chiefs, Headmen and Warriors of the Cherokee Nation.