

Aug 11 1890

LAWS

OF

THE CHOCTAW NATION

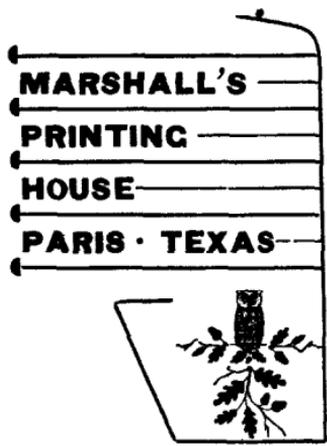
PASSED AT THE

REGULAR SESSION OF THE GENERAL COUNCIL

CONVENED AT

TUSHKA HUMMA

OCTOBER 6, 1890, ADJOURNED NOVEMBER 14, 1890.



LAWS
OF
THE CHOCTAW NATION
REGULAR SESSION, 1890.

NO. '1.

A resolution accepting the reports of Turner B. Turnbull. District Trustee of 3rd District. C. N.

To the General Council:

We, your committee to whom was referred the report of Turner B. Turnbull, have carefully examined the same and find it to be true and correct, with the balance on hand amounting to \$2,119.70, and ask the adoption of the following bill, to-wit:

Be it resolved by the General Council of the Choctaw Nation assembled; That the report of Turner B. Turnbull, District Trustee, 3rd District, C. N., be and is hereby accepted as being true and correct, and that this resolution shall take effect and be in force from and after its passage.

Approved Oct. 11, 1890.

W. N. JONES, P. C. C. N.

NO. 2.

TUSHKA HUMMA, I. T.

Whereas, it has pleased the Almighty to remove from our midst our esteemed friends and staunch adherents and supporters of the Choctaw and Chickasaw Government, the Hon. Jos. P. Folsom and Hon. Peter E. Noel and Hon. G. W. Harkins and Hon. John Williams and Hon. Ibayonubbee. And while we bow in humble submission to the wise dispensation of Him

who controls the Universe, yet we mourn the loss of five who so long served their people faithfully and always had the interest of their people at heart; therefore,

Be it resolved by the General Council of the Choctaw Nation assembled, that both houses of the General Council adjourn for four days, from Thursday, Oct. 16th, 1890, at 3 o'clock p. m., until Monday, Oct. 20th, 1890, at 9 a. m., out of respect to the deceased above named; and that each member and all officers of the Council wear the usual badge of mourning for thirty days and that the National Secretary is hereby authorized to send a copy of this resolution to the bereaved families of the above named deceased.

And be it further resolved that members of the General Council and all friends of the deceased meet in the Representative Hall at 3:30 o'clock p. m., Oct. 16th, 1890, for memorial services.

And that this resolution shall take effect and be in force from and after its passage.

Approved Oct. 15th, 1890.

W. N. JONES, P. C. C. N.

NO. 3.

Be it resolved by the Council of the Choctaw Nation assembled; That the sum of fifty dollars be and is hereby appropriated out of any money in the treasury not otherwise appropriated, to pay Judge C. S. Vinson for services in superintending the building of jail in the third District of the Choctaw Nation, at the Circuit Court ground, as provided for in the act of 1886, providing for jails in that district of the Choctaw Nation, and the National Auditor is hereby authorized to issue his warrant on the National Treasurer for the same, and this resolution shall take effect and be in force from and after its passage.

Approved Oct. 21, 1890.

W. N. JONES, P. C. C. N.

NO. 4.

A resolution accepting the report of Charles Winston, District Trustee, 2d District.

Your committee to whom was referred the report of Charles Winston, has carefully examined the same and find it to be true and correct, with the balance on hand amounting to \$587.29; also find that outstanding certificates of \$175.70, and respectfully ask the adoption of following resolution, to-wit :

Be it resolved by the General Council of the Choctaw Nation assembled, that the report of Charles Winston, District Trustee 2d District, be and the same is hereby accepted as being true and correct.

Be it further resolved, that the District Trustee of the 2d District is hereby authorized to pay the outstanding certificate of \$175.70 out of the balance on hand, and that this resolution shall take effect and be in force from and after its passage.

Approved Oct. 22, 1890.

W. N. JONES, P. C. C. N.

 NO. 5.

A resolution accepting the report of John P. Turnbull, Superintendent of Public Instruction, C. N.

To the General Council:

Your committee on schools, to whom was referred the report of J. P. Turnbull, Superintendent of Public Instruction, C. N., find the same to be true and correct, with the balance on hand amounting to \$1,350.78, contingent fund on hand 16 cents, and ask the passage of the following resolution, to-wit :

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, that the report of John P. Turnbull, Superintendent of Public Instruction, be and the same is hereby accepted as being true and correct, and that this resolution shall take effect and be in force from and after its adoption.

Approved Oct. 22, 1890.

W. N. JONES, P. C. C. N.

NO. 6.

TUSHKA HUMMA, C. N., Oct. 15, 1890.

The Senate and House of Representatives, Choctaw Nation, in General Council assembled.

Your committee, to whom was referred the report of S. E. Lewis, District Collector, C. N., finds that he collected for the fiscal year, ending July 31, 1890, (\$6,554.31) six thousand five hundred and fifty-four and 31-100 dollars, and that he has satisfactorily reported and accounted for the same; therefore

Be it resolved by the General Council of the Choctaw Nation assembled, that the report of S. E. Lewis, District Collector, 1st District, C. N., be accepted as correct, and this resolution be in force from and after its passage.

Approved Oct. 23, 1890.

W. N. JONES, P. C. C. N.

NO. 7.

To the General Council:

We, your committee to whom was referred the report of Ben Hampton, National Inspector on the Missouri, Kansas & Texas line of railroad, have thoroughly examined same and beg leave to submit the following resolution and ask its adoption :

Be it resolved by the General Council of the Choctaw Nation assembled, that the report of Ben Hampton, National Inspector on the M. K. & T. line of railroad, be accepted as true and correct, and this resolution shall take effect and be in force from and after its passage.

Approved Oct 23, 1890.

W. N. JONES, P. C. C. N.

NO. 8.

To the General Council:

Your committee, to whom was referred the report of B. F. Smallwood, Principal Chief, C. N., in regard to the disbursement of contingent fund, after having examined the same would beg leave to submit the following resolution, to-wit :

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, that the report of B. F. Smallwood for contingent fund be and the same is hereby accepted as being true and correct, and this resolution shall take effect and be in force from and after its passage.

Approved Oct. 24, 1890.

W. N. JONES, P. C. C. N.

NO. 9.

An act relating to the accounts of Peter Garland, District Trustee for First District, C. N.

Whereas, the accounts of Peter Garland, District Trustee, First District, C. N., are in such confusion as to make it impossible properly to balance the same, and

Whereas, there appears to be outstanding unsatisfied certificates of said Peter Garland amounting to the sum of \$1,281.25.

Now, therefore, be it enacted by the General Council of the Choctaw Nation assembled :

1. That the District Attorney for said First District is hereby instructed to proceed at once by law against said Peter Garland and his sureties on his bond for the collection of said sum and all proper costs, and that the money so collected be turned into the National Treasury for National purposes.

2. In order to make good the deficiency caused by said outstanding certificates and to pay the same, there is hereby appropriated out of any funds in the Treasury not otherwise appropriated, the sum of \$1,281.25, and that the National Treasurer of the Choctaw Nation is hereby authorized to pay the same on presenting the certificates, and that this act shall take effect and be in force from and after its passage.

Approved Oct. 25, 1890.

W. N. JONES, P. C. C. N.

NO. 10.

An act granting Lewis Lucas the right to establish a toll gate at the old iron bridge ford on the road leading from Fort Smith to Eufaula.

Be it enacted by the General Council of the Choctaw Nation assembled, that Lewis Lucas is hereby granted the privilege of establishing a toll gate at or near the old iron bridge ford on San Bois on the road leading from Fort Smith, Ark., to Eufaula; Creek Nation, I. T., upon the following terms and conditions to-wit: Said Lucas shall put and keep in good repair and fit for (vehicle) travel said road for a distance of five miles on each side of said ford, for which services he shall be allowed to charge all persons passing on the same, except citizens of this Nation, the following rates of toll:

For each four (4) wheeled vehicle, drawn by four (4) or more horses, mules or cattle with driver, 50 cents; for each four (4) wheeled vehicle, drawn by one or two horses, mules or cattle with driver, 25 cents; for man and horse, 10 cents; each person, foot, 5 cents; for each animal in any drove of horses, cattle, hogs, sheep or mules per head, 1 cent.

SEC. 2. The privilege to receive toll as above shall not take effect until said road is put in repair, and shall continue for ten (10) years from said time, provided said road is kept in good repair.

SEC. 3. That if any non-citizen refuse to pay the tolls above provided for, upon application, with proper proof, being made to the United States Indian Agent for the Choctaws, he shall take such steps as may be necessary to collect the same.

SEC. 4. This act shall take effect from and after its passage and approval.

Approved Oct. 25, 1890.

W. N. JONES, P. C. C. N.

NO. 11.

An act relating to citizens of the Choctaw Nation taking the oath of allegiance to the United States,

Be it enacted by the General Council of the Choctaw Nation assembled, that any member of the Choctaw tribes of Indians, either by blood, adoption or marriage into said tribe, and subject to the government of the Choctaw Nation, who has taken

or may hereafter take the oath of allegiance to the government of the United States, shall be disqualified to hold any office of trust or profit in the Choctaw Nation, and to vote at any election in said Nation, and to be impaneled as a juror in any court under the government of said Choctaw Nation.

This act shall take effect from and after its passage.

Approved Oct. 25, 1890.

W. N. JONES, P. C. C. N.

NO. 12.

An act establishing the citizenship of Martha Beals and others.

Be it enacted by the General Council of the Choctaw Nation assembled, that the citizenship of the following named persons is hereby established, to-wit: Martha Beals and her husband, Andrew Beals, and their children, Reuben, Missouri, Pinksey, Margaret, Andy, Becky, Thomas, Beel and Bill Beals, and they are hereby declared citizens of the Choctaw Nation and entitled to all the rights and privileges and immunities of such.

This act shall take effect upon its passage and approval.

Approved Oct. 25, 1890.

W. N. JONES, P. C. C. N.

NO. 13.

An act making appropriation for taking care of and furnishing repairs for Capitol building.

Be it enacted by the General Council of the Choctaw Nation assembled, that the sum of eighty-nine and 65-100 dollars is hereby appropriated to pay Edward Spring for taking care of the Capitol and furnishing locks, etc., for building.

That the National Auditor issue his warrant on the National Treasurer for the above amount, and that the Treasurer pay the same, and that this act take effect and be in force from and after its passage.

Approved Oct. 25, 1890.

W. N. JONES, P. C. C. N.

NO. 14.

A resolution accepting the report of C. J. Ralston, Superintendent of Armstrong Orphan School, C. N.

To the General Council:

Your committee, to whom was referred the report of C. J. Ralston, Superintendent of Armstrong Orphan School, find the same to be true and correct, and ask the passage of the following resolution, to-wit :

SEC. 1. Be it resolved by the General Council of the Choctaw Nation assembled, that the report of C. J. Ralston, Superintendent of Armstrong Orphan School, be and the same is hereby accepted as being true and correct, with the balance on hand amounting to \$941.89; and that this resolution shall take effect and be in force from and after its passage.

Approved Oct. 27, 1890.

W. N. JONES, P. C. C. N.

NO. 15.

A resolution stating the time for electing Superintendent of Public Schools and District Trustees.

Be it resolved by the General Council of the Choctaw Nation assembled, that the Senate and House of Representatives shall meet in joint session on Wednesday, the 29th of October, 1890, at 10 o'clock a. m., in the Representative Hall for the purpose of electing the superintendent of Public Schools and District Trustees, and this resolution take effect and be in force from and after its passage.

Approved Oct. 28, 1890.

W. N. JONES, P. C. C. N.

NO. 16.

An act recognizing certain persons as citizens of this Nation.

Be it enacted be the General Council of the Choctaw Nation assembled, that Sandos Amos, his wife Ann, and William Amos, and Solomon Wilson and wife and their four children, all full blood Choctaws and lately come to this Nation from Mississippi,

be and they are hereby recognized as citizens of the Choctaw Nation, and entitled to all the rights, privileges and immunities of citizens, and this act shall take effect and be in force from and after its passage.

Approved Oct, 29, 1890.

W. N. JONES, P. C. C. N.

NO. 17.

An act conferring citizenship on certain persons named.

Be it enacted by the General Council of the Choctaw Nation assembled, that Sexton Amos, Mat Sukke, Amos Bell, Jimson Bell, John Alusion, Sarah Wilson, Isaac Wilson, Mary Wilson, Eve Wilson, Horace Wilson, Thompson Barney, Isaac Simpson, and Tom Yark, all late of the State of Mississippi, are hereby recognized as citizens of this Nation, and entitled to all the rights, privileges and immunities of citizens of this Nation, and this act shall take effect and be in force from and after its passage.

Approved Oct. 30, 1890.

W. N. JONES, P. C. C. N.

NO. 18.

Amendment to Section 2 of the act of Nov. 1, 1882, in regard to shipping hay.

Be it enacted by the General Council of the Choctaw Nation assembled, that from and after the passage of this act a royalty is hereby levied on all prairie or wild grass of one dollar (\$1.00) per ton for each ton of such grass cut for sale or barter, whether upon the public domain or within citizens' enclosures.

The sheriff of each county shall collect said royalty and pay the same, less 10 per cent. for his services, to the County Treasurer for county purposes of the county in which such grass shall have been cut.

Nothing herein contained as to impose a royalty on grass cut by any citizen for his own use, and this act take effect from and after its passage.

Approved Oct. 30, 1890.

W. N. JONES, P. C. C. N.

NO. 19.

An act to abolish Good Spring and Cole Spring precincts in Blue County, and to establish Jones precinct instead.

Be it enacted by the General Council of the Choctaw Nation assembled, that Good Spring precinct and Cole Spring precinct, located in Blue county, be and the same are hereby abolished. Be it further enacted, that an election precinct is hereby established at Cornelius Jones' house, in Blue county, and shall be called and known as Jones precinct; and voters may vote at said precinct, and this act shall take effect and be in force from and after its passage.

Approved Oct. 30, 1890.

W. N. JONES, P. C. C. N.

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NO. 20.

An act changing boundary lines of certain counties.

Be it enacted by the General Council of the Choctaw Nation assembled, that boundary line of Wade county shall be as follows, to-wit: Beginning on the top of the dividing ridge where boundary line of Mosholetubbe district strikes the boundary line of the state of Arkansas, running thence along the top of the dividing ridge westward to where the road leading from Horse Prairie to Fort Smith crosses the same; thence along said road to Jack's Fork; thence down Jack's Fork to its junction with Kiamitia; thence down Kiamitia to the narrows, one mile above Hotoka's place; thence on a straight line to a spring on the Kiamitia Mountain, known as Okehaga's place; thence following a line on the top of the main Kiamitia Mountain eastwardly to the Arkansas line; thence along said line northwardly to the beginning.

SEC. 2. Be it further enacted that the boundary lines of Cedar county are hereby changed so that it will follow up Ward's Creek to its junction with Little River to the source of said Ward's Creek; thence in a northwardly direction on a straight line to the top of the main Kiamitia Mountain to a junction with Wade county lines, and all that portion of Wade county under the old boundaries east of Ward's Creek and the line from its source to the top of Kiamitia Mountain is hereby declared a

part of Washoba county, and all that portion on the west of said Ward's Creek and line is hereby declared a part of Cedar county.

SEC. 3. Be it enacted that all former laws are hereby repealed, and this act take effect and be in force from and after its passage.

Approved Oct. 31, 1890.

W. N. JONES, P. C. C. N.

NO. 21.

An act relating to the school system of the Choctaw Nation.

Be it enacted by the General Council of the Choctaw Nation assembled.

BOARD OF EDUCATION.

CHAP. I. There is hereby created a Board of Education of

SEC. 1. the Choctaw Nation, to be composed of the Principal Chief, who shall be ex-officio President of said Board, one Superintendent of Schools and three (3) District Trustees, one from each District. The Superintendent of schools, and the District Trustees shall be elected by both houses of the General Council in joint session; shall hold office for the term of two years, and until their successors are qualified, and shall receive for compensation an annual salary as follows: The Superintendent, six hundred dollars (\$600); each District Trustee, four hundred dollars (\$400); to be paid quarterly out of the general funds of the Nation.

SEC. 2. Said Superintendent and District Trustees shall each, before entering upon the duties of their respective offices, give bond to the Choctaw Nation with at least two good sureties, in the sum of five thousand dollars (\$5000), to be approved by the Principal Chief, conditioned upon the faithful performance of all duties imposed on them by law. They shall each take the usual oath of officers of the Choctaw Nation.

SEC. 3. The powers and duties of the Board of Education shall be as follows, to-wit:

1. To exercise a general supervisory control over the school system of the Choctaw Nation.

2. To make all necessary rules and regulations, not inconsistent with this act, for its own government and the govern-

ment of the various Academies, Seminaries and neighborhood schools.

3. To examine and appoint all teachers as hereinafter provided.

4. To contract with Superintendents of public schools; but no such contract shall be valid unless approved by the Principal Chief, and signed by at least three other members of the Board.

5. To revoke the certificate of any teacher for immoral, intemperate or improper conduct,

6. To prescribe the text books to be used in all schools.

7. To suspend any Academy or Seminary in case of general sickness or epidemic.

8. To discontinue any neighborhood school, should the same in their judgment be expedient.

9. To designate permanent locations for any or all the neighborhood schools, if in their judgment such action would promote the cause of education. Powers in paragraphs 8 and 9 may be delegated to respective District Trustees.

10. To prescribe the course of study in the various public schools, and it is made the duty of the Board to foster as far as possible, in the Academies, manual training in the mechanical arts and theoretical and practical agriculture.

11. To select scholars to be sent to the states to school at public expense; such scholars must be selected from those in attendance upon public schools; they shall be selected from the various districts as nearly as may be in proportion to the school population of each, and the number of each sex shall be kept equal. They shall be examined by some competent physician, selected by the Superintendent of schools, and if physically disqualified, shall be rejected and others sent in the stead of such as may be rejected.

The Board of Education shall have a seal with the inscription, "Board of Education, Choctaw Nation." It shall keep a record of its proceedings, and its official acts shall be authenticated by its seal.

SEC. 4. It shall be the duty of the Board of Education to select one Superintendent and at least two teachers for each public school now, or hereafter to be erected in the Choctaw Nation. Advertisements shall be inserted in papers in at least three different states and in one paper in the Choctaw Nation, setting forth the duties, qualifications and emoluments of such

Superintendents and teachers, other things being equal, preference shall be given to applicants professing Christianity. The teachers shall have had at least 10 years experience in their profession, and must bring ample testimonials as to competency and morality. The male teachers must be graduates of some college of established reputation and capable of giving instruction in Greek, Latin, German and French. The female must be graduates of some higher institution of learning or some reputable normal school, and capable of instructing in two modern languages other than English. Upon the approval of this act, it shall be the duty of the Superintendent of schools at once to notify the Superintendent of public schools in writing, that the Choctaw Nation elect to cancel all existing contracts at the expiration of the current scholastic year. He shall then begin to negotiate for new contracts. As to Academies, Seminaries or High Schools hereafter to be established, contracts will be made in accordance with the first paragraph of this Section and Section 5 of this chapter.

2. As to public schools now in existence: The Board of Education may in its discretion, make contracts as heretofore subject to the general provisions of this act, with Boards of Home Missions, in which latter event, however, paragraph one of this Section and Section 5 of this Chapter shall not apply, nor will the Nation engage to pay the salaries of Superintendents or teacher in such schools. Such contracts shall also contain a clause authorizing either party to rescind the same upon six months' notice in writing to the other, and the absence of such stipulations shall render such contract void *ab initio*,

SEC. 5. The Superintendent of each of the public schools shall receive an annual salary of \$1,200, to be paid in equal quarterly installments out of the general funds of the Choctaw Nation. The teachers in said public schools shall receive each an annual salary of not less than \$750 and not more than \$1,200, to be paid in like manner out of said general funds. The Superintendents shall hold their positions for six years, and the Board is authorized to make written contracts to that effect. Any Superintendent or teacher, may, however be discharged upon charges sustained by the Board; but such charges must be in writing; must be heard by the full Board. The party charged must have written notice of the time and place of investigation and given full opportunity to be heard in his or her own

defense, and at least four members of the Board must concur in sustaining the charge and charges.

SEC. 6. All sums appropriated for the support and maintenance of the public schools shall be paid out to the respective Superintendents in equal installments on the first Mondays in September, November, February and May of each year. The Superintendent of schools shall make his requisition for such sums, under direction of the Board, upon the National Auditor, who shall thereupon issue his warrant for the same, said warrants shall be paid out of the respective appropriations by National Treasurer, any surplus remaining over at the expiration of the scholastic year, shall be returned by the Superintendent in whose schools such surplus shall exist, to the National Treasurer, and by him converted into the treasury. This section shall apply to all new contracts whatever with Superintendents of Public Schools.

SEC. 7. The Board of Education shall examine all applicants for the position of teacher in the neighborhood schools, but for this purpose the Principal Chief and each District Trustee may each select a proxy to represent him at such examination. Such proxies need not be citizens of the Choctaw Nation, but must be competent to conduct such examination. The applicants shall be examined in Reading, Writing, Spelling and Grammar of the English language, in Geography and History, particularly of the United States; a fair knowledge of the Constitution of the United States and of the Choctaw Nation shall also be required. It is particularly enjoined upon the Board, in selecting teachers, that regard be had to the disposition of applicants as far as the same can be determined by personal observation at the time of such examination. Upon the conclusion of the examination in each district, each successful candidate shall be required, according to merit into one of the three grades to be known as "First," "Second" and "Third" Grades, the first being the highest. Each successful candidate shall receive a certificate from the Board, specifying his or her grade. Teachers shall be assigned by the Board, as near as may be, to the neighborhood school whence they are sent by the respective local trustees; but if any local trustee fails to send a candidate, or having sent one, such candidate fails to secure a certificate, then the Board shall send some other competent person to such neighborhood. The foregoing examination shall be conducted at least once in each dis-

trict annually, and for their services in this behalf the members of the Board doing the actual labor, shall receive each the sum of \$5.00 per day and mileage at the rate of five (5) cents per mile for each mile actually traveled. Such examinations shall not be held more than five (5) days each year in each district. The times and places of such examinations shall be fixed previously by the Board, and at least three months notice given thereof by advertisement in one newspaper published in the Nation, the contingent fund of the Superintendent of Schools.

SEC. 8. The scholastic year of the public schools shall begin on the first Monday in September of each year and shall close between the 10th and 30th of June. The Superintendent of schools and three District Trustees shall attend the annual examination of each of said schools; and to this end the Board of Education shall, by regulation, fix the dates of the closing thereof in such wise as to enable said Superintendent and District Trustees to be personally present at all of said examinations.

SEC. 9. The Superintendent of schools shall have an annual contingent fund \$450 and each District Trustee of \$750, for the expenditure of which they must account to the full Board of Education at its annual meeting. All minor expenses not herein specifically provided for shall be paid out of the respective contingent funds.

SEC. 10. The full Board of Education shall meet at least once in every year in regular annual session. This meeting shall be at Tushka Humma and shall begin during the first week of the regular annual session of the General Council; at such meeting the Board shall make up its annual report to said Council. Such report shall contain an itemized account of all expenditures on account of schools by said Board or any of its members. It shall also contain a general review of the last scholastic year, the condition, progress and attendance at all schools and such recommendations as to legislation as the Board may deem expedient or necessary. The Board shall transmit with its own report, the reports of the various Superintendents of public schools.

SEC. 11. The President may call special sessions of the Board whenever he shall deem it necessary, to be held at such place as he may designate.

SUPERINTENDENT OF SCHOOLS.

CHAP. II. The Superintendent of schools shall be the executive

SEC. 1. officer of the Board of Education, and is charged with carrying into effect all orders, rules and regulations of said Board.

SEC. 2. He shall correspond with the principals of schools outside the Nation, at which Choctaw pupils are attending, at the public expense, and with the scholars themselves, in order to acquaint himself with the progress and needs of such scholars.

DISTRICT TRUSTEE.

CHAP. III. Each District Trustee shall have a seal of office,

SEC. 1. which shall bear on the outer edge the words, "District Trustee, Choctaw Nation," and within the circle the Choctaw name of his district, followed by the word "District." As soon as qualified, each District Trustee shall write his signature in a book to be kept by National Treasurer for that purpose. All certificates required by law to be made by a District Trustee shall be signed in person and his seal of office affixed to the same.

SEC. 2. The teachers of neighborhood schools shall be paid by the National Treasurer, upon monthly certificates of the District Trustee of the district in which such shall be located. Such certificates shall be made out upon the monthly report of each teacher when certified to by the local Trustee. Each District Trustee shall file all certified teachers' reports and present the same to the Board at its annual meeting, with his district report.

SEC. 3. The District Trustees shall also report to the Board, at its regular annual meeting, the names of all the scholars as reported to them by the local Trustees.

SEC. 4. Each District Trustee shall have power to suspend any neighborhood school in his district in time of general sickness or epidemic in the neighborhood.

SEC. 5. The District Trustees shall, each in his own district, at once upon the receipt by him of any charges against any teacher in his district, to investigate the same, and if the charges are sustained to suspend the delinquent and appoint as a substitute any available person holding a certificate from the Board of Education.

LOCAL TRUSTEES.

CHAP. IV. There shall be a Local Trustee in each neighborhood,

SEC. 1. who shall be the head of a family; shall be appointed by the District Trustee of his district; shall hold office for one scholastic year.

SEC. 2. It shall be the duty of the Local Trustee to select one competent person in his neighborhood who may be a non-citizen and send him or her to the annual teachers' examination in his district. He shall visit his school at least once a month, and at the end of each month he shall examine the teacher's report and account, and if the same be correct, he shall so certify. Such account and certificate shall be sent by the teacher to the District Trustee. He shall report to the District Trustee any improper conduct on the part of the teacher for investigation as provided in this act.

It shall be the duty of all Local Trustees to uphold teachers in enforcing proper discipline in the neighborhood school, and to enjoin upon pupils the necessity of showing due respect to the teacher.

SEC. 3. Local Trustees shall receive no compensation for their services.

SEC. 4. Local Trustees shall enroll all children in their respective neighborhoods between the ages of seven and eighteen, and report the same to the proper District Trustee at the end of each scholastic year.

NEIGHBORHOOD SCHOOLS.

CHAP. V. Any neighborhood that can employ a teacher

SEC. 1. shall be entitled to a neighborhood school; provided, however, that such schools shall not be nearer to each other than three miles, measured along the most direct traveled wagon road; and provided further, that this limitation as to distance shall not apply to acknowledged towns. The provisions of this section are subject to the powers conferred upon the Board of Education by Sec. 3, par. 8 and 9, Chap. I., of this act.

SEC. 2. Neighborhood schools shall be taught at least six (6) hours daily, Saturdays and Sundays excepted, during the term, and shall have regular hours of opening and closing. They shall open for the term on the first Monday of September

and close on the last day of May of each year; but the District Trustee shall have power to grant short vacations and holidays at stated times during the term.

SEC. 3. The benefits of a free neighborhood school shall extend only to such Choctaw children as attend the schools within the Choctaw Nation established; and it is hereby made the duty of all Choctaw parents or guardians to send their children to school.

SEC. 4. The parents or guardians of all enrolled children who fail to send them to school shall be fined ten cents per day for each child enrolled who shall fail in attendance (not, however to exceed \$2.00 per child per month), except in cases of sickness, bad weather or other casualty. The money shall be collected as provided for in Sec. 5, Chap. VI, of this act, (but in no case shall any sum be paid out of the County Treasury on this account), shall be paid into the contingent fund of the District Trustee of that district. In case of necessity or other good cause shown to the District Trustee, he may excuse any child from attendance upon the neighborhood schools for reasonable periods of time.

SEC. 5. Teachers in neighborhood schools shall be entitled to two dollars (\$2.00) per month for each scholar in attendance, when such scholar has attended more than twenty days in the month. But where the attendance has been less than twenty (20) days, then such teacher shall receive 10 cents for each day of attendance; *provided, however*, that the teachers of the First Grade shall not receive over forty-five dollars (\$45) in any one month; those of the Second Grade not over thirty dollars (\$30), and those of the Third Grade not over twenty dollars (\$20).

SEC. 6. A scholastic month shall be taken and held to extend from a day of one calendar month to the corresponding day of the succeeding calendar month.

BOARDING SCHOOLS.

CHAP. VI. The Superintendent of each boarding school in the Nation shall give a bond with at least two sureties, payable to the Principal Chief, and to be approved by him, in the sum of five thousand dollars (\$5,000), conditioned upon the faithful performance of his duties as im-

posed by law, and observance of his contract with Board of Education.

SEC. 2. The Superintendents shall take charge of their respective schools and conduct the same under the supervision of the Board of Education. They shall make full reports to the Board at the end of each scholastic year, which reports shall embody the names and ages of all scholars, with their percentage in each study, the attendance and other matters connected with their progress and the internal discipline of the schools, together with an itemized statement of all moneys received and expended, accompanied with proper vouchers.

SEC. 3. The number of scholars at each of these schools shall be one hundred; at Spencer Academy they shall be boys, and at New Hope Seminary they shall be girls. One of each sex shall be chosen from the Choctaws residing in the Chickasaw country, ninety-nine of each sex shall be apportioned among the various counties of the Choctaw Nation by the Board of Education in proportion to the school population of said counties. The Board shall notify the County Judge of each County at least thirty days before the beginning of each scholastic year, how many pupils of each sex his county is entitled to; each County Judge shall then select his county's quota from the neighborhood schools, and give each person so selected, or to his or her parents or guardian, a certificate of such selection.

SEC. 4. Before admission each scholar shall be required to pass a creditable physical examination before some competent physician selected by the Superintendent of schools, and also a mental examination, the standard of which shall be fixed by the Board. There shall be no limit as to age, though a regular course shall be held to be five years, but any pupil may be retained longer or sooner discharged by the Board upon recommendation by the Superintendent of either school.

SEC. 5. Upon selecting the scholars from his county each Judge shall forthwith notify the proper Superintendent of public schools of names and postoffice address of such scholars, and also the name and address of the Sheriff of his county. If any pupil to whom a certificate has been issued shall fail for ten (10) days after the opening of school, or, when the certificate was issued after the opening of school, for ten days after the proper superintendent has been notified, to report to his or her school, it shall be the duty of the Superintendent of such school to no-

tify the proper Sheriff of such failure. The sheriff shall at once investigate the case, and if the pupil was not detained by high water, or sickness of self or family, then he shall take such pupil within five days to the proper school at the expense of parent or guardian. For this duty he shall be allowed \$2.00 per day and five cents per mile for each mile actually traveled by each student and by himself by the usual traveled route. The Sheriff's account must be verified under oath, and if on demand, the parent or guardian refuse to pay the same, the Sheriff may take summary judgement in the circuit court of his district, upon a satisfactory showing to the judge thereof, that the expenses were lawfully incurred, for the amount of his bill and costs, without further notice or demand against such parent or guardian. Upon such judgment execution shall issue forthwith. If such execution cannot be satisfied, then the Sheriff shall be paid out of the County Treasury where such execution debtor reside, upon the County Judge being satisfied of the correctness of the account. The county paying the account shall be subrogated to the Sheriff's rights under the execution. If there be more than one delinquent pupil in the same county, it shall be the duty of the Sheriff to take all such in one trip, and the circuit court shall not give judgment in any case where this provision appears not to have been complied with.

SEC. 6. No family shall have more than one scholar at any one time at the boarding schools of this Nation, nor in the States at the expense of the nation.

ORPHAN SCHOOLS.

CHAP. VII. There shall be fifty (50) orphan boys at Arm-

SEC. 1. strong Academy and fifty (50) girls at Wheelock Seminary. During vacation, such as have no relative or proper friends to visit, shall be cared for by respective Superintendents.

SEC. 2. There shall be no restriction as to age. The regular course shall be five years; but the Board in its direction may in particular cases order the retention or discharge of any pupil. No pupil shall be discharged except upon the order of the Board.

SEC. 3. The County Judges shall select the pupils, apportionment having been made by the Board of Education as provided for in the case of boarding schools. Regard shall be had

in selections to the most needy, and more than one pupil may be sent from the same family.

SEC. 4. Each Sheriff shall collect all pupils and take them in one trip to the proper school. He shall be allowed \$2.00 per day and actual necessary expenses, to be paid out of respective County Treasuries upon properly verified account.

SEC. 5. The Superintendents of orphan schools shall give a similar bond and shall report in like manner to the Board as prescribed in this act for Superintendents of boarding schools.

This act shall take effect from and after its passage and approval, and all other acts and parts of acts on the subject of schools are hereby repealed.

Approved Oct 31, 1890.

W. N. JONES, P. C. C. N.

NO. 22.

A resolution accepting the report of Alfred Docking, Superintendent of Spencer Academy, C. N.

Your committee on schools, to whom was referred the report of Alfred Docking, Superintendent of Spencer Academy, have carefully examined the same and find it to be true and correct, "with no balance on hand," and ask the passage of the following resolution, to-wit :

Be it resolved by the General Council of the Choctaw Nation assembled, that the report of Alfred Docking, Superintendent of Spencer Academy, is hereby accepted as being true and correct, and that this resolution shall take effect and be in force from and after its passage.

Approved Oct. 31, 1890.

W. N. JONES, P. C. C. N.

NO. 23.

A resolution providing for the translating and binding in book form all the laws enacted by the several General Councils of the Choctaw Nation from 1886 to 1890.

Whereas, the laws of the Choctaw Nation enacted by the several Councils of 1886, 1887, 1888, 1889 and 1890, are in pam-

phlet form, and some of them are still in manuscript, thereby making it very inconvenient for the courts and all officers to intelligently understand the same, and in some cases the officers are not supplied with the above said laws.

Therefore be it resolved by the General Council of the Choctaw Nation assembled, that the sum of two thousand and five hundred dollars (\$2,500) be and is hereby appropriated out of any money in the National Treasury not otherwise appropriated, and the same be placed in the hands of the Principal Chief, C. N., and the said Principal Chief is hereby authorized and empowered to employ two competent men whose duty it shall be to collect and translate into the Choctaw language all the laws above named and have them bound in good substantial binding book form, two hundred and fifty books of each, the Choctaw and English languages, and the Principal Chief is hereby authorized to pay to said two men employed by him as above provided so soon as they are ready to commence the work, the sum of one thousand dollars so as to enable them to purchase material, etc., for the said work, and the Chief shall pay balance, one thousand five hundred (\$1,500) when the work is completed and turned over to him to be distributed to the several officers of this Nation. And the National Secretary is hereby directed and requested to furnish certified copies of all laws of the above said dates to the men so employed by the Principal Chief when they shall demand the laws.

And this resolution take effect and be in force from and after its passage.

Approved Oct. 31, 1890.

W. N. JONES, P. C. C. N.

NO. 24.

A resolution accepting the report of Dr. A. Griffith, Superintendent of New Hope Seminary, C. N.

To the General Council:

Your committee on schools, to whom was referred the report of A. Griffith, Superintendent of New Hope Seminary, find the same to be true and correct, with the balance on hand amount-

ing to \$764.92, and ask the passage of the following resolution, to-wit :

SEC. 1. Be it resolved by the General Council of the Choctaw Nation assembled, that the report of Dr. A. Griffith, Superintendent of New Hope Seminary, be and the same is hereby accepted as being true and correct, and that this resolution shall take effect and be in force from and after its passage.

Approved Oct. 31, 1890.

W. N. JONES, P. C. C. N.

NO. 25.

An act conferring citizenship on Mrs. Trehern, and other Mississippi Choctaws.

Be it enacted by the General Council of the Choctaw Nation assembled, that Mrs. Trehern and her children, Joel Trehern, Joseph Trehera, Laura (Trehern) Walker, her husband, Sam Walker and two children, Hannah (Trehern) Deloach, her husband, Joseph Deloach and their three children, all late of the State of Mississippi, be and are hereby recognized as citizens of the Choctaw Nation and entitled to all the rights, privileges and immunities of citizens of this Nation, and this act take effect and be in force from and after its passage.

Approved Oct. 31, 1890.

W. N. JONES, P. C. C. N.

NO. 26.

An act to punish official corruption, and the bribery of voters.

Be it enacted by the General Council of the Choctaw Nation assembled.

SEC. 1. Any Choctaw citizen holding any office of honor, trust or profit, under the Choctaw Government, and any witness or juror in any Choctaw courts who shall corruptly take or accept any money, valuable thing or consideration whatever, either before or after such officer, witness or juror has qualified, offered him or her by any other person with intent to influence the official action or duty of such officer, witness or juror, shall be deemed guilty of a felony, and upon indictment and conviction

thereof, shall be punished by a fine of not less than one hundred dollars, and in default of the payment of such fine for one day, shall receive not less than thirty-nine (39) nor more than one hundred (100) lashes well laid on the bare back.

SEC. 2. Any person who shall corruptly offer, or attempt to offer to any qualified voter of the Choctaw Nation at any general or special election held under the Choctaw laws, any intoxicating liquor, money or valuable thing whatever, as a consideration for the suffrage of said voter, or with intent to influence said voter, as to his vote, or to subvert his free choice, shall be deemed guilty of a felony, and upon indictment and conviction, shall be punished as provided in Sec. 1, of this act.

This act shall take effect from and after its passage and approval.

Approved Nov. 3, 1890.

W. N. JONES, P. C. C. N.

NO. 27.

An act to change the County court ground of Nashoba County.

Be it enacted by the General Council of the Choctaw Nation assembled, that the County Court ground of Nashoba county, now known as Shawa court ground, be and the same is hereby removed to a spring one and one-half miles west of the present site, and one-half mile south of Madison Jefferson's place, and shall still be called and known as Shawa court ground, and that this act shall take effect and be in force from and after its passage.

Approved Nov. 3, 1890.

W. N. JONES, P. C. C. N.

NO. 28.

An act granting a charter to Moses Woolridge.

Be it enacted by the General Council of the Choctaw Nation assembled, that the right is hereby given to Moses Woolridge to turnpike the road in San Bois county, known as the Fort Smith and Eufaula road, commencing where said road crosses Imachaya creek and extending west to the foot of Broken Hill, a distance

of seventeen miles, and of establishing a toll gate thereon. But before the said Moses Woolridge shall collect toll on said road, he shall, by proper means, make the said road in every particular a first-class turnpike road, after which he shall be entitled to receive from all non-citizens passing over said road, tolls as follows: For every four wheeled wagon drawn by four or more animals, 50 cents; for every four wheeled wagon or other vehicle drawn by two animals, 25 cents; for all two wheel carts drawn by one animal, 10 cents; for every person on horse back, 5 cents; for every person on foot, 5 cents; for every animal in droves, 1 cent per head, and the right herein granted shall continue so long as the turnpike is kept in first-class condition and for ten years.

Be it further enacted, that any non-citizen passing over this turnpike and refusing or failing to comply with the charges of this charter, shall be reported to the Indian Agent, who shall take such steps as will be necessary in order to compel said non-citizen to comply with this act, and that this act take effect and be in force from and after its passage.

Approved Nov. 3, 1890.

W. N. JONES, P. C. C. N.

NO. 29.

An act making an appropriation of one thousand dollars for the benefit of New Hope Seminary.

Be it enacted by the General Council of the Choctaw Nation assembled, that the sum of one thousand dollars, or so much thereof as is necessary, is hereby appropriated out of any money in the National Treasury and placed in the hands of the Board of Education, to build a furnace with proper pipes to heat the main dormitory at New Hope Seminary. That the Board of Education is hereby empowered to carry out the intentions of this act and to return any balance on hand to the National Treasury, and this act shall take effect and be in force from and after its passage.

Approved Nov. 3, 1890.

W. N. JONES, P. C. C. N.

NO. 30.

An act appropriating \$7,000 for the benefit of Armstrong Orphan School.

Be it enacted by the General Council of the Choctaw Nation assembled, that the sum of seven thousand dollars is hereby appropriated to erect a new building, and to repair the present one at Armstrong Orphan Academy.

Be it further enacted, that all of this appropriation, or so much as is necessary, shall be expended under the supervision and consent of the Board of Education, and any balance on hand shall be turned into the treasury by the President of the Board of Education.

SEC. 3. The sum of six thousand two hundred dollars is hereby appropriated to be expended in the same manner for the use and benefit of Spencer Academy. This act shall take effect from and after its passage.

Approved Nov. 3, 1890.

W. N. JONES, P. C. C. N.

NO. 31.

An act in reference to licensed traders.

Be it enacted by the General Council of the Choctaw Nation, assembled, that licensed traders shall pay annually the sum of five hundred dollars for the privilege of selling goods or trading in the Choctaw Nation; that this act shall apply to every non-citizen who trades or exposes goods for sale in any manner, and if a trader conduct a business at more than one point he shall pay the like sum of five hundred dollars for each and every such business.

SEC. 2. That all acts or parts of acts in conflict herewith are hereby repealed, and this act take effect and be in force from and after the first day of January, A. D. 1891.

Approved Nov. 4, 1890.

W. N. JONES, P. C. C. N.

NO. 32.

A Memorial.

Whereas, a corporation known as the Choctaw Coal and Railway Company, operating under a charter granted by the laws of the State of Minnesota, were granted a charter by the Congress of the United States in 1887, to construct and operate a railway, telegraph and telephone lines through the Indian Territory, from a point on Red River, known as Rocky Cliff, to a point contiguous to Polk or Sevier counties, Arkansas; and whereas, said corporation were granted a right of way of one hundred feet along the main line and branches of said railroad; and whereas, said railroad company has fenced and are fencing a right of way along the line of said railway that is one hundred feet on each side of the main track, without authority of law, and contrary to treaty rights or charter privileges, and against the wishes and over the protest of the Choctaw people; and whereas, it is believed by the Choctaw Council that said corporation has violated its charter rights by endeavoring to obtain possession of more land land in the Choctaw Nation than is granted in their right of way; and whereas, said charter expressly declares that such action on the part of this corporation shall operate a forfeiture of its charter; and whereas, said corporation have aided, assisted and advised disloyal Choctaw citizens in a violation of Choctaw laws, as tends to change the present tenure of the Choctaw tribe of Indians in their lands; and whereas, said corporation erected a wire fence along their railroad, without putting on blind, as required by Choctaw law, and has erected such a fence as is forbidden by law.

Therefore be it resolved by the General Council of the Choctaw Nation, that Honorable Secretary of the Interior be and he is hereby respectfully requested to investigate the action of the said Choctaw Coal and Railway Company, and have the fences so erected by said corporation, which are hereby declared to be a nuisance, removed, and that he request the Congress of the United States to revoke the charter of said corporation.

Resolved further, that the National Secretary be and is hereby instructed to forward by registered package a receipt for which shall be filed in his office within thirty days from this date, to the Secretary of the Interior and the President of the United

States, a copy of this memorial, under the seal of the Choctaw Nation.

Resolved further, that the Secretary of Interior is hereby respectfully requested to give this matter his careful attention, that this complaint may be acted upon as soon as possible.

Approved Nov. 11, 1890.

W. N. JONES, P. C. C. N.

NO. 33.

Whereas, the General Council of the Choctaw Nation did, in its session of 1887, Nov. 10, pass a resolution declaring one W. H. McKinney, at that time District Trustee of the 2d District, Choctaw Nation, a defaulter to the Nation in the sum of two thousand one hundred and seventy-five dollars and sixty cents, and did pass a resolution authorizing and directing the District Attorney of the said 2d District to prosecute the said W. H. McKinney and his sureties on his bond for the recovery of the said sum of \$2,175.60, and the said cause of prosecution is still pending; and whereas, the said W. H. McKinney was elected Superintendent of public schools of the Choctaw Nation; and whereas, it is evident that some of the members of the Council did not know of the existence of said prosecution when they voted for him.

Therefore be it resolved by the General Council of the Choctaw Nation assembled, that the Principal Chief is hereby requested to withhold the commission of the said W. H. McKinney until he make a settlement with the Nation for the said sum of \$2,175.60, for which he is defaulter, and in the event the said W. H. McKinney refuse or fail to make a settlement for the said amount, the Principal Chief is hereby authorized to appoint some suitable person to fill the vacancy of Superintendent of public schools as the law directs, and this resolution take effect and be in force from and after its passage.

Approved Nov. 11, 1890.

W. N. JONES, P. C. C. N.

NO. 34.

An act to authorize D. W. Hodges to construct a Railroad switch or tramway, and granting the right of way, etc.

SEC. 1. Be it enacted by the General Council of the Choctaw Nation assembled, that D. W. Hodges is hereby authorized to construct a railroad switch or tramway, or either of which he may deem most practicable, from the Lehigh branch of the M. K. & T. railway, beginning at a point to be by him selected on said branch road, between Lehigh and Coal Gate, and running from thence in a northwesterly direction about six miles, to or within one mile of his coal mine or mines.

SEC. 2. Be it further enacted, that the right of way is hereby granted to said D. W. Hodges to construct such railroad switch or tramway, and the same shall extend for fifty feet on each side of the track and continue as long as the same shall be used for the purpose set forth in this act; and said right shall be the use and benefit of D. W. Hodges and his heirs and assigns so long as used for said purpose.

SEC. 3. Be it further enacted, that this act shall not be construed to require the completion of said track the full distance of this grant, but that a less distance may be completed if so desired by the said D. W. Hodges. The right herein granted shall not be construed to interfere with the right or claim of other citizens of this Nation.

SEC. 4. Be it further enacted, that the right herein granted, if transferred to non-citizens, shall cease; and that this act shall take effect and be in force from and after its passage.

Approved Nov. 11, 1890.

W. N. JONES, P. C. C. N.

NO. 35.

An act for the better securing the safety of the election returns in the election of Principal Chief and of the National officers.

Be it enacted by the General Council of the Choctaw Nation assembled,

SEC. 1. That at every election for Principal Chief, or for any or all of the National officers, upon the delivery by the Sheriff or his deputy, to the proper Supreme Judge of the poll

books of such Sheriff's county, said Judge shall give to such Sheriff a receipt, naming each poll book received, and particularly describing the condition of the same, whether securely sealed, mutilated or not.

SEC. 2. The Supreme Judge shall at once deposit such poll books in a secure box or other safe receptacle, in which there shall be kept no other thing except the poll books containing the returns of election for Principal Chief, or for national officers. He shall retain said poll books in said box or receptacle, under lock and key, until such time as he is by law required to transmit them to the National Secretary. While said books are in his possession the Supreme Judge shall not exhibit the same to any one, nor permit any person, under any pretext to inspect or to handle them.

SEC. 3. At the proper time such Judge shall, in person, take said poll books to the National Secretary, who shall give to such Judge receipt in all respects similar to those required herein to be given by the Supreme Judge to the various Sheriffs.

SEC. 4. Upon the delivery by the National Secretary to the Speaker of the House of such poll books, said Speaker shall give similar receipts to said Secretary.

SEC. 5. It shall be the duty of each Supreme Judge to preserve duplicates, made at the time, of all receipts so given by him to the various Sheriffs. These duplicates he shall deliver to said Speaker of the House in person, as soon as practicable after he has delivered the poll books to the National Secretary.

SEC. 6. In case any Supreme Judge is unable by reason of sickness or other unavoidable casualty, to deliver the poll books and duplicate receipts in person to the National Secretary and Speaker of the House, respectively, as herein above required, then he shall at once notify the National Secretary of such inability. The National Secretary shall thereupon proceed in person to the place where such Supreme Judge may be, and then receive from him the poll books and duplicate receipts, and deliver to him receipts as herein above required, and the National Secretary shall then deliver the books and duplicate receipts to the Speaker, as aforesaid. In case of the inability of the National Secretary to act as provided in this section, then the President of the Senate shall designate some one of the National officers to act in his stead.

SEC. 7. And be it further enacted, that if any judge of elec-

tion fail to certify to any poll books, or, after having certified thereto, refuse to deliver the same, in manner and form as prescribed by law, then, in either such event, he shall be deemed guilty of a felony and he shall, upon indictment and conviction thereof, be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), and in case he fails to pay the fine assessed within one day, he shall receive not less than thirty-nine (39) nor more than one hundred (100) lashes well laid on his bare back, and this act shall take effect and be in force from and after its passage.

Approved Nov. 13, 1890.

W. N. JONES, P. C. C. N.

NO. 36.

Resolution of Adjournment.

Be it resolved by the General Council of the Choctaw Nation assembled, that the session of the General Council will adjourn on Friday evening at 3 o'clock, the 14th of Nov. 1890.

This resolution shall take effect from and after its passage.

Approved Nov. 13, 1890.

W. N. JONES, P. C. C. N.

NO. 37.

An act establishing an additional election precinct in Jack's Fork County.

Be it enacted by the General Council of the Choctaw Nation assembled, that an additional precinct is hereby established at Antlers Station, in Jack's Fork county, and called and known as Antlers Precinct, and all the citizens of Jack's Fork are privileged to vote at said precinct in all special and general elections and that this act take effect and be in force from and after its passage.

Approved Nov. 13, 1890.

W. N. JONES, P. C. C. N.

NO. 38.

An act removing an election precinct in Wade County.

Be it enacted by the General Council of the Choctaw Nation assembled, that the election precinct heretofore established at Davis Anderson's house, in Wade county, and known as Davis Anderson precinct, be and the same is hereby moved to the school house in Pleasant Hill neighborhood, and shall be known as and called Pleasant Hill precinct, and the voters may vote at said precinct.

This act shall take effect and be in force from and after its passage.

Approved Nov. 13, 1890.

W. N. JONES, P. C. C. N.

 NO. 39.

An act establishing an election precinct in Nashoba County.

Be it enacted by the General Council of the Choctaw Nation assembled, that an additional precinct is hereby established at Good Water, in Nashoba county, and shall be called Good Water precinct, and all the legal voters of Nashoba county are privileged to vote at said precinct in all special and general elections, and this act take effect and be in force from and after its passage.

Approved Nov. 13, 1890.

W. N. JONES, P. C. C. N.

 NO. 40.

An act to facilitate the detection of larceny of cattle in the Choctaw Nation.

Be it enacted by the General Council of the Choctaw Nation assembled, that every butcher doing business in this Nation shall keep a written record of the marks and brands of all cattle and hogs purchased for slaughter and from whom purchased; at the end of each month he shall file the same with the Clerk of the County Court in the county in which such butcher does business.

SEC. 2. It shall be the duty of each County Clerk to safely preserve such record so filed and to freely permit the public to inspect the same.

SEC. 3. The violation of any of the provisions of this act shall constitute a misdemeanor, and shall be punished by a fine of not less than \$5 nor more than \$25. In case the offender be a non-citizen his license as butcher permit shall be revoked.

SEC. 4. This act shall take effect from and after its passage and approval.

Approved Nov. 13, 1890.

W. N. JONES, P. C. C. N.

NO. 41.

To the Senate and House of Representatives:

Your committee on Finance would most respectfully report unto your honorable bodies that George Oaks, Inspector for the south end of the St. Louis & San Francisco railroad, has failed to make any report, hence your committee are unable to ascertain the amount of his collection, nor has he made any report to the National Treasurer.

Therefore be it resolved by the General Council of the Choctaw Nation assembled, that the Principal Chief be and he is hereby directed to cause proper steps to be taken to compel him to make proper report, and to recover immediately all moneys collected by him, and pay the same over to the National Treasurer, and this resolution be in force from and after its passage.

Approved Nov. 14, 1890.

W. N. JONES, P. C. C. N.

NO. 42.

A resolution authorizing Principal Chief of the Choctaw Nation to make appointments, etc.

Be it resolved by the General Council of the Choctaw Nation assembled, that the Principal Chief of the Choctaw Nation is hereby authorized to appoint one or more competent person or persons to investigate W. J. B. Lloyd's account, a former Superintendent of Armstrong Academy, and make a final settlement with the said W. J. B. Lloyd, and make his or their report to next General Council, and this resolution shall take effect and be in force from and after its passage.

Approved Nov. 14, 1890.

W. N. JONES, P. C. C. N.

NO. 43.

An act recognizing the citizenship of Willis Jackson and his family.

Be it enacted by the General Council of the Choctaw Nation assembled; that Willis Jackson, his wife, Mary Jackson and their children, Minnie, Sam, Folsom, Laura and Edmond Jackson, late of the State of Mississippi, are hereby recognized and declared to be citizens of this Nation, and entitled to all the rights, privileges and immunities of other citizens of this Nation, and this act shall take effect and be in force from and after its passage.

Approved Nov. 13, 1890.

W. N. JONES, P. C. C. N.

NO. 44.

An act making appropriation for the relief of Matt Sakki et als.

Be it enacted by the General Council of the Choctaw Nation assembled, that the sum of seventy-five dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated, for the purpose of aiding Matt Sakki, Isaac Simsin and Tom Yark, lately arrived from Mississippi, and to enable them to pay their board and traveling expenses while attending the General Council for the purpose of having themselves recognized as citizens of this Nation, and this act shall take effect and be in force from and after its passage.

Approved Nov. 14, 1890.

W. N. JONES, P. C. C. N.

NO. 45.

An act changing the County Court ground of Scullyville County.

Be it enacted by the General Council of the Choctaw Nation assembled, that the county court ground of Scullyville is hereby removed from what is known as Scullyville court ground to a place at or near the crossing of Buck Creek, on the Fort Smith and Stringtown road, and it shall be called and known as Buck Creek court ground. The county court of Scullyville county shall hold its first session at Buck Creek court ground on the

first Monday in February, 1891, and this act take effect and be in force from and after its passage.

Approved Nov. 14, 1890.

W. N. JONES, P. C. C. N.

NO. 46.

An act making appropriation for the fiscal year, ending July 31, 1891.

Be it enacted by the General Council of the Choctaw Nation assembled, that the following sums of money are hereby appropriated as follows :

Principal Chief	\$ 2,000 00	Clk. Sup. Court	\$ 100 00
Trea. Aud. & Sec.	1,800 00	Clk. Co. Court	1,700 00
National Agent	800 00	Clk. Circuit Court	900 00
National Attorney	400 00	Sheriffs	5,950 00
Private Secretary	500 00	Rangers	850 00
National Lighthouse	950 00	Sheriffs & duputies	
Supreme Judges	1,200 00	attending court	1,800 00
Circuit Judges	1,500 00	Deputy Sheriffs	7,400 00
County Judges	5,950 00	Sheriff attending	
District Chief	150 00	Sup. court	50 00
District Attorneys	950 00	Election Judges	375 09
Election Clerks	260 00	Contingent fund for	
Grand and petit		Treasurer	400 00
jurors	14,900 00	Contingent fund for	
Witness fees for		Secretary	50 00
Circuit court	6,000 00	Publication for Sec.	350 00
Sup. of schools and		Care of Capitol one	
Dist. Trustees	1,800 00	year	50 00
Local Trustees	1,500 00	General Council	9,160 00
Contingent fund for		Light Horse attend-	
Chief	400 00	ing Council	895 00
Contingent fund for		Clerk Citizenship	
Superintendent	450 00	Committee	155 00
Contingent fund for		Students in States	
Dist. Trustees	225 00	16 boys	4,700 00
Contingent fund for		Students in States	
Auditor	400 00	16 girls	4,300 00

NEIGHBORHOOD SCHOOLS.

1st District	\$18,090 00	New Hope Sem.	\$10,000 00
2d District	18,540 00	Armstrong Acad.	5,500 00
3d District	22,860 00	Wheelock Sem.	5,500 00
Spencer Academy	10,000 00		

SPECIAL APPROPRIATIONS.

Repairing Armstrong Academy	\$7,000 00	Prosecution Choctaw Coal & R'y Co.	\$2,000 00
Repairing Spencer Academy	6,000 00	Publication & trans- lation of laws	2,500 00
Repairing New Hope Seminary	1,000 00	Pay of Ed Spring	89 65
		New female sem.	20,000 00
		New male academy	20,000 00

And this act shall take effect and be in force from and after its passage.

Approved Nov. 14, 1890.

W. N. JONES, P. C. C. N.

 NO. 48.

An act to defray expenses of committee attending funeral of Ex-Governor Edmond McCurtain.

Be it enacted by the General Council of the Choctaw Nation assembled, that the sum of one hundred and forty-seven dollars and fifty cents is hereby appropriated out of any money in the National Treasury not otherwise appropriated, to defray the actual traveling expenses of committee appointed by the General Council to attend the funeral of Ex-Governor Edmond McCurtain, and upon presentation of Auditor's warrant, the Treasurer shall pay the same.

SEC. 2. That this take effect and be in force from and after its passage.

Approved Nov. 14, 1890.

W. N. JONES, P. C. C. N.

NO. 49.

To the General Council of the Choctaw Nation assembled:

We, your committee to whom was referred the report of Green McCurtain, National Treasurer, would respectfully report as follows. We find that the Treasurer has received revenues as follows, viz :

From the general government	\$61,362 63	Chicago, Kan. & Nebraska	\$ 269 21
Atoka Coal & Mining Co Aug '90	20,493 28	Choctaw Coal & R'y Co.	750 00
Osage Coal & Mining Co July '90	22,551 01	St. L. & S. F. R'y gravel	56 44
S. W. Coal & Improvement Comp'y Aug '90	13,518 75	S. F. Holsm	110 90
Collector, 1st District, 1890	6,763 52	C. C. R'y Co. Mining	1,276 45
Collector, 2d District, 1889	522 36	Total	<u>\$153,267 76</u>
Collector, 3d District, 1889		To which add amount recd. from W. N. Jones former treasurer	\$111,091 64
Inspector, North Frisco	2,075 56	Bal. net proceed fund from R. L. Owen	22,438 47
Inspector, South end, 1889	663 00	Making a grand total of	<u>\$286,797 87</u>
Inspector D. & W. V. R. R.	112 72	Less warants pd by Treasurer during year ending Oct 1, 1890	\$144,242 95
Inspector C. C. & R'y Co.	16,226 04	Leaving balance on hand for acct. current	<u>\$142,554 92</u>
Inspector M. K. & T. R'y	2,933 89		
Frisco right of way	2,250 00		
Kansas & Valley right of way	57 37		
Gulf, Colorado & Santa Fe	1,125 00		
Southern Kan.	149 63		

We find further, that the amounts that coal companies pay to Treasurer do not exactly agree with the weigher's reports. Some-

times companies pay more than weighers and sometimes less, but striking a general average the total amounts agree within a few dollars, so it is not necessary to institute an investigation, and would recommend that the following resolution be passed :

Be it resolved by the General Council of the Choctaw Nation assembled, that the report of Green McCurtain, National Treasurer, for the year ending Oct. 1, 1890, showing a balance on hand of \$142,554.92, be accepted as true and correct, and this resolution take effect and be in force from and after its passage.

Approved Nov. 14, 1890.

W. N. JONES, P. C. C. N.

NO. 50.

A resolution in reference to Dr. R. W. Hill's report.

Your committee on schools, to whom was referred the report of different schools, academies and seminaries, find them all to be true and correct, except Dr. R. W. Hill's report. We find a discrepancy against the Nation in the sum of \$300, and ask the passage of the following resolution, to-wit :

Be it resolved by the General Council of the Choctaw Nation assembled, that the Superintendent of the National schools is hereby authorized to make a complete examination of the same in the presence of the said Dr. R. W. Hill, and make his report to the next General Council, and that this resolution shall take effect and be in force from and after its passage.

Approved Nov. 14, 1890.

W. N. JONES, P. C. C. N.

NO. 51.

To the Senate and House of Representatives:

Your committee to whom was referred the report of T. E. Oaks, District Collector for the 3d District, Choctaw Nation, find he collected for the fiscal year ending July, 31, 1890, (\$7,209.18) seven thousand two hundred and nine dollars and eighteen cents, for which he has properly accounted to the National Treasurer.

Therefore be it resolved by the General Council of the Choctaw Nation assembled, that the report of T. E. Oaks, District

Collector for the 3d District, Choctaw Nation, be accepted as true and correct, and this resolution be in force from and after its passage.

Approved Nov. 14, 1890.

W. N. JONES, P. C. C. N.

NO. 52.

A resolution in reference to A Docking, Superintendent Spencer Academy.

Whereas, a resolution, No. 57, passed and approved last General Council, charging A. Docking as being a discrepancy against the Nation the sum of \$372. The report was made by Dr. R. W. Hill, who was acting Superintendent at that time, and not A Docking, as was stated in the said resolution No. 57. He is innocent as to the charges preferred against him; therefore we ask the passage of the following resolution, to-wit:

Be it resolved by the General Council of the Choctaw Nation assembled, that the charges preferred against the said A. Docking as being a discrepancy against the Nation of \$372, in the said resolution No. 57, is hereby repealed, and that this resolution shall take effect and be in force from and after its passage.

Approved Nov. 14, 1890.

W. N. JONES, P. C. C. N.

NO. 53.

To the General Council of the Choctaw Nation assembled:

Your committee to whom was referred the report of L. G. Folsom, Collector for the 2d District, Choctaw Nation, find that he collected from all sources the sum of \$330.56 up to Jan. 31, 1890. and makes no report for the balance of the year, and he has not paid any of the collections over to the Treasurer, as the law requires and is culpably negligent under the law.

Therefore be it resolved by the General Council of the Choctaw Nation assembled, that the principal Chief be hereby authorized to take the necessary steps to cause said L. G. Folsom to make final and satisfactory settlement with the Treasurer, and this resolution be in full force and effect from and after its passage.

Approved Nov. 14, 1890.

W. N. JONES, P. C. C. N.

NO. 54.

Whereas, a corporation known as the Choctaw Coal and Railway Company, incorporated under the laws of the State of Minnesota, and chartered by the Congress of the United States, to establish a certain line of railway through the Choctaw Nation with branch roads, and

Whereas, by the terms of their charter they are allowed a branch road in a westerly direction to their coal fields in Tobucksey county, and

Whereas they are building numerous branches or switches, and are contemplating the building of a road in a southerly direction from or near Hartshorn, a station on said branch road, to Denison, or Bonham, Texas, and

Whereas, certain officials of said Choctaw Coal and Railway Company are said to be engaged in speculating in town sites under illegal leases from Choctaw citizens, and are erecting houses, offices, etc., on said leased lands and are renting them, and

Whereas, said leases of land are in direct violation of law, and

Whereas, no contract is recognized for coal or stone for a longer period than six years, and

Whereas, certain citizens have leased said coal for a term of years (*viz*; 30) not recognized by law.

SEC. 1. Therefore be it enacted by the General Council of the Choctaw Nation assembled, that the Choctaw Council hereby enters a protest against the building of said branch road from Hartshorn south.

SEC. 2. Be it further enacted, that the National Agent is hereby instructed to demand of the officials of the Choctaw Coal and Railway Company that they file within sixty days, evidence that they are not connected directly or indirectly with the town site syndicates; also a copy shall be filed with the principal Chief. If they fail to file such evidence the National Agent shall declare their coal contracts null and void and so notify them.

SEC. 3. Be it further enacted, that the leases for thirty years are hereby declared to be illegal and null and void.

SEC. 4. Be it further enacted, that the Sheriff of each county is hereby instructed to at once diligently inquire into all such illegal leases and report the same to the principal Chief, and that the cause any improvement erected by non-citizens, corporate or

individual, by virtue of said illegal leases, to be advertised for sale in the manner provided by law.

SEC. 5. Be it further enacted, that the principal Chief is hereby authorized to employ competent counsel to represent the interest of the Nation before the United States courts, and the sum of \$2,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated, for the payment of said attorneys. Said amount to be drawn by the principal Chief on his own certificate and disbursed as to him seems best and the remainder, if any, to be paid into the National Treasury. All records in such cases to be filed in the office of the National Secretary.

SEC. 6. Be it further enacted, that a copy of this act be forwarded to the President and Treasurer of said Choctaw Coal and Railway Company by the National Secretary, and that this act shall take effect and be in force from and after its passage.

Approved Nov. 14, 1890.

W. N. JONES, P. C. C. N.

This is to certify that the foregoing is a true and correct copy of the acts of the General Council of the Choctaw Nation, passed and approved at the October term thereof, 1890.

Witness my hand and the great seal of the Choctaw
 { L.S. } Nation, this the 12th day of December, A. D. 1890.
 J. B. JACKSON,
 National Secretary, Choctaw Nation.