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LAWS OF

The Choctaw Nation, Regular Session,

1889.

NO. 1.

AN ACT supplementary to an act creating the Court of Claims of the Choctaw Nation, approved Nov. 6th, 1888: And an act amendatory of the same, approved January 18th, 1889.

Whereas, It has come to the knowledge of the General Council of the Choctaw Nation, that the Commissioners of the Court of Claims of the Choctaw Nation have failed to discharge the duties of their office, as required by said amending act, Section 4, thereof, approved January 18th, 1889, which act requires them to hold their court in all parts of the Nation as are most convenient to the majority of the claimants, and

Whereas, The said provision said Commissioners have utterly failed to comply with, thereby incurring a hardship on those claimants living in the northwestern and southern part of the Nation, interfering with their rights, in as much as they have never had convenient access to said Commissioners' Court of Claims, and, whereas, it is so reported and that this body has reason to believe that the five years' stay claim and script claims alone are now presented to said Court of Claims for adjudication to the exclusion of the claims of self emigration, lost property and cultivation claims, because these latter claims are smaller in amounts: Therefore,

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the court of claims commissioners

are hereby ordered to adjourn at once to Tushka Humma, the capital of the Choctaw Nation, and to hold the Court of Claims here at said Tushka Humma, until the claimants in this part of the Nation shall have filed all of their claims in said Commissioners' Court and have the same adjudicated, and that the said Commissioners' court then adjourn to the southeastern and northern parts of the Nation, as will make the place of holding said Commissioners' court convenient for the poorer and destitute class of people, that they may be enabled to attend said court, file their claims and have them properly adjudicated.

SEC. 2. Be it further enacted, That if any of said Commissioners should refuse to obey the order herein given, it shall be the duty of the Principal Chief who is hereby directed to vacate the Commissions so disobeying, and appoint and commission another to fill the vacancy so incurred; or, if all disobey the order herein given, it shall be the duty of the Principal Chief to vacate the commissions of each and all of them and then appoint and commission others, who shall proceed with the work.

SEC. 3. Be it further enacted, That the Commissioners are hereby authorized and directed to adjudicate only the claims for self emigration, lost property and cultivation claims during the first two weeks in each month, so that all claimants may have full justice given them.

SEC. 4. Be it further enacted, That should there be a difference arise in opinion, on treaty stipulations and points of law, merit of claims, etc., the attorney or attorneys in charge of the claim shall be allowed to argue the point of dispute fully, and then the majority of the Commissioners shall decide upon it, and such decision shall be in writing in every case and signed by the majority of Commissioners so deciding.

SEC. 5. Be it further enacted, That the Principal Chief is hereby authorized and directed to forward an authenticated copy of this act by a lighthorseman with instruction to serve the foregoing order upon said Commissioners of said Court of Claims in open court..

APPROVED October 14, 1889.

NO. 2.

A RESOLUTION requiring the Fiscal Agent for the Choctaw Nation, Robert L. Owen, to make his report to the Principal Chief of the Choctaw Nation, as required by an Act of the General Council approved January 18, 1889.

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the Fiscal Agent of the Choctaw Nation, Robert L. Owen, be and is hereby required to make his report forthwith to the Principal Chief, as required by Section 3 of an Act amendatory of an Act making distribution of the Net Proceeds money, etc., and approved January 18, 1889.

SEC 2. Be it further resolved, That the Principal Chief is hereby authorized and required to furnish said Robert L. Owen, Choctaw Fiscal Agent, with an authenticated copy of this resolution at as early a day as possible, and that this resolution take effect and be in force from and after its passage.

APPROVED October 14, 1889.

 NO. 3.

A RESOLUTION requiring the National Agent of the Choctaw Nation to make his report to the Principal Chief.

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the National Agent of the Choctaw Nation be and he is hereby required to make his annual abstract report to the Principal Chief forthwith, that the Finance Committee may be enabled to go on with its work.

SEC. 2. Be it further enacted, That the Principal Chief is hereby authorized and required to notify said National Agent requesting him to comply with the provision of this resolution without delay, and that this resolution shall take effect and be in force from and after its passage.

APPROVED October 17, 1889.

 NO. 4.

A RESOLUTION of respect tendered to the late Thompson McKinney, ex-Principal Chief of the Choctaw Nation.

Whereas, It has pleased the Almighty to remove from our midst our esteemed friend and former Chief, the Hon. Thompson

McKinney, who departed this life some time during the month of December, 1888; and while we bow in humble submission to the wise dispensation of Him who controls the universe, yet we mourn the loss of one who so long served his people faithfully and vacated the position as Principal Chief of the Choctaw Nation with honor, and always had the interest of his 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 two days, Friday and Saturday, 18th and 19th inst., out of respect to the deceased Thompson McKinney, and that each member wear the usual badge of mourning for thirty days.

SEC. 2. Be it further resolved, That the National Secretary is hereby authorized to send a copy of this resolution to the bereaved family of the said deceased Thompson McKinney, and that this resolution shall take effect and be in force from and after its passage.

APPROVED October 16, 1889.

NO. 5.

A RESOLUTION adopting the report of E. N. Wright, Coal Weigher at Lehigh.
TO THE GENERAL COUNCIL:—

Your Committee on Finance, to whom was referred the report of E. N. Wright, Coal Weigher at Lehigh, has examined the same and found it to be correct and said committee would respectfully ask that your honorable body pass the following resolution:

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of E. N. Wright, National Weigher at Lehigh, 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 October 16, 1889.

· NO. 6.

A RESOLUTION adopting the report of B. J. Hampton, Tie Inspector on the M., K. & T. R. R.

TO THE GENERAL COUNCIL:—

Your Committee on Finance, to whom was referred the report of B. J. Hampton, Tie Inspector on the M., K. & T. Railway, has examined the same and found it to be correct and would respectfully ask the passage of the following resolution:

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of B. J. Hampton, National Tie Inspector for the M., K. & T. Railway 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 October 16, 1889.

NO. 7.

Gentlemen of the Senate and House of Representatives:

Your Committee on Petitions, to whom was referred the petition of the Bethel Presbytery of the Cumberland Presbyterian Church of Blue County, C. N., would respectfully beg leave to submit the following bill and ask its adoption:

JOHN TAYLOR,
Chairman Committee.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, that the Rev. A. B. Johnson, a citizen of the United States, and a member of the Cumberland Presbyterian Church, be and is hereby permitted to live and labor within the limits of the Choctaw Nation to preach the Gospel as a missionary, he, the said Rev. A. B. Johnson, having come in our midst recommended and commissioned by the Mission Board of said church.

SEC. 2. Be it further enacted, That this Act take effect and be in force from and after its passage, or so long as the said A. B. Johnson shall conduct himself as a missionary.

APPROVED November 17, 1889.

NO. 8.

AN ACT requiring the M., K. & T. Ry. Co. to reduce the rates of mileage on their line of Railroad through the Indian Territory,

Whereas, the Gulf, Colorado & Santa Fe Railroad, and St. Louis & San Francisco line of Railroad have been required by the Congress of the United States to charge only three cents per mile as rates of mileage through the Indian Territory, and

Whereas the M., K. & T. Ry. company has been (since it constructed said line of Railroad through the Indian Territory,) charging the rates of five cents per mile and should be required by an act of the General Council, to be approved by the Interior Department, to reduce the rates from five cents per mile to that of three cents per mile, as required by other lines of Railroads through the Choctaw Nation, therefore

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the M., K. & T. R. R Co. be and it is hereby required to reduce the rates of fare from five cents per mile, as charged heretofore, to three cents per mile as are required of other companies operating lines of Railway through the Choctaw Nation.

SEC. 2. Be it further enacted, That a certified copy of this Act be forwarded by the National Secretary to the Hon. Secretary of the Interior for his approval.

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

APPROVED October 23, 1889.

 NO. 9.

AN ACT making an appropriation for the relief of Jesse Yutah.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the sum of (\$50) fifty dollars be and the same is hereby appropriated out of the National Treasury of the Choctaw Nation to pay Jesse Yutah for scrubbing and taking care of the capitol from October, 1888, to October, 1889, and that the Principal Chief is hereby authorized to issue a certificate for the amount, and the National Treasurer shall pay the same, and that this Act shall take effect and be in force from and after its passage.

APPROVED October 23, 1889.

NO. 10.

AN ACT entitled an act granting to W. H. McKinney the privilege to turnpike the Tali-oka-hikka Gap, and establish a toll-gate thereon.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the privilege is hereby granted to W. H. McKinney to establish a toll-gate at the place on the public road in the Choctaw Nation leading from Dallas, Ark., to Doaksville, I. T., known as the Tali-oka-hikka Gap, upon the following conditions and terms: That if the said W. H. McKinney shall turnpike by grading the earth and leveling with stones the said place called Tali-oka-hikka Gap, he shall be entitled to demand and receive therefor from all persons passing on the same, except from citizens of the Nation, the rates of toll to wit: For each four-wheeled wagon, or other vehicle, drawn by four or more horses, mules or oxen, with driver, the sum of fifty cents; for each four-wheeled wagon, or other vehicle, drawn by one or two horses, mules or oxen, with driver, the sum of twenty-five cents; for man and horse ten cents; each person on foot the sum of five cents; for each animal in every drove of cattle, horses, hogs, goats and sheep the sum of one cent per head.

SEC. 2. Be it further enacted, That the privilege to receive toll herein granted shall not take effect until said turnpike is completed, and shall continue in full force for the period of ten years, provided said turnpike shall be kept in good order and repair.

SEC. 3. Be it further enacted, That if any person or persons not citizens of this Nation, refuse to pay the toll aforesaid, 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 secure and collect the same.

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

APPROVED October 24, 1889.

 NO. 11.

AN ACT changing an election precinct in Kiamichi County, Choctaw Nation.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That an election precinct in Kiamichi

County heretofore known as Clear Spring election precinct is hereby changed and removed to Good Land station in said County to be called and known hereafter as Good Land precinct.

SEC. 2. Be it further enacted, That the first election held at said Good Land precinct shall be on the first Wednesday in August, 1890, and thereafter, and that this Act shall take effect and be in force from and after its passage.

APPROVED October 28, 1889.

NO. 12.

AN ACT changing Clear Spring court ground in Kiamichi County, C. N.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That Clear Spring court ground in Kiamichi County be and is hereby changed and removed to Good Land station on the St. Louis & San Francisco Railway in said county, to be hereafter called and known as Good Land court ground.

SEC. 2. Be it further enacted, That in holding the first court at the said Good Land court ground it shall begin on the first Monday in January, 1890, and first Monday in each month thereafter the year around.

SEC. 3. Be it further enacted, That the County Judge of said County is hereby authorized and required to appoint two or more competent persons to sell the former court house at Clear Springs who shall first give public notice thirty days previous to the sale, in at least three public places in the county, and that the proceeds of such sale shall be set apart for the building of a new court house at Good Land above mentioned.

SEC. 4. Be it further enacted, That this act shall take effect and be in force from and after its passage.

APPROVED October 28, 1889.

NO. 13.

A Resolution accepting the report of William Ansley, Coal Weigher at McAlester, Mine No. 9.

TO THE GENERAL COUNCIL:—

Your committee to whom was referred the report of William Ansley, Coal Weigher at McAlester, Mine No. 9, would beg leave to submit the following resolution and ask its passage.

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of William Ansley, Coal Weigher at McAlester, Mine No. 9., be accepted as being true and correct, and this resolution shall take effect and be in force from and after its passage.

APPROVED October 30, 1889.

 NO. 14.

AN ACT to appeal the Act on Citizenship approved October 1, 1882.

TO THE GENERAL COUNCIL:—

Your committee, to whom was referred the recommendation of the Principal Chief, to repeal the Act approved October 21, 1882, relative to appeal from the decision of the General Council of the Choctaw Nation, on the application of any person claiming the right of citizenship, have had the same under due and careful consideration and recommend the passage of the following Act, to wit:

Be it enacted by the General Council of the Choctaw Nation assembled, That the decision of the General Council, on the application for citizenship by any person claiming the right of citizenship, shall be final, and that the Act approved October 21, 1882, is hereby repealed in whole, and this act shall take effect and be in force from and after its passage.

APPROVED October 30, 1889.

 NO. 15.

AN ACT making an appropriation to refund one thousand dollars borrowed of Skullyville County, C. N.

TO THE GENERAL COUNCIL:—

Your Committee on Petitions, to whom was referred the petition of John Taylor, County Judge of Skullyville County, C.

N., after having carefully considered the same, have agreed that the petition be granted, and beg leave to submit the following Act and ask its passage:

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the sum of one thousand dollars (\$1,000) be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, to refund the above amount borrowed of Skullyville County, as an advance to Campbell Leflore, Choctaw Delegate, and that the Principal Chief is hereby required to issue a certificate on the National Treasurer for the amount in favor of the County Judge of Skullyville County, and this Act shall take effect and be in force from and after its passage.

APPROVED October 30, 1889.

NO 16.

AN ACT granting a charter to Jno. G. Farr to construct a tramway for the purpose of hauling logs, lumber, etc.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That a charter be and the same is hereby granted unto John G. Farr to construct and operate a tramway for the purpose of transporting logs and lumber; said tramway to begin at a point where the St. Louis & San Francisco Railroad crosses Pine Creek, and to run and extend up to the head of said Pine Creek and that the privilege herein granted shall extend for the period of ten years.

SEC. 2. Be it further enacted, That all Acts or parts of Acts heretofore passed coming in any manner in conflict with the provisions of this Act are hereby repealed and that this Act shall take effect and be in force from and after its passage.

APPROVED November 1, 1889.

NO. 17.

A RESOLUTION accepting the report of Thomas E. Oakes, District Collector, 3d District, C. N.

TO THE GENERAL COUNCIL:—

Your committee, to whom was referred the report of Thomas E. Oakes, District Collector for the 3d District, have examined

the same and found the accounts true and correct, and respectfully ask the passage of the following resolution :

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of Thomas E. Oakes, District Collector, 3d District, C. N., be accepted as being true and correct, and that this resolution take effect from and after its passage.

APPROVED October 29, 1889.

NO. 18.

A RESOLUTION accepting the report of H. W. Adams, Inspector.

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of H. W. Adams, Inspector on the Denison & Washita Valley Railway, be accepted as being true and correct, and that this resolution shall take effect and be in force from and after its passage.

APPROVED October 31, 1889.

NO. 19.

A RESOLUTION accepting the report of George W. Oakes, Inspector on south end of St. Louis & San Francisco Railway, Choctaw Division.

TO THE GENERAL COUNCIL:—

Your Committee on Finance to whom was referred the report of George W. Oakes, Inspector on the St. Louis & San Francisco Railway, after having carefully examined 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 George W. Oakes, Inspector on the St. Louis & San Francisco Railway, 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 October 31, 1889.

NO. 20.

AN ACT suspending an Act making distribution of the Net Proceeds Money.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the law passed and approved November 6, 1888, creating a commission for the distribution of the Net Proceeds Money; also, an Act amendatory to an Act approved January 18, 1889, be and the same is hereby suspended.

SEC. 2. Be it further enacted, That the said Net Proceeds Commission is by this Act required to file with the National Secretary all the books, records, dockets and all other papers belonging to said Commission's office for the inspection of the General Council, and that this take effect and be in force from and after its passage.

APPROVED October 30, 1889.

NO. 21.

A RESOLUTION accepting the report of B. F. Smallwood on contingent disbursement.

TO THE GENERAL COUNCIL:—

Your committee, to whom was referred the report of B. F. Smallwood, Principal Chiet. 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 that this resolution shall take effect and be in force from and after its passage.

APPROVED October 31, 1889.

NO. 22.

A RESOLUTION accepting the report of S. E. Lewis, District Collector 1st District, C. N.

TO THE GENERAL COUNCIL—Gentlemen:

Your committee to whom was referred the report of S. E. Lewis, District Collector first District, C. N., after having ex-

amined 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 S. E. Lewis, District Collector first District, C. N., be accepted as being true and correct, and that this resolution shall take effect and be in force from and after its passage.

APPROVED October 29, 1889.

NO. 23.

A RESOLUTION accepting the report of H. C. Harris, District Trustee, 2nd District.

TO THE GENERAL COUNCIL:—

Your Committee on Schools, to whom was referred the report of H. C. Harris, District Trustee 2d District, C. N., would beg leave to submit the following resolution and ask its adoption, to wit:

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of H. C. Harris, District Trustee of the 2d District, C. N., be and the same is hereby accepted as being true and correct with a balance on hand amounting to \$276.85, and that this resolution shall take effect and be in force from and after its pasage.

APPROVED November 2, 1889.

NO. 24.

A RESOLUTION accepting the report of R. C. Robe, Superintendent of Wheelock Seminary.

TO THE GENERAL COUNCIL:—

Your Committee on Schools, to whom was referred the report of R. C. Robe, Superintendent of Wheelock Seminary, find the same to be correct, and ask the passage of the following resolution:

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of R. C. Robe, Superin..

tendent of Wheelock Seminary, be and the same is hereby accepted as being true and correct, with a balance on hand amounting to \$982.96, and that this resolution take effect and be in force from and after its passage.

APPROVED November 2, 1889.

NO. 25.

A RESOLUTION accepting the report of T. B. Turnbull, District Trustee 3d District, C. N.

TO THE GENERAL COUNCIL:—

Your committee, to whom was referred the report of T. B. Turnbull, have carefully examined the same and find it to be true and correct, with a balance on hand amounting to \$417.15, and respectfully ask the adoption of the following bill, to-wit:

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of T. B. Turnbull, District Trustee 3d District, C. N., 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 November 2, 1889.

NO. 26.

A RESOLUTION adopting the report of Peter Garland, District Trustee, 1st District, C. N.

TO THE GENERAL COUNCIL:—

Your committee, to whom was referred the report of Peter Garland, District Trustee, 1st District, C. N., after carefully examining the same, find it to be true and correct, with a balance on hand amounting to \$285.65, and would 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 Peter Garland, District Trustee, 1st District, C. N., 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 November 2, 1889.

NO. 27.

A JOINT RESOLUTION authorizing the President of the Senate and Speaker of the House of Representatives to appoint a special committee.

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the President of the Senate and the Speaker of the House of Representatives are hereby authorized to appoint a special committee composed of two Senators and three Representatives, whose duty it shall be to investigate and examine all books and papers of the Net Proceeds Commission, and the report of the Fiscal Agent in connection therewith, and report to the General Council as soon as possible, said committee to meet and organize at once, and shall have power to send for persons and papers such as they may deem necessary to enable them to make a complete and comprehensive report, and this resolution shall take effect from and after its passage.

APPROVED November 2, 1889.

NO. 28.

A RESOLUTION adopting the report of Dr. A. Griffith, Superintendent of New Hope Seminary.

TO THE GENERAL COUNCIL:—

Your Committee, to whom was referred the report of Dr. A. Griffith, after carefully examining the same, 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 Dr. A. Griffith, Superintendent of New Hope Seminary, be and the same is hereby accepted as being true and correct, with a balance on hand amounting to \$496.54, and that this resolution shall take effect and be in force from and after its passage.

APPROVED November 2, 1889.

NO. 29.

A RESOLUTION accepting the report of J. J. Brown, Coal Weigher at McAlester, Mine No. 7.

TO THE GENERAL COUNCIL:—

Your Committee on Finance, to whom was referred the report of J. J. Brown, Coal Weigher at McAlester, Mine No. 7, after

examining the same, would beg leave to submit the following resolution and ask its adoption :

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of J. J. Brown, Coal Weigher at McAlester, Mine No. 7, 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 November 4, 1889.

NO. 30.

A RESOLUTION accepting the report of L. D. Worcester, Coal Weigher at McAlester.

TO THE GENERAL COUNCIL:—

Your Committee on Finance, to whom was referred the report of L. D. Worcester, Coal Weigher at McAlester, Mine No. 9, have examined the same and find it to be true and correct, and would submit the following resolution and ask its adoption:

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of L. D. Worcester, Coal Weigher at McAlester, be accepted as being true and correct, and that this resolution shall take effect and be in force from and after its passage.

APPROVED November 4, 1889.

NO. 31.

A RESOLUTION accepting the report of G. W. Walker, Coal Weigher at McAlester, Mine No. 11.

TO THE GENERAL COUNCIL:—

Your Committee on Finance, to whom was referred the report of G. W. Walker, Coal Weigher at McAlester, Mine No. 11, have carefully examined the same and would beg leave to submit the following resolution and ask its adoption:

SECTION 1. Be it resolved by the General Council of the Choctaw Nation assembled, That the report of G. W. Walker, Coal Weigher at McAlester, Mine No. 11, is hereby accepted as be-

ing true and correct, and that this resolution shall take effect and be in force from and after its passage.

APPROVED November 4, 1889.

NO. 32.

JOINT RESOLUTION of the Choctaw General Council.

Whereas, It has been reported to this body from reliable sources, and has been publicly announced in the newspapers upon the authority of the officers of the St. Louis & San Francisco Railway, that the said company has prepared a bill to be presented to the next session of the Congress of the United States, asking that rights of way through the Indian Territory be granted by the said Congress to a corporation known as the California & St. Louis Railway, said corporation being owned and controlled by the said St. Louis & San Francisco company system;

And whereas, The right of way to be asked for aggregate more than two thousand miles and cover every section of the Indian Territory available for railway purposes, also paralleling rights of way already granted by Congress and lines of railway now building or in process of construction, and practically constitute a monopoly of the railway business in the said Indian Territory, and grants the same to California & St. Louis & San Francisco Railway, otherwise known as the St. Louis & San Francisco Railway to the exclusion of all competitors and to the consequent injury of citizens of the said Indian Territory;

And whereas, By the terms of the Treaty made by the United States with the five Indian tribes in the year 1866, which provided that one right of way should be granted for a railway north and south through the said Indian Territory, and one right of way east and west through the said Indian Territory;

And whereas, The north and south right of way has been taken by the Missouri, Kansas & Texas Railway, and a line of railway constructed thereon, and a line of railway east and west has been taken by the Choctaw Coal and Railway company, which said company is constructing a line of railway thereon;

And whereas, In addition to these railways provided for in the Treaty of 1866 the Congress of the United States has granted to other railways at different times, right of way through the said Indian Territory, some of which have actually been built upon and others are now building;

And whereas, The public policy demands that the business of this Territory shall be given to no one corporation to the exclusion of all others and the Territory obligations of the United States having been violated by the giving of other rights of railway than those provided for in the Treaty of 1866; now, therefore,

Be it resolved by the General Council of the Choctaw Nation in joint session assembled, that we hereby solemnly protest against the granting of the right of way asked for by the said California & St. Louis Railway, otherwise known as the St. Louis & San Francisco Railway Company as being a subversion of all the rights of Indian citizens and as having a tendency to destroy that competition which has been inaugurated by the granting of the rights of way to others than those provided for in the Treaty.

And we desire to respectfully represent to the Congress of the United States that if the St. Louis & San Francisco Railway, otherwise known as the California & St. Louis Railway be granted the rights asked for it will practically end railway building outside of that company in the Territory, and leave the citizens of the five nations at the mercy of one corporation in all future railway developments.

And we further declare that in our opinion, based upon the record of the St. Louis & San Francisco Railway in this Territory in the past, that the said railways for which the rights of way are to be asked in the proposed bill, and that the corporation is asking for the same for the purpose of intimidating other corporations seeking to do business in the Territory and to retard the development of competitive systems.

And we further respectfully represent to the Congress of the United States that the said St. Louis & San Francisco Railway has held over twenty years' right of way through this Territory

upon which it has never built and is not now engaged in building.

Be it further resolved, that a certified copy of this joint resolution be forwarded by the National Secretary of the Choctaw Nation, to the President of the United States, to the Honorable Secretary of the Interior, to the President of the Senate and Speaker of the House of Representatives of the United States of America.

Be it further resolved, that this resolution shall take effect and be in force from and after its passage.

APPROVED November 5, 1889.

NO. 33.

A RESOLUTION accepting the report of J. J. Hodges, Coal Weigher at Lehigh, Mine No. 5.

TO THE GENERAL COUNCIL:—

Your Committee on Finance, to whom was referred the report of J. J. Hodges, Coal Weigher, at No. 5. Mine, Lehigh, have carefully examined the same and 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 J. J. Hodges, Coal Weigher at Lehigh, Mine No. 5, 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 November 5, 1889.

NO. 34.

AN ACT authorizing the appointment of three commissioners to treat with U. S. Commissioners in reference to the Leased District, and for other purposes.

Whereas, by Act of Congress May 28, 1830, the President of the United States was authorized to set apart a certain country now the Indian Territory and solemnly assure the tribes to whom it was assigned that their heirs, or successors, might forever possess and occupy it; and whereas, pursuant to this Act of Congress the President of the United States the following

September did make a treaty with the Choctaw Nation assigning to it a tract including their present country, which was subsequently patented to them; and whereas, by the 9th article of the Treaty of 1855 the Choctaws and Chickasaws leased to the United States all that portion of their common territory west of the 98th degree of longitude for the Wichita and such other tribes or bands of Indians as the government might desire to locate thereon, reserving however the right to the Choctaws and Chickasaws to settle thereon; and whereas, on the 9th of September, 1865, Hon. D. N. Cooley, Commissioner of Indian Affairs, Hon. Elijah Sells, Superintendent Southern Superintendency, Thomas Wister, of the Society of Friends, Brigadier General W. S. Harney, United States Army, and Colonel Ely S. Parker, of General Grant's staff, appointed by the President of the United States as a board of commissioners, did, as the declared and acknowledged representatives of the President of the United States, duly empowered, declare to the commissioners of the Choctaw Nation that the new treaty must contain among other things the following stipulations; to wit:

5th That a portion of the lands hitherto owned and occupied by the Choctaws and Chickasaws must be set apart for the friendly tribes then in Kansas and elsewhere, and on the further stipulation:

7th That no white person except officers, agents and employees of the Government, or of any internal improvement authorized by the government would be permitted to reside in the Territory unless formerly incorporated with some tribe according to the usages of the bands, and whereas, on the representations of the said United States Commissioners that the lands west of the 98th degree of west longitude on which the Choctaws and Chickasaws had still the right to settle, would all be needed for the use of friendly Indians and the colonization of the Negro freedmen in the Chickasaw and Choctaw Nations, unless otherwise adopted by the Choctaws and Chickasaws, the Choctaw and Chickasaw Nation did by the 3d article of the treaty of 1866, cede the lands west of the 98th degree of west longitude to the United States, in trust, for the purposes aforesaid, and under

the conditions of the existing laws and treaties of the United States herein before mentioned;

And, whereas, by Act of Congress of March 1, 1889, the United States departed from the long established policy of holding the lands of the Indian Territory for Indian Settlement, by purchase of the lands of the Creeks and Seminoles, which had been sold to the United States for the same purposes as in the case of the Choctaw cession of the lands west of the 98th degree of west longitude;

And, whereas, the United States by Act of Congress of March 2, 1889, in pursuance of this new line of policy authorized the President of the United States to appoint three commissioners to negotiate with all Indians owning or claiming lands lying west of the 96th degree of west longitude in the Indian Territory for sessions to the United States of all of their title claim or interest of every kind or character in and to said lands;

And, whereas, the Choctaw people recognize the changes which have taken place in the policy of the United States, and the desire of the Government to establish a Territorial government in the western part of the Indian Territory, and the need to use the lands west of 98th degree of west longitude for a different purpose than the holding in trust for friendly Indians, as by the cessions of 1866;

And, whereas, the Choctaws have been willing and anxious to conform to the wishes of the United States consistently with the interests of their own people, now, therefore,

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the Principal Chief of the Choctaw Nation is hereby authorized and directed to appoint by and with the advice of the Senate three competent, sober men who shall constitute a commission to represent the Choctaw Nation in reference to the rights of the Nation in the lands lying between the 98th and 100th degrees of west longitude, and between the Red and Canadian Rivers, comprising an area of 7,713,230 acres.

SEC 2. Said commissioners are hereby authorized and directed to conduct negotiations with the United States commissioners in

accordance with the Act of Congress of March 2, 1889, or with other proper authorities of the United States for the cession to the United States of all the claims, interest, and title of the Choctaw Nation in and to the lands lying west of 98th degree of west longitude.

Said commissioners are hereby instructed to actively and strenuously oppose and resist any attempt to include these lands within the limits of the proposed Oklahoma Territory until the Choctaw Nation shall have their rights therein properly recognized and secured.

SEC. 3. Said commissioners are also hereby instructed to invite the co-operation of the Chickasaw Nation in the purpose of this Act, and to report at once to the Principal Chief any agreement arrived at with the authorities of the United States; provided, however, that no agreement of the said commission shall be binding until duly ratified by the General Council, and it shall be the duty of the Principal Chief to immediately convene the General Council on receiving notice that an agreement has been reached by the commission herein provided for.

SEC. 4. Said commissioners shall be allowed for their services six dollars per day, and mileage of ten cents per mile while on this National business, payable on their own certificate, approved by the Principal Chief, and a sum sufficient to defray such expenses is hereby appropriated out of any money in the treasury not otherwise appropriated.

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

APPROVED November 5, 1889.

NO. 35.

A RESOLUTION accepting the report of John Harrison, Coal Weigher at Lehigh, Mine No. 4.

TO THE GENERAL COUNCIL:—

Your Committee on Finance, to whom was referred the report of John Harrison, Coal Weigher, after having examined the same, would beg leave to submit the following resolution, to-wit.

SECTION 1. Be it further resolved by the General Council of

the Choctaw Nation assembled, That the report of John Harrison, Coal-Weigher at Lehigh, Mine No. 4, 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 November 6, 1889.

NO. 36.

A JOINT RESOLUTION of the General Council of the Choctaw Nation.

Be it resolved by the General Council of the Choctaw Nation assembled, ~~That Col. Robert L. Owen, Fiscal Agent~~ of the Choctaw Nation, is hereby cordially invited to deliver an address to the members of the General Council now in session in Representatives' Hall, on Wednesday evening the 6th day of November, 1889, at half after 6 o'clock p. m., concerning the Leased District of the 93th degree, west longitude.

Be it further resolved, That this resolution shall take effect and be in force from and after its passage.

APPROVED November 6, 1889.

NO. 37.

AN ACT appropriating money for the relief of Edward Spring.

Be it enacted by the General Council of the Choctaw Nation assembled, That the sum of twelve dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, to pay Edward Spring for his services as Local Trustee of the Tushka Humma neighborhood school from the first Monday in September 1887, to the ——— day of February, 1888, the money to be payable on the certificate of the District Trustee the same as all other Local Trustees are paid, and this act shall take effect and be in force from and after its passage.

APPROVED November 7, 1889.

NO. 38.

AN ACT making an appropriation for the relief of Thompson Nowabaya and John Bohanan.

Whereas some time during the year 1883, Thompson Nowa-

haya who was at that time Captain of the National Lighthorsemen, and John Bohanan, who was a Deputy Sheriff of Kiamitia County, Choctaw Nation, while in the discharge of their duties trying to arrest one Alexander Shield, a citizen of the United States, for violating the law prohibiting the carrying of pistols, and it became necessary for them to take the life of said Shield; and whereas, the said Nowahaya and Bohanan were arrested and held for trial in the U. S. Court at Ft. Smith for murder; and whereas the said Nowahaya and Bohanan employed Attorneys Clayton and Cravens to defend them, whose charges were one thousand dollars—five hundred dollars of which were paid, leaving a balance due said attorneys of five hundred dollars, and whereas, it is the duty of the Nation to defend her officers while engaged in the legitimate discharge of their duties in pursuance of the law. Therefore,

Be it enacted by the General Council of the Choctaw Nation assembled, That the sum of Five Hundred Dollars is hereby appropriated out of any money in the treasury not otherwise appropriated to pay the balance due the attorneys, Clayton and Cravens for defending the said Nowahaya and Bohanan, if upon examination of the case by the Principal Chief the said balance is yet due, the money to be payable on the certificate of the Principal Chief, and this act shall take effect and be in force from and after its passage.

APPROVED November 7, 1889.

NO. 39.

AN ACT to establish the citizenship of R. B. Coleman, his wife and their children.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That Richard Benjamin Coleman and his wife, Eva Coleman, and their children, as follows:

Richard St. Clair, age 15 years; Ida Clay, age 13; Bennatta, age 11; Bettie Withers, age 9; Henry Allen, age 6, and Willie Norma Coleman, age 4 years, are hereby admitted to citizenship in the Choctaw Nation with rights, privileges and immunities, and that this act shall take effect and be in force from and after its passage.

APPROVED November 8, 1889.

NO. 40.

~~AN~~ ACT repealing a portion of the preamble of "An Act authorizing the appointment of three commissioners to treat with U. S. Commissioners in reference to the Leased District," and for other purposes, approved Nov. 5, 1889.

Be it enacted by the General Council of the Choctaw Nation assembled, That all that portion of the preamble of the Act authorizing the appointment of the commissioners to treat with U. S. Commissioners in reference to the Leased District, and for other purposes, approved Nov. 5, 1889, which reads, "And whereas, the Choctaws, by treaty of 1837, sold to the Chickasaws a one fourth interest in all of their lands" be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

APPROVED November 9, 1889.

 NO. 41.

A RESOLUTION of adjournment.

Be it resolved by the General Council of the Choctaw Nation assembled, That the present session of the General Council will adjourn on Friday, the 15th day of November, 1889, at 3 o'clock p. m., and this resolution shall take effect and be in force from and after its passage.

APPROVED November 2, 1889.

 NO. 42.

AN ACT permitting Rev. S. R. Keam to be a missionary in the Choctaw Nation.

Be it enacted by the General Council of the Choctaw Nation assembled, That Rev. S. R. Keam, of the Presbyterian Board of Home Missions, is hereby permitted to remain in the Choctaw Nation and be a missionary, in accordance with its laws, and this act shall take effect and be in force from and after its passage.

APPROVED November 12, 1889.

NO. 43.

AN ACT entitled an Act repealing an Act to prohibit introducing steer cattle in the Choctaw Nation.

Be it enacted by the General Council of the Choctaw Nation assembled, That an Act heretofore passed and become a law by its own limitation on the 30th of October, 1888, to prohibit introducing steer cattle in the Choctaw Nation, except in the months of November and December, is hereby repealed.

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

APPROVED November 13, 1889. -

 NO 44.

A RESOLUTION accepting the report of L. G. Folsom, District Collector, 2d District, C. N.

Be it resolved by the General Council of the Choctaw Nation assembled, That the report of L. G. Folsom, District Collector of the 2d District of the Choctaw Nation, for the last fiscal year, is hereby accepted as true and correct, and this resolution shall take effect and be in force from and after its passage.

APPROVED November 13, 1889.

 NO. 45.

SUPPLEMENT to joint resolution authorizing the President of the Senate and Speaker of the House of Representatives to appoint a special committee, approved November 2, 1889.

Be it resolved by the General Council of the Choctaw Nation assembled, That the chairman of the special committee, appointed under a joint resolution authorizing the President of the Senate and Speaker of the House of Representatives to appoint a special committee, approved November 2, 1889, is hereby empowered and directed to compel the attendance of any person before said committee and administer the oath to each person whom said committee may desire to examine in the matter of the disbursement of the Net Proceeds funds in order that the investigation of the same shall be most thorough and entirely impartial, and said investigation shall not be confined to the ex-

amination and comparison of figures alone, but said committee shall examine the rules of procedure which the Net Proceeds commission may have adopted for their own guidance, if any; and also the minutes of the Court of Claims which may have several curious facts, and which demand investigation as in said minutes or by them the individual claimants may have been defrauded, as soon as the present session of the General Council shall have been closed, said special committee are instructed to begin investigation with as little delay as possible, selecting their own place or places of meeting, and continue from day to day taking such time as may be necessary, as it is a matter of great importance to the Choctaw people, and when said committee shall have finished said investigation they shall report to the Principal Chief, who shall convene the General Council in extra session to hear the report. Said committee are authorized to employ a competent and skilful accountant to assist them in their work, and said accountant shall be entitled to the same allowance as the members of said committee.

The Principal Chief is instructed to detail the captain of the national lighthorse and as many of his men as may be necessary to serve the process of said committee and keep order during its sessions—said lighthorsemen to be allowed \$2.50 per day for every day actually engaged in this service. Witness before said committee to be allowed the same pay as if they appeared before a Circuit court; and this resolution shall take effect and be in force from and after its passage.

APPROVED November 13, 1889.

NO. 46.

AN Act changing the County Court ground of Wade County.

Be it enacted by the General Council of the Choctaw Nation assembled, That the County Court ground of Wade County is hereby removed from what is known as Kochot owa Kah Court grounds to Tali Hina, and it shall be called and known as Tali Hina Court ground.

The County Court of Wade County shall hold its first session at Tali Hina Court ground on the first Monday in January, 1890,

and this Act shall take effect and be in force from and after the 31st day of December, 1889.

APPROVED November 13, 1889.

NO. 47.

AN ACT for the relief of James Jacob.

Be it enacted by the General Council of the Choctaw Nation assembled, That the sum of seventy-eight and ninety one-hundredths dollars is hereby appropriated of any money in the treasury not otherwise appropriated to pay James Jacob for teaching the Salt Creek neighborhood School in Leader County, Choctaw Nation, from the 10th day of February, 1886, to May 28th, 1886, the money to be payable on the certificate of the Principal Chief, and this Act shall take effect and be in force from and after its passage.

APPROVED November, 13, 1889.

NO. 48.

AN ACT instructing the Principal Chief to call upon the Interior Department for certain information.

Be it enacted by the General Council of the Choctaw Nation assembled, That the Principal Chief is hereby instructed to call upon the Interior Department for a detailed statement of the expenditure and disbursement of the Choctaw freedmen fund placed in the hands of Robt. L. Owen, U S Indian Agent, for payment to such Choctaw freedmen as appeared and elected to leave the Nation in accordance with the 3d article of the Treaty of 1866, and besides the numbers and names of those paid, ascertain how many remain unpaid, and what has been done with the money, if any, returned by the U. S. Indian Agent, and this act shall take effect and be in force from and after its passage.

APPROVED November 13, 1889.

NO. 49.

A MEMORIAL to the Secretary of the Interior and Attorney General of the United States.

Your memorialist, the General Council of the Choctaw Nation in the Indian Territory, would respectfully represent to you that citizens of the United States have smuggled cattle into the Choctaw Nation and have held the same in the name and under the protection of citizens of the Choctaw Nation in violation of laws of the United States, and of the Choctaw Nation and since the establishment of the U. S. Court at Muskogee, Indian Territory, suits have been brought in said court by U. S. citizens to recover the value of said cattle. For instance, there is now a suit in said court wherein the Choctaw citizen died; an administrator of his estate was regularly appointed to settle up the estate, but upon complaint of a U. S. citizen who had violated the law by holding cattle in the Choctaw Nation, the property of said deceased Choctaw was attached and taken from the custody of the administrator of said estate, and ordered sold at auction to highest bidder, further injury of said estate, the money placed in bank and held subject to the action of the court, and for the benefit of a man who is a violator of law. ~~The subject of this memorial is to request the assistance and influence of your department in breaking up this nefarious business by securing legislation by Congress excluding such cases from the jurisdiction of said court.~~ In pursuance hereof,

Be it resolved by the General Council of the Choctaw Nation assembled, That the National Secretary is hereby instructed to send a certified copy of this memorial to each, the Secretary of the Interior and the Attorney General of the United States, and this resolution shall take effect and be in force from and after its passage.

APPROVED November 14, 1889.

NO. 50.

AN ACT for the relief of C. W. Duke.

Be it enacted by the General Council of the Choctaw Nation assembled, That the sum of Fifty dollars is hereby appropriated

out of any money in the Treasury not otherwise appropriated to pay G. W. Dukes for his services in superintending the building of a jail in the second district of the Choctaw Nation at the District Court ground, as provided for in the Act of 1886, providing for jails in the district of the Choctaw Nation, and this shall take effect and be in force from and after its passage.

APPROVED November 14, 1889.

NO. 51.

AN ACT to provide for protection of the rights of the Choctaw Nation and her citizens against increased encroachments by U. S. Courts.

Whereas, in pursuance of a custom long established among the Choctaws and of the 38th article of the Treaty of 1866, white persons who intermarry with Choctaw citizens became entitled to all the rights and privileges of citizenship in the Choctaw Nation, to vote and hold office, to sue and be sued in the Choctaw courts, to be tried for offences, and punished in all respects as though they were native born Choctaws; and, whereas, Stephen Belvin, a Choctaw citizen by blood being charged with the killing of one A. E. Powell, a white man, and citizen of the Choctaw Nation by intermarriage and had been arrested by the Choctaw authorities and held for his appearance at the regular February term of circuit court of the 3d district of the Choctaw Nation for trial; and whereas, the said Stephen Belvin has been arrested for the same offence and held for trial by the district court of the U. S., holding session at Paris in disregard of the said 38th article of the Treaty of 1866, and disregard of the rights of the said Belvin and of the Choctaws; and

Whereas, a case of a precisely similar nature has been taken into the U. S. courts at Paris, Texas, against Capt. Joe Everidge, Turner Everidge, and Martin Everidge, charged with the killing of one Luther, a white man, but a citizen by intermarriage, and the defendants are held there under bond; and whereas, in pursuance of the laws of the Choctaw Nation of Oct. 30, 1877, and Oct. 28, 1887, Joe Nale, sheriff of Tobucksy County, in pursuance of his duties under said laws and in pursuance of instructions of the U. S. Indian Agent sold some houses in the town of Krebs,

C. N., the property of non-citizens—intruders—and disposed of them, they being illegally there and pursuing an illegitimate business in them and, whereas in consequence suit has been brought in the U. S. Court at Muskogee against the said Joe Nale for value of the houses sold, and damages, by the non-citizens; and

Whereas suit has been brought in the court at Muskogee against Adolphus Riddle, administrator of the estate of Mick Nichols (dec'd), of Jacks Fork Co. and a citizen of the Choctaw Nation, by intermarriage, at the instance of one Huggins, a citizen of the state of Arkansas, and the property of said estate has been attached by the said court and property taken from the custody of the said Adolphus Riddle and ordered to be sold at auction to the highest bidder for cash to the great detriment of the interest of said estate and in utter disregard of the jurisdiction of the Choctaw courts, and whereas, Sam Harris, a registered freedman of the Choctaw Nation, became involved in a difficulty with and killed Sam Brown, also a registered freedman of the Choctaw Nation, both being residents of Townsen County, and the case clearly coming within the jurisdiction of the courts of the Choctaw Nation, as in such cases decided by Judge Parker, of the Ft. Smith court, in the case of Morris Green et al., from Gaines County; and whereas, the said Sam Harris is held for trial by the United State at Paris, Texas, Therefore

Be it enacted by the General Council of the Choctaw Nation assembled, That the Principal Chief of the Choctaw Nation is hereby authorized to employ the firm of Guthridge, Fleming & Co., of Paris, Texas, to appear in said Courts and represent the interest of the Choctaw Nation by pleading to jurisdiction of said courts in all such cases, or to take such course as may be necessary in the defense of the Treaty and other rights of the Choctaw Nation and her citizens, and for their services they shall receive the sum of fifteen hundred dollars, to be paid on the certificate of the Principal Chief whenever it shall have been satisfactorily proven to him to be justly due. The said amount of money to be paid out of any money in the treasury not other-

wise appropriated, and this act shall take effect and be in force from and after its passage.

APPROVED November 14, 1889.

NO. 52.

A RESOLUTION accepting the report of Dick Smallwood, Coal Weigher.

Be it resolved by the General Council of the Choctaw Nation assembled, That the report of Dick Smallwood, Coal Weigher at Coal Gate, Mine No. 1, is hereby accepted as true and correct, and this resolution shall take effect and be in force from and after its passage.

APPROVED November 14, 1889.

NO. 53.

AN ACT to increase the pay of County officers.

Be it enacted by the General Council of the Choctaw Nation assembled, That the pay of County officers of the Choctaw Nation is increased as follows:

County Judges	- - - - -	\$100.00
„ Clerks	- - - - -	50.00
Sheriffs and their Deputies, each	- - - - -	50.00

These amounts to be in addition to what is already allowed them, and this Act shall take effect and be in force from and after its passage.

APPROVED November 14, 1889.

NO. 54.

AN ACT in reference to Armstrong Academy.

TO THE GENERAL COUNCIL:—

Your Committee, to whom was referred the last annual report of W. J. B. Lloyd, Superintendent of Armstrong Academy, beg leave to report that they find he received \$5,500.00 from the National Treasurer and \$219.00 from other sources, making in all the sum of \$5,719.00 and also find his total expenditure to be \$6,257.75 making an indebtedness of the institution of \$538.75. In consequence hereof your committee report the following bill and ask its passage.

Be it enacted by the General Council of the Choctaw Nation assembled, That the sum of five hundred and thirty-eight dollars and seventy-five cents is hereby appropriated to pay the indebtedness of Armstrong Academy on account of expenses of the last scholastic year, made payable on the certificate of the Superintendent of Public Schools, who is directed to see that said account is settled in full, and the Superintendent of Public Schools shall notify the Board of Missions, having a contract to run said Academy, and under whom the said W. J. B. Lloyd is employed, that they must remove the said W. J. B. Lloyd as Superintendent of Armstrong Academy and put a more competent man in his place, and this Act shall take effect and be in force from and after its passage.

APPROVED November 14, 1889.

NO. 55.

AN ACT repealing "an act requiring the Sheriff to take the census of non-citizens."

Be it enacted by the General Council of the Choctaw Nation assembled, That an act requiring the Sheriff to take the census of non-citizens of their respective counties, approved Nov. 6, 1888, is hereby repealed and this act shall take effect and be in force from and after its passage.

APPROVED November 15, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 56.

AN ACT making appropriation for the current and contingent expenses of the Choctaw Nation for the fiscal year ending July 31, 1890.

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

Principal Chief.....	\$ 2000 00
Auditor, Treasurer, and Secretary each \$300 00.....	1800 00
National Attorney.....	400 00
National Agent.....	800 00
Private Secretary.....	500 00
National Lighthorse.....	950 00
Supreme Judges.....	1200 00
Circuit do.....	1500 00
County do.....	2487 50
District Chiefs.....	150 00
District Attorneys.....	950 00
Supreme Court Clerk.....	100 00
County do do.....	850 00
Circuit do do.....	900 00
Sheriff's.....	2400 00
Sheriffs and Deputies attending court.....	1800 00
Deputy Sheriff.....	350 00
Sheriffs attending supreme court.....	50 00
Election Judges.....	575 00
Election Clerks.....	260 00
Grand and Petit Juries.....	14,900 00
Witness fees for circuit court.....	6000 00
Superintendent school and district trustees.....	1000 00
Students in the States.....	7550 00
Local Trustees.....	1500 00
Spencer Academy and New Hope Seminary, each \$10,000.....	20,000 00
Armstrong Academy.....	5,500 00
Wheelock Seminary.....	5,500 00
Neighborhood School, { 1st District \$10,714 35	34,020 35
{ 2d District 10,723 15.....	
{ 3d District 12,582 85	
Contingent fund, Principal Chief.....	392 23
do " Superintendent Schools.....	400 00
do " District Trustees.....	150 00
do " Auditor.....	400 00
do " Treasurer.....	400 00
do " Secretary.....	50 00

Publication fund for Secretary.....	350 00
General Council and Lighthorse.....	9174 00
Cleaning and taking care of Capital one year.....	50 00

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

APPROVED November 15, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 57.

A RESOLUTION in reference to Spencer Academy.
TO THE GENERAL COUNCIL:—

Your Committee, to whom was referred the report of the Superintendent of Spencer Academy, have to report that, by reference to the report of Mr. Schermerhorn, the late Superintendent, he states a balance on hand of \$2,680.00 while his successor states only \$2,308.00 which is a discrepancy against the Nation of \$372.00 unaccounted for.

Your Committee further find items in the account of the present Superintendent, charged contrary to the terms of the contract between Board of Missions and the Board of Treaties of the Choctaw Nation; therefore your committee cannot accept the report of the present Superintendent as correct; hence ask the passage of the following resolution:

Be it resolved by the General Council of the Choctaw Nation assembled, That the Principal Chief is hereby instructed to request the Board of Missions of the Presbyterian church to require A. Docking, the present Superintendent of Spencer Academy, to render a full and correct report to such committee as may be selected by the General Council to receive and report upon the same, and if such report is not ascertained to be true and correct then the said Board of Missions are hereby notified to remove the said A. Docking, and assign a suitable man to the vacancy, who will make a just and correct report to the Nation of finances in connection with said Academy, and this resolution shall take effect and be in force from and after its passage.

APPROVED November 15, 1889.

B. F. SMALLWOOD
P. C., C. N.

NO. 58.

AN ACT providing for a special committee to investigate the condition of the finances of Spencer Academy.

Be it enacted by the General Council of the Choctaw Nation assembled, That a special committee composed of J. B. Jeter, Simon T. Dwight and N. B. Ainsworth, are hereby authorized to investigate the account of Spencer Academy with the Choctaw Nation as stated by A. Docking, the present Superintendent for the last Scholastic year, and report the result of their investigation to the Principal Chief so that he may be able to present the same to the General Council at a regular session in contemplation soon. For the above required service the members of the special committee shall be allowed the same pay as members of the General Council while actually engaged in the work, and a sum sufficient to pay the same is hereby appropriated out of any money in the treasury not otherwise appropriated. If the person herein appointed to act on said committee should for any reason fail or decline to act then the Principal Chief is authorized to fill the vacancy, and this act shall take effect from and after its passage.

APPROVED November 15, 1889.

B. F. SMALLWOOD,
P. C., C. N.

I hereby certify that the foregoing acts and resolutions are a true and correct copy from the original now on file in my office.

In witness whereof I have hereto set my hand and affixed the seal of the Choctaw Nation, this 30th day of December, A. D. 1889.

J. B. JACKSON,
National Secretary,
Choctaw Nation.

LAWS OF

The Choctaw Nation, Special Session,

{ 1889. }

LAWS OF

The Special Session,

1889.

NO. 1.

A JOINT RESOLUTION of the Senate and House of Representatives.

Be it resolved by the Senate, the House of Representatives concurring, that the two Houses of the General Council will meet in the Senate Chamber the evening of the 17th of December, 1889, at 3 o'clock, in private session for the purpose of having the joint report of the Choctaw and Chickasaw commission on the western land question read and interpreted.

APPROVED December 17, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 2.

A RESOLUTION accepting the Auditor's and Treasurer's reports.

Be it resolved by the General Council of the Choctaw Nation assembled, That the reports of N. B. Ainsworth and W. N. Jones, as Auditor and Treasurer, respectively, are hereby accepted to be true and correct, with a balance in the treasury of One Hundred

and Nine Thousand Three Hundred and Fifty-Two and seventy-five cents, and this resolution shall take effect and be in force from and after its passage.

APPROVED December 18, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 3.

AN ACT appropriating to pay for a seal of the Choctaw Nation.

Be it enacted by the General Council of the Choctaw Nation assembled, That the sum of Twelve dollars and eighty-five cents, is hereby appropriated out of any money in the treasury not otherwise appropriated to pay for a new seal for the Choctaw Nation; as per statement in the hands of the National Secretary, and this Act shall take effect and be in force from and after its passage.

APPROVED November 18, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 4.

A RESOLUTION expressing the sense of the Choctaw Nation in reference to the location of Federal Courts.

Whereas the location of a Federal Court within the Indian Territory has demonstrated to the Choctaw people, that said court hesitates not to exceed its legitimate authority and jurisdiction, and continues its encroachments on the Choctaw rights with a confident assurance that Congress will relieve it of its embarrassment to the extent of its assumptions, and whereas, said court has congregated around it a class of persons whose sole object is to manufacture litigation and multiply its causes, and whereas said persons are aliens and strangers for the most part, and not acquainted with the wants and necessities of the Indian people, and whereas there is a growing desire among said persons to extend the laws and practice and pleadings of the courts of the State of Arkansas, over the Indian Territory; Therefore,

Be it resolved by the General Council of the Choctaw Nation assembled, That the Choctaw people desire all Federal Courts located upon their border, where a nucleus of foreign ideas and customs will not form and fester, where their location will enable them to exercise better, more complete control of the liquor traffic than which nothing is more prolific of crime in the Indian Territory, and where there will be that ever present disposition to flood Congress with petitions to encroach upon the jurisdiction of the Indian courts.

Resolved, further, That the National Secretary shall send certified copies of this resolution to each President of the Senate, and the Speaker of the House of Representatives of the United States Congress.

APPROVED December 20, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 5.

A RESOLUTION expressing the sentiments of the Choctaw Nation on the question of a U. S. Territory, or State, for the five civilized tribes.

Be it resolved by the General Council of the Choctaw Nation assembled, That the desire and purpose of certain members of Congress to establish a United States Territory, or a State, of the five civilized tribes, is out of harmony with the treaties with said tribes, and is a principle which if applied to the relations of men with each other would be productive of strife, violence and blood shed, and consequently antagonistic to every idea of advanced civilization.

Resolved further, that the National Secretary send certified copies of this resolution to each, the President of the Senate and the Speaker of the House of Representatives of the United States Congress.

APPROVED November 20, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 6.

AN ACT in reference to the report of John P. Turnbull, Supt. of Public Schools.
TO THE GENERAL COUNCIL:—

Your Committee, to whom was referred the report of J. P. Turnbull, Supt. of Public Schools, would state, after careful examination of the same we find he shows balance on hand July 31st, 1889, of \$2987.30; our examination shows it ought to be \$3, 166,00, we consequently find him indebted to the Nation in the sum of \$178.70. Your committee would therefore report the following bill and ask its passage:

Be it enacted by the General Council of the Choctaw Nation assembled, That notice is hereby served on John P. Turnbull, Supt. of Public Schools, he is found to be behind with the Choctaw Nation in his account to the amount of One Hundred and Seventy-Eight Dollars and Seventy cents, and unless he shall refund the same or make it good to the Nation in his next annual report, the District Attorney of the 3d district is hereby instructed to bring suit on the bond of said Superintendent for the amount of One Hundred and Seventy-eight Dollars and Seventy cents, and this Act shall take effect and be in force from and after its passage.

B. F. SMALLWOOD,
 P. C., C. N.

NO. 7.

AN ACT appropriating money for scholars at Schools in the States.

Be it enacted by the General Council of the Choctaw Nation, assembled, That the sum of Seven Thousand Five Hundred and Fifty Dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, to pay expenses of scholars at schools in States, as follows:

BOYS.		GIRLS.	
J. W. Hunter	\$ 300	Janie Folsom	\$ 300
Lewis Battiest	300	Sallie Harris	300
Almer Clay	300	Elizabeth Hodges	250
Joseph Dukes	300	Annie James	325
Eli Burns	300	Elsie Cravat	325

James Bowers	300	.....	Ella Pate	250
Joshua Bohanan	300	.....	Lena Harris	300
J. W. Durant	500	.....	Bega Walls	300
Hampton Tucker	300	.....	Ida Taylor	250
Levi Bohanan	500	.....	Josephine Mary	300
James Cuburn	300	.....	to be an orphan	300
A. J. Stacy	300	.....	“ “ “ “	300
Hudson Taylor	250			
J. L. Hampton	250			
Stephen Wood	250			

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

APPROVED December 20, 1880.

B. F. SMALLWOOD,
P. C., C. N.

NO. 8.

AN ACT establishing the citizenship of Emma McClung, her brother and their families.

Be it enacted by the General Council of the Choctaw Nation assembled, That the citizenship of the following named persons is hereby established:—Mrs. Emma McClung and her husband, L. M. McClung; and their children, M. O. McClung, Lilly McClung Carr and her husband D. H. Carr; George McClung, Myrtle McClung, E. B. McClung, Henry Gaines, his wife, Sarah Gaines, their children Thomas Gaines, J. H. Gaines, and his brother William Gaines, and this act shall take effect and be in force from and after its passage.

APPROVED December 20, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 9.

AN ACT changing an election precinct in Kiamitia County.

Be it enacted by the General Council of the Choctaw Nation assembled, That the election precinct known as Lockston precinct in Kiamitia County, is hereby discontinued, and instead, there is hereby established one-half mile South of the said Locks-

ton precinct, at what is known as Saw Mill church, a precinct which shall be called and known as Saw Mill precinct; and this Act shall take effect and be in force from and after its passage.

APPROVED November 20, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 10.

AN ACT amending an act in reference to the Scholars attending boarding schools.

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the act of Nov. 1842, as found in paragraph 4, section 5, chapter 1, at the top of page 67 of the late compilation of Choctaw laws, and which reads as follows :

“No family shall be allowed to have more than one scholar in the boarding schools of the Choctaw Nation,” shall be and is hereby amended to read as follows :

No family shall be allowed to have more than one scholar at schools in the States or in the boarding school of the Choctaw Nation at the expense of the Choctaw Nation.

SEC. 2. In all cases wherein any family may have more than one scholar at school in the States, or in a boarding school of the Nation, the Superintendent of Public Schools shall revoke the certificate of all but one, and proceed at once to fill any vacancies created thereby. This act shall take effect from and after the first day of August 1890, and be in force thereafter.

APPROVED December 20, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO 11.

AN ACT rejecting the application of Charles Goodal for citizenship in the Choctaw Nation.

Be it enacted by the General Council of the Choctaw Nation assembled, That the application of citizenship of Charles Goodal for citizenship in the Choctaw Nation, is hereby rejected, and

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

APPROVED November 18, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 12.

AN ACT appropriating pay for Miss M. E. Rood, Neighborhood School teacher.

Be it enacted by the General Council of the Choctaw Nation assembled, That the sum of Forty Dollars and Twenty cents, is hereby appropriated out of any money in the Treasury, not otherwise appropriated, to pay M. E. Rood for teaching Standing Rock Neighborhood School, in Atoka County, C. N., for one quarter, beginning September 17, 1888, and ending November 30, 1888, amount made payable on the certificate of the District Trustee of the 3d District, and this Act shall take effect and be in force from and after its passage.

APPROVED December 21, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 13.

AN ACT to provide for the further development of the mineral resources of the Choctaw Nation.

Whereas, There is a growing necessity for increase of the funds of the Choctaw Nation to meet the demands for education and all elevating agencies; and whereas, those minerals which are undiscovered in the bowels of the earth can be of no possible benefit to the present or future generations unless they find development and are operated; Therefore,

Be it enacted by the General Council of the Choctaw Nation assembled, That any citizen of the Choctaw Nation who shall discover Lead, Iron or other metal or mineral than coal, shall be allowed the exclusive privilege of working the same within a radius of one mile from the point of discovery, provided that he

shall duly record the same in the office of the county clerk of the county wherein the same metal or mineral may be located.

Provided, further, that he shall pay a royalty on the same to the Choctaw and Chickasaw Nations of 6 per cent., three-fourths to the Choctaw and one-fourth to the Chickasaw Nation of said 6 per cent of the value of the metal or mineral when it is prepared for the general market; and provided, further, that he shall be required to enter into contract with the National Agent of the Choctaw Nation on the same terms, conditions and penalties as similar contracts are made for the mining of coal.

APPROVED December 23, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 14.

AN ACT contracting to the delegation appointed to negotiate with the authorities of the United States one-fourth of the recovery out of the "Leased District," so called, &c.

Whereas, the United States has bought out the Indian interest in Okla Humma and settled it with United States citizens, and thus departed from the policy established and maintained since 1830, of reserving the Indian Territory to be occupied by Indians alone; and whereas, bills have been introduced in Congress to incorporate said "Leased District" into the Territory of Okla Humma without any reference to the rights of the Choctaws and Chickasaws, which shows an attitude of the United States towards the Choctaws and Chickasaws different to that taken toward the Creeks, Seminoles and Cherokees in reference to their western lands; and whereas, the Principal Chief of the Choctaw Nation has been advised in a formal manner by the United States Commissioners appointed under act of Congress of March 2, 1889, to negotiate with all Indians in the Territory for the cession to the United States of all their rights, claims or interests in and to lands west of the 96th degree of longitude, and that the United States has now full title to the lands between the 98th and 100th degrees of west longitude ceded to the United States by the Choctaws and Chickasaws in 1866, and that said

United States Commissioners were not authorized to even negotiate with the Choctaw Nation relative thereto; and the Choctaw Nation is not willing to expend any money in the prosecution of this claim, but desires to engage the services of a Delegation willing to pay all expenses incurred; and whereas the Choctaw Nation wishes to support said Delegation in the employment of competent counsel, and a large and able corps of assistants to push the equitable rights of the Choctaw Nation upon the attention of the executive Department of the United States, and upon Congress in order that the rights of the Nation now ignored may be recognized; now therefore,

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the Delegation appointed under "An Act providing for the disposition of the interest of the Choctaw Nation in the lands west of the 98th degree of west longitude," or their assigns, are hereby guaranteed and pledged twenty-five per cent. of the recovery to the Choctaw Nation in consideration of the facts above recited, it being distinctly understood that said Delegation shall bear all expenses in conducting this business, and that they shall not call on or expect any appropriation whatever in this connection, except as contracted herein, to wit: Twenty-five per cent. of the recovery; in case they do, their authority shall cease and in case of failure said Delegation shall bear the loss of their expenses, labor and time.

Said delegation or its assigns are hereby authorized in the name of, and on behalf of, the Choctaw Nation, to make requisition on the proper authorities of the United States for twenty five per cent. of whatever appropriations Congress may hereafter make on account of such so-called "Leased District" aforesaid, and to execute proper receipts therefor, and all Acts or parts of Acts in conflict herewith are hereby repealed, and this Act shall take effect and be in force from and after its passage.

APPROVED December 24, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 15.

AN ACT providing for the disposition of the interest of the Choctaw Nation in the lands west of the 98th degree of west longitude.

Whereas; by act of Congress May 28th, 1830, the President of the United States was authorized to set apart a certain country, now the Indian Territory, and solemnly assure the tribes to whom it was assigned, that they, their heirs or successors, might forever possess and occupy it ;

And whereas pursuant to this act of Congress the President of the United States the following September did make a treaty with the Choctaw Nation assigning to it a tract including their present country, which was subsequently patented to them ;

And whereas by the 9th article of the Treaty of 1855, the Choctaws and Chickasaws leased to the United States all that portion of their territory west of the 98th degree of west longitude for the permanent settlement of the Wichita and such other tribes or bands of Indians as the Government might desire to locate thereon, reserving however the right to the Choctaw and Chickasaws to settle thereon ;

And whereas on the 9th day of September, 1865, Hon. D. N. Cooley, Commissioner of Indian Affairs, Hon. Elijah Sells, Superintendent Southern Superintendency, Thos. Wister, of the Society of Friends, Brigadier General W. S. Harney, U. S. Army, and Col. Ely S. Parker, of General Grant's staff, all appointed by the President of the United States, as a Board of Commissioners, did, as the declared and acknowledged representatives of the President of the United States, duly empowered, declare to commissioners of the Choctaw Nation, that the new Treaty must contain among other things the following stipulation, to-wit:

5th. That a portion of the lands hitherto owned and occupied by the Choctaws and Chickasaws must be set apart for the friendly tribes then in Kansas and elsewhere, and on the further stipulation :

7th. That no white person except officers, agents and employes of the Government, or of any internal improvement authorized by the Government, would be permitted to reside in the territory unless formally incorporated with some tribe ac-

ording to the usages of the bands; and whereas on the further representation of the said Board of the United States commissioners that the lands west of the 98th degree of west longitude on which the Choctaws and Chickasaws had still the right to settle, would all be needed for the use of friendly Indians and colonization of the negro freedmen in the Choctaw and Chickasaw Nations, unless 'otherwise' adopted by the Choctaws and Chickasaws, the Choctaws and Chickasaws did, by the 3d article of the Treaty of 1866, cede the land west of the 98th degree of west longitude to the United States, in trust, for the purposes aforesaid, and under the conditions of the existing laws and treaties of the United States herein before mentioned;

And whereas, by act of Congress of March 1st, 1889, the United States departed from the long established policy of holding the lands of the Indian Territory for Indian settlement by purchase of the lands of the Creeks and Seminoles which had been sold to the United States for the same purposes as in the case of the Choctaw cession of the lands west of the 98th degree of west longitude; and whereas the United States by act of Congress of March 2d, 1889, in pursuance of this new line of policy, authorized the President of the United States to appoint commissioners to negotiate with all Indians owning or claiming lands lying west of the 96th degree of west longitude in the Indian Territory for the cession to the United States of all their title, claim or interest of every kind or character in and to said lands;

And whereas the Choctaw people recognize the changes which have taken place in the policy of the United States, and the desire of the Government to establish a Territorial government in the western part of the Indian Territory, and the need to use the lands west of the 98th degree of west longitude for a different purpose than the holding in trust for friendly Indians as by the cession of 1866;

And whereas the Choctaws have ever been willing and anxious to conform to the wishes of the United States consistently with the interest of their own people; now, therefore,

SECTION 1. Be it enacted by the General Council of the Choctaw Nation assembled, That the Principal Chief of the Choctaw

Nation is hereby authorized and directed to appoint by and with the advice and consent of the Senate three competent, sober men, who shall constitute a delegation with full authority to represent the Choctaw Nation in reference to the rights of the Nation in the lands lying between 98th and 100th degrees of west longitude and bounded to-wit: Beginning at a point on Red River where the meridian of the 98th degree of west longitude crosses the same, thence up said River to the point where the meridian of the 100th degree of west longitude crosses the same, thence north along said meridian to the main Canadian River, thence down said River to the point where the meridian of the 98th degree of west longitude crosses the same, thence south along said meridian to the place of beginning. And said Delegation is hereby authorized to negotiate and make agreement with the proper authorities of the United States for the absolute relinquishment of all right, claim and interest of the Choctaw Nation in and to the lands lying west of the 98th degree of west longitude above described, better known in the Choctaw Nation as the "Leased District," and refer the same back to the General Council for ratification as required by act of Congress of March 2d, 1889.

SEC. 2. Said Delegation are hereby required to make a full report to the next session of the General Council, and if any vacancy should occur in said Delegation by death or otherwise the Principal Chief is hereby authorized to fill it by appointment. All acts or parts of acts in conflict herewith are hereby repealed, and this act shall take effect and be in force from and after its passage.

APPROVED December 24, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 16.

AN ACT authorizing the National Treasurer to pay certain certificates.

Be it enacted by the General Council of the Choctaw Nation assembled, That the National Treasurer is hereby authorized to pay and take up the certificates of the members and officers of

the present extra session of the General Council, Light Horsemen in attendance thereon, and of the Leased District Commissioners, all of which he may present to the National Auditor at his convenience and get warrants therefor; and this shall be his special authority for so doing, and this act shall take effect and be in force from and after its passage.

APPROVED December 24, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 17.

A MEMORIAL to the Congress of the United States.

Whereas there are large numbers of Choctaws yet in the States of Mississippi and Louisiana who are entitled to all of the rights and privileges of citizenship in the Choctaw Nation; and whereas they are denied all rights of citizenship in said States; and whereas they are too poor to immigrate themselves into the Choctaw Nation. Therefore, Be it resolved by the General Council of the Choctaw Nation assembled, That the United States Government, is hereby requested to make provision for the immigration of said Choctaws from said States to the Choctaw Nation. The National Secretary is hereby instructed to furnish a certified copy of this memorial each to the Speaker of the House of Representatives of the United States the President of the Senate of the United States, and the Commissioner of Indian Affairs with the request that they do all they can to secure the accomplishment of the object of this memorial, and this resolution shall take effect and be in force from and after its passage.

APPROVED December 24, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 18.

A RESOLUTION in reference to the Net Proceeds Commissioner's work.

TO THE GENERAL COUNCIL:—

Your special Committee to whom was referred the books, papers and records pertaining to the work of the Net Proceeds Commission, would respectfully report the following resolution and ask to be discharged from further consideration of that subject; whereas the books, papers, records, etc., of the Net Proceeds Commission are in such a state of inextricable confusion and irregularity; and whereas the most important witness whom the special committee desire to use, appears to have skipped the country; and whereas it appears there are already certificates outstanding and unpaid by the Fiscal agent, sufficient to consume the balance reported on hand by the Fiscal Agent; and whereas there are others who may be more competent to bring order out of chaos. Therefore, Be it resolved by the General Council of the Choctaw Nation assembled, That the Special Committee appointed at the regular 1889 session of the General Council to examine and report upon the work of the Net Proceeds Commission is hereby discharged from further labors in that particular.

APPROVED December 24, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 19.

AN ACT making appropriation to pay expenses of the extra session of the General Council and for other purposes.

Be it enacted by the General Council of the Choctaw Nation assembled, That the sum of Thirty-three Hundred and Twenty-five dollars and sixty cents is hereby appropriated out of any money in the treasury not otherwise appropriated to pay the members and officers of the General Council in extra session from December 16, to December 24, 1889, inclusive, Light Horsemen in attendance thereon, and Leased District Commissioners

and Net Proceeds Commission Committee, and this Act shall take effect and be in force from and after its passage.

APPROVED December 24, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 20.

A RESOLUTION of adjournment.

Be it resolved by the General Council of the Choctaw Nation assembled, That the present extra session of the General Council adjourn on Tuesday the 24th day of December, 1889, at 4 o'clock p. m., and this resolution shall take effect and be in force from and after its passage.

APPROVED December 24, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 21.

A JOINT RESOLUTION approving the fidelity of Hon. Robt. L. Owen, Fiscal Agent of the Choctaw Nation.

Whereas in accordance with the act of January 18, 1889, of the General Council authorizing the disbursement of the Net Proceeds fund of \$1,436,000, Hon. Robt. L. Owen, on invitation, made the disbursement of said fund; and whereas the Choctaw Nation highly values his accurate, honorable and speedy settlement thereof; therefore,

Be it resolved by the General Council of the Choctaw Nation assembled, That the cordial acknowledgments of esteem and appreciation of the Choctaw Nation are hereby extended to Hon. Robt. L. Owen for his fidelity in disbursing this fund, for the accuracy and care exhibited in his accounting, and the promptness with which he presented this report.

Resolved further, that the National Secretary is hereby instructed to furnish him with a certified copy of this resolution.

APPROVED December 24, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 22.

AN ACT amendatory of "an Act to provide for protection of the rights of the Choctaw Nation and her citizens against increased encroachments by United States Courts," approved November 16, 1889.

Be it enacted by the General Council of the Choctaw Nation assembled, That all of that part of said Act after the preamble and after the enacting clause is hereby repealed, and the following inserted instead: "That the Principal Chief of the Choctaw Nation is hereby authorized and empowered to employ competent legal counsel to appear in said courts and represent the rights and interest of the Choctaw Nation and her citizens, plead to the jurisdiction of said courts, and take such legal course as may be necessary in the defence of the Treaty and other rights of the Choctaw Nation and her citizens. The Principal Chief is instructed to make separate contracts in each case, and make them, if possible, contingent upon success; and for the purposes of this Act the sum of Fifteen Hundred Dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, to defray the expenses incurred herein, and all Acts or parts of Acts in conflict herewith are hereby repealed, and this Act shall take effect and be in force from and after its passage.

APPROVED December 24, 1889.

B. F. SMALLWOOD,
P. C., C. N.

 NO. 23.

AN ACT granting Simon Nelson a charter for a toll gate over Brushy creek.

Be it enacted by the General Council of the Choctaw Nation assembled, That there is hereby granted unto Simon Nelson the privilege of erecting a toll bridge over Brushy Creek in the Choctaw Nation at or near the bridge of the Choctaw Coal and Railway Company over said creek, and all other persons are hereby prohibited from building a bridge within one mile, up or down said creek, from the bridge of Simon Nelson, and every person not a citizen of this Nation is hereby required to pay unto Simon Nelson, or his agent for crossing over said bridge as follows: For each footman five cents, for each single horse, mule,

cow or other stock loose or driven the sum of three cents, for every single horseman on horseback ten cents, for each single horse or ox vehicle 20 cents, for each two horse, or ox-vehicle 25 cents, for each four horse or ox-vehicle thirty-five cents, and for each additional pair of horses or oxen ten cents; the said Simon Nelson shall be required to put and keep the road leading to and from said toll bridge, in good repair from hill to hill near such bridge, and to keep said bridge, safe and in good repair and the Charter shall continue through a period of ten years, and this act shall take effect and be in force from and after its passage.

APPROVED November 15, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 24.

AN ACT for the betterment of the condition of the orphans of the Choctaw Nation, and for the incorporation of the Choctaw Orphan's Asylum Lottery company.

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

1. That John G. Farr, A. G. Morris, Ed. Spring and H. C. Harris are hereby incorporated, as a body politic, and corporate to be known and designated as the Choctaw Orphans Asylum Lottery company, and they and their successors and assigns shall have corporate existance for and during the term and period of thirty years from and after the passage of this act.

2. Its principal place of business shall be at Antler's in the Choctaw Nation, or at such other place as its Board of Directors may provide.

3. Said corporation is hereby authorized and empowered to do and transact a general lottery business under such regulations as may be prescribed by its constitution and by-laws and for the exclusive privilege of carrying on said business in said Choctaw Nation, said corporation shall pay annually into the Treasury of the Choctaw Nation the sum of Five Thousand Dollars, to be used and appropriated under the direction of the General Coun-

cil of the Choctaw Nation for the establishment of a permanent Orphan's Home in said Nation. In consideration whereof, the exclusive privilege is hereby granted to said corporation to conduct said business in said Nation for the period aforesaid.

4. The business of said corporation shall be managed and conducted by a board of _____ directors, to be elected and chosen by the stock holders of said corporation.

5. The officers of said corporation shall consist of one President, two Vice-Presidents, one Secretary and one Treasurer, who shall be elected from the board of directors in the manner and hold their offices for the terms, and perform such duties as shall be prescribed by the constitution and by-laws of said corporation.

6. The amount of the capital stock of said corporation shall be One Hundred Thousand Dollars, divided into shares of \$100 each, provided that the capital stock of said corporation may be increased to whatever amount the Board of Directors may deem proper by the vote of the stockholders of said corporation.

7. The drawing and distribution of premiums in said corporation shall be under the supervision of two adjusters to be selected by the Board of Directors.

8. The Paris Exchange Bank of Paris, Texas, is hereby designated as the depository for the funds of said corporation, and said corporation shall be empowered to commence business whenever it has been duly organized under the provision of this act; 25 per cent. of said capital stock has been paid in the treasury of said corporation, which shall be proven by the certificate of the President, Secretary and Treasurer of said corporation, signed by each of said officers, and filed with the National Secretary of the Choctaw Nation.

9. All laws or parts of laws in conflict with this act are hereby repealed.

Continuation of article 8:

We the said corporation further agree that we will pay the above Five Thousand Dollars on the first Monday in September annually in the event that we should fail to pay the above Five Thousand Dollars, this corporation or charter is null and void.

Amendment to article 3 :

On line 6, after the words Choctaw Nation, the sum of Five Thousand Dollars for first year and after increased one thousand dollars each year—until Ten Thousand Dollars is reached, and to remain at Ten Thousand Dollars annually, until the expiration of the charter.

APPROVED November 24, 1889.

B. F. SMALLWOOD,
P. C., C. N.

 NO. 25.

A JOINT RESOLUTION as to negotiate with the United States in relation to lands between 98th and 100th degrees of west longitude.

Whereas, the Choctaws and Chickasaws in 1863, ceded to the United States the lands lying west of 98th degree of west longitude, known as the Leased District, for a specific purpose, to wit: the settlement thereon of friendly Indians, and the purpose of this trust alone; and whereas the United States government has repeatedly and of its motion acknowledged and by its own acts continuously affirmed and declared that it does hold or held this land for the purpose and in trust only; and whereas the Choctaw Nation is now informed that the United States desires to use this land for other purposes than the trust aforesaid, to wit; for the purpose of general settlement, and to embrace it in a Territorial government; and whereas the Choctaw Nation is further informed that the commissioners of the United States appointed under Act of Congress March 2, 1889, state they are not authorized to negotiate for the reserved rights the Choctaw Nation has in the said lands, and even deny that the Choctaw Nation has any rights at all in said lands, but that said Commissioners desire the Choctaw Nation to authorize commissioners or delegates to negotiate with them relative to a cession of lands lying between the 96th and 93th °, the lands on which our present homes are located; now therefore,

Be it resolved by the General Council of the Choctaw Nation assembled, That the experience of the Choctaws with the United States through the Treaties of 1830 and 1855 in reference

to their Mississippi lands, as well as the failure of the United States to accord to them the same consideration under the Treaty of 1866 as has already been shown to the Creek Nation and to the Seminole Nation in the purchase and payment for their western lands, Oklahoma, and like consideration as that now shown to the Cherokees in the proposed purchase of the Cherokee western lands, makes them feel aggrieved at so plain a discrimination against them and at so blunt a denial of their plain and clear rights in the western lands.

Resolved further that such action fills the Choctaws with regret and dismay and disinclines them to hope for favorable terms in any other land negotiations and the Choctaws are opposed to parting with any lands east of the 93th degree of longitude.

Resolved further that the National Secretary is hereby instructed to send an authenticated copy of this resolution to Washington City, D. C., to General Lucius Fairchild, Chairman United States Commission in care of the Secretary of the Interior.

APPROVED December 23, 1889.

B. F. SMALLWOOD,
P. C., C. N.

NO. 26.

AN ACT accepting the report of the Fiscal Agent of the Choctaw Nation, and for other purposes.

Be it enacted by the General Council of the Choctaw Nation assembled, That the report of R. L. Owen, Fiscal Agent of the Choctaw Nation, is hereby accepted as true and correct; that he be allowed three and one-half per cent. of his disbursements as his compensation, and that the balance of Twenty-two Thousand Four Hundred and Thirty-eight Dollars and Forty-seven cents be turned over to the National Treasurer of the Choctaw Nation by the said Fiscal Agent, and said balance shall be held subject to the action of the General Council, and this Act shall take effect and be in force from and after its passage.

It becomes law by its own limitation.

PASSED IN EXTRA SESSION IN DECEMBER, 1889.

I HEREBY CERTIFY, That the foregoing Acts and Resolutions are true and correct copies taken from the originals now on file in the Secretary's office at Tushka Humma.

In witness whereof I have caused the
Seal of the Choctaw Nation to be
affixed, this December 30, A. D.
1889.

J. B. JACKSON,
National Secretary, Choctaw Nation.