

ACTS AND RESOLUTIONS

OF THE

GENERAL COUNCIL

OF THE

CHOCTAW NATION,

PASSED AT ITS REGULAR SESSION,
OCTOBER, 1897; AND ALSO ALL THE

SCHOOL LAWS OF THE CHOCTAW NATION.

2. 1897-1898. Choctaw Nation

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184

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GENERAL COUNCIL

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PASSED AT ITS REGULAR SESSION,
OCTOBER, 1897; AND ALSO ALL THE

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ELEVATOR JOB OFFICE,
December, 1897.

Acts of the Choctaw Nation.

BILL No. 1.

RESOLUTION creating clerks for school, finance and citizenship committees.

SECTION 1. *Be it resolved by the General Council of the Choctaw Nation assembled:* That the chairman of the school, finance and citizenship committees shall appoint clerks for their respective committees, whose duties it shall be to make and keep a full and complete record of the work of said committees.

SEC. 2. *Be it further resolved,* That the aforesaid clerks shall receive for their services four (\$4.00) dollars per day; that the National Auditor shall issue his warrant for actual services and the Treasurer shall pay the same, and this resolution take effect and be in force from and after its passage

Approved on this 13th day of October, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 2.

AN ACT authorizing the National Auditor to duplicate certain warrants.

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

That the National Auditor is hereby authorized and instructed to issue to J. S. Standley, of Atoka, duplicates of the following described National warrants:

| NO. | DATE. | PAYEE. | SERVICES. | AMOUNT. |
|------------|----------------------|----------------------|--------------------------|----------|
| No. 78.... | January 12, 1897. | Wesley Anderson..... | Commissioner ... | \$500.00 |
| No. 49... | January 1, 1897.... | Green McCurtain.. | Principal Chief C. N. .. | 500.00 |
| No. 84.... | January 28, 1897.... | B. J. Spring | Census Enumerator.... | 180.00 |
| No. 85.... | January 28, 1897.... | S. W. McKinney... | Census Enumerator.... | 180.00 |

The National Treasurer is hereby instructed to pay the above named duplicates, and not to pay the originals, and this act shall take effect and be in force from and after its passage.

Approved this October 15, 1897.

GREEN MCCURTAIN, P. C. C. N

BILL No. 3.

AN ACT entitled an act granting to Jesse Riddle the privilege to turnpike the road crossing the Back Bone Mountain, 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 Jesse Riddle to turnpike and establish a toll-gate at a point on the public road where the road leading from old Doaksville to Fort Smith crosses the Back Bone Mountain, within the Choctaw Nation, upon the following terms and conditions:

That if the said Jesse Riddle turnpike, by grading the earth and leveling with stones the said place called The Back Bone Crossing, he shall be entitled to demand and receive therefor from all persons passing on the same, except citizens of this 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 and sheep, the sum of one cent.

SEC. 2. *Be it further enacted*, That the privilege to receive toll herein given 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 continue to be kept in good order and repair.

SEC. 3. *Be it further enacted*, That if any person or persons, not citizens of this Nation, refuses to pay the toll aforesaid, upon application, with proper proof being made, to the United States Indian Agent for the Union Agency, 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 this the 19th day of October, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 4.

A RESOLUTION asking the retention of Hon. A. S. McKen-
non on the Dawes Commission.

Whereas, By a change of parties in power at Washington it appears to be the policy to change the personel of the Dawes Commission, in order to give the party now in power the control of the Commission, and

Whereas, The policy has been to leave one of the opposite political party on the Commission, and

Whereas, The Choctaws have a deep interest in the membership of said Commission, therefore,

Be it resolved by the General Council of the Choctaw Nation assembled, That we, hereby, most respectfully ask the Hon. Wm. McKinley, President of the United States, that if he can

consistently do so, to retain Hon. A. S. McKennon on the Dawes Commission. That this preference is expressed without intending any invidious distinction as to his associates, but on account of his having lived near us and having been more or less associated with us, his knowledge and experience render him a valuable Commissioner to all parties.

Be it further resolved, That the Principal Chief is hereby requested to send a copy of this Resolution to the President, and this Resolution take effect and be in force from and after its passage.

Approved this October 20, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 5.

RESOLUTION accepting the report of J. D. Wilson, District Trustee, Second District.

To the General Council:

Your Committee on Schools, to whom was referred the report of J. D. Wilson, District Trustee for the Second Judicial District, has examined the same and find it to be true and correct, and said Committee would respectfully ask the passage of the following Resolution:

Be it resolved by the General Council assembled, That the report of J. D. Wilson, District Trustee of the Second Judicial District, be and the same is hereby ratified and approved, and this Resolution shall take effect and be in force from and after its passage.

Approved this 20th day of October, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 6.

AN ACT granting J. D. Surratt a ferry on the Canadian River.

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

That J. D. Surratt, a citizen of the Choctaw Nation, residing at Whitefield, in Sans Bois County, is hereby authorized and permitted to establish and operate a ferry across the Canadian River at Whitefield, Sans Bois County; the said J. D. Surratt being owner of the premises on the Choctaw side of said River adjoining the landing. That this privilege shall continue for the period of ten years, and shall extend up and down the River for the distance of one mile each way. That the said J. D. Surratt shall keep the banks and approaches to the ferry-boat in good condition, and the Choctaw Nation to be in no wise responsible or liable to any person for loss or damage by reason of said ferry. The said J. D. Surratt shall have the right to charge for vehicles drawn by more than two horses, mules or oxen, seventy-five cents; for vehicles drawn by two horses, mules or oxen, fifty cents; for vehicles drawn by a single animal, thirty-five cents; for each animal, horse, mule or cattle, besides those drawing vehicles, ten cents; for each person on horseback, twenty-five cents; for each person on foot, ten cents; for each hog or sheep, five cents; that this Act take effect and be in force from and after its passage.

Approved this 20th day of October, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 7.

AN ACT for the relief of B. J. Spring.

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

The sum of one hundred and eleven and 85-100 dollars be appropriated, out of any money not otherwise appropriated, to B. J. Spring for the following services:

| | |
|--|----------|
| Taking care of the Capital | \$50.00 |
| For twenty-five locks for the building | 18.75 |
| For putting on the locks | 8.00 |
| For sixteen cords of wood | 20.00 |
| For fifty-three yards of carpet | 13.25 |
| For well bucket 75c., and rope 25c | 1.00 |
| For two water buckets 75c., and two cups 10 cents..... | .85 |
| Total..... | \$111.85 |

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

Approved this October 20, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 8.

AN ACT locating the Circuit Court grounds of the First Judicial District.

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

That the Circuit Court Grounds, of the First Judicial District, be removed from its present location in Gaines County to the town of Red Oak, in Sugar Loaf County, and that hereafter all terms of said court, both regular and special, be held at that place.

Be it further enacted, That the Sheriff of Sugar Loaf County be ex-officio Sheriff of said Court, and this Act take effect and be in force from and after its passage.

Approved this October 21st, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 9.

AN ACT appropriating money to furnish a heater for
Wheelock Orphan Academy.

*Be it enacted by the General Council of the Choctaw Nation
assembled:*

That the sum of Seven Hundred and Fifty Dollars is hereby appropriated, out of any money in the Treasury, to enable Hon. J. W. Everidge, Superintendent of Public Schools, to pay for, and place in proper position, and for use, a heater at Wheelock Orphan Academy, and the Auditor shall issue his warrant and the Treasurer pay the same, and this Act shall take effect and be in force from and after its passage.

Approved this October 21, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 10.

RESOLUTION accepting the report of G. W. Gardner, District Trustee, Third District.

To the Council of the Choctaw Nation:

We, your Committee on Schools, to whom was referred the report of G. W. Gardner, District Trustee for the Third Judicial District, have investigated the same and find school reports to correspond with all the certificate-stubs, except one for the sum of nineteen dollars.

Your Committee further finds that the expenditure exceeded the appropriation by five hundred and thirty-six dollars and twenty cents.

Your Committee would most respectfully ask that an item be inserted in the general appropriation bill, when it shall come up, appropriating the excess of expenditure, and the Committee would further ask the passage of the following resolution:

Be it resolved by the General Council assembled: That the report of G. W. Gardner, District Trustee for the Third Judicial District, be and the same is hereby accepted as being true and correct.

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

Approved this October 21, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 11.

AN ACT for the relief of Robert Benton.

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

That the sum of eighty three dollars (\$83.00) is hereby appropriated, out of any money in the Treasury, to pay Robert Benton for services rendered by him as Captain of the Militia, and twenty-one of his Militiamen, in guarding prisoners at the Circuit Court Grounds of the First Judicial District, November term, 1894, and the Auditor shall issue his warrant for the above amount, and this Act shall take effect and be in force from and after its passage.

Approved this October 21, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 12.

A RESOLUTION accepting the report of S. E. Lewis, inspector on the M., K. & T. Ry.

Be it resolved by the General Council of the Choctaw Nation assembled:

That the report of S. E. Lewis, as inspector on the M., K. & T. Ry., for the fiscal year ending September 30, 1897,

showing a total collection of (\$6,609.14) six thousand, six hundred and nine dollars and fourteen cents, (In addition to the above amount the committee finds that S. E. Lewis also paid into the treasury (\$863.59) eight hundred and sixty-three dollars and fifty-nine cents, reported by the Treasurer last year), is true and correct and is hereby accepted.

Approved this October, 21, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 13.

A RESOLUTION accepting the report of W. G. Kayser, inspector on the "Frisco" Road.

Be it resolved by the General Council of the Choctaw Nation assembled:

That the annual report of W. G. Kayser, as inspector on the "Frisco" Railroad, commencing October 1, 1896, and ending September 30, 1897, showing a total collection of nine thousand and forty-five dollars and thirty-two cents (9,045 32), is true and correct and is hereby accepted.

Approved this October 21, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 14.

A RESOLUTION authorizing the Chief to appoint two Commissioners.

Be it resolved by the General Council of the Choctaw Nation assembled:

That the Principal Chief is hereby instructed to appoint two competent persons as Commissioners to meet a like number from the Chickasaw Nation and confer and recommend the

best mode and manner of protecting the two Nations' interests in the Citizenship Cases pending and disposed of by the Dawes Commission and the United States Courts; and that this resolution take effect and be in force from and after its passage.

Approved this October 22, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 15.

A RESOLUTION requiring Coal Companies to settle up.

Be it resolved by the General Council of the Choctaw Nation assembled:

That J. R. Phillips, inspector of Coal Companies, be and he is hereby directed to go at once and make a demand on all Coal Companies, working under National contracts, for an immediate settlement of all amounts due by them on coal and permits under their contracts, and also notify said Companies that from this date they will be required to settle in full each month, as the law and their contracts require. The said Inspector shall make a full and complete report of his demand on each Company to this session of the Council, on Thursday, the 4th of November, next, and the Inspector is hereby authorized to receipt the Coal Companies for all amounts paid him under this Resolution; and this Resolution shall take effect and be in force from and after its passage.

Approved this October 22, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 16.

AN ACT to provide free text books for use in the schools of
the Choctaw Nation.

*Be it enacted by the General Council of the Choctaw Nation
assembled:*

That in order to carry out efficiently and satisfactorily the statutory requirements for the compulsory attendance upon schools by the children of the Choctaw Nation, and to equalize among the citizens of the Nation the expense of providing the essential materials for good school work; further to give force and efficiency to the statute requiring the Board of Education to prescribe the text books to be used in all the schools.

SECTION 1. The Board of Education in making the adoption of text books and charts, shall secure the most advantageous terms from the publishers of such books and charts, under a contract for their use and supply, for and during a period of five years from the date of such contract, and it shall be the duty of the Governor, immediately thereafter, to inform all the District Trustees of the books and charts adopted, and the terms of contract for the supply of the same.

SEC. 2. On receipt of the said information from the Governor, each District Trustee of the Nation shall immediately institute inquiry of the local Trustees of his District as to the number of copies of each prescribed book and chart that shall be needed for the use of the schools of their respective neighborhoods, and also shall institute inquiry of the Superintendents of the boarding schools as to the number of each of the prescribed books and charts that shall be required for the said boarding schools.

SEC. 3. Immediately upon receiving such requisition, and from time to time thereafter, as circumstances may require, each District Trustee shall order directly from the publishers of said text books and charts, at the contract rates, such a number of the said text books and charts as may be found necessary

to supply the neighborhood and boarding schools of his District.

SEC. 4. For the payment of said text books and charts, ordered as aforesaid, the District Trustee, upon receipt of said text books and charts from the publishers thereof, shall present to the Auditor of the Choctaw Nation a certificate stating the number of copies of each book and chart received from the publishers thereof, in accordance with his order, the specific cost of each and the aggregate costs of the books and charts of each such order; whereupon the said Auditor of the Choctaw Nation shall draw a warrant upon the Treasurer of the Choctaw Nation for the aggregate cost of the books and charts of said order, according to the terms of the contract, and the said warrant shall be paid by the Treasurer of the Nation in its regular order.

SEC. 5. That the examination of teachers shall be based upon the text books prescribed as aforesaid, and that no other books shall be used as text books in any school in the Nation; and that this Act take effect and be in force from and after its passage.

Approved this October 22, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 17.

RESOLUTION of respect.

Whereas, It has pleased an Allwise Providence to remove from our midst Green W. Gardner, by death, one of our most esteemed and worthy citizens, one who through his energy and patriotism won the hearts of his people, and

Whereas, Feeling deeply our loss, both as a Nation and Government, and desiring to express to his family sincere sympathy; therefore,

Be it resolved by the General Council of the Choctaw Nation

assembled, That we adjourn until 9 o'clock Monday morning, October 25, 1897, in honor of the deceased; and that a copy of this Resolution be sent to the family; and this Resolution take effect and be in force from and after its passage.

Approved this October 25, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 18.

RESOLUTION accepting the report of Mrs. J. F. McCurtain, Superintendent of Jones Academy.

To the General Council:

Your Committee, to whom was referred the report of Mrs. J. F. McCurtain, has investigated the same and find that the expenditures exceed the appropriation by one thousand, one hundred and eighty-nine dollars and fifty-two cents, and your Committee would recommend the passage of the following Resolution:

Be it resolved by the General Council assembled: That the report of Mrs. J. F. McCurtain, Superintendent of Jones Academy, be and the same is hereby approved and accepted as being true and correct. This Resolution to take effect and be in force from and after its passage.

Approved this October 25, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 19.

AN ACT abolishing Cherokee Precinct and re-establishing Tohwali and Luksokla Precincts in Boktuklo County.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That the Act approved October

19, 1896, establishing Cherokee Precinct, in Boktuklo County, is hereby repealed, and said Cherokee Precinct abolished.

SEC. 2. *Be it further enacted*, That the two Precincts known as Towali and Luksokla Precincts are hereby re-established and the voters of said County may vote at the same at all future elections; and that this Act take effect and be in force from and after its passage.

Approved this October 26, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 20.

RESOLUTION accepting report of Ed. Wilson.

To the General Council:

Your Committee, to whom was referred the report of E. H. Wilson, Superintendent of Wheelock Seminary, has examined the same and find that the disbursements exceed the appropriation by one hundred and sixty-three dollars, and your Committee would ask the passage of the following resolution.

Be it resolved by the General Council of the Choctaw Nation assembled: That the report of E. H. Wilson, Superintendent of Wheelock Seminary, be and the same is hereby approved and accepted as being true and correct; and this Resolution take effect and be in force from and after its passage.

Approved this October 26, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 21.

AN ACT to increase the contingent fund of the National Secretary.

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

That the law providing the contingent fund of the National

Secretary, be and the same is hereby amended and changed so that said fund shall be four hundred and fifty dollars per annum; and this Act shall take effect and be in force from and after its passage.

Approved this October 26, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 22.

RESOLUTION Accepting the Report of T. W. Hunter, Superintendent of Armstrong Academy.

To the General Council:

We your Committee on Schools, to whom was referred the report of T. W. Hunter, Superintendent of Armstrong Academy, have examined the same and find the disbursements exceeded the appropriation by twenty-one dollars and forty cents, and your Committee would recommend the passage of the following Resolution:

Be it Resolved by the General Council of the Choctaw Nation assembled:

That the report of T. W. Hunter, Superintendent of Armstrong Academy, be and the same is hereby approved and accepted as being true and correct, This resolution to take effect and be in force from and after its passage.

Approved this October 26, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 23.

RESOLUTION Accepting the Report of A. Tell.

SECTION 1. *Be it Resolved by the General Council of the Choctaw Nation assembled:* That the report of A. Tell, Inspector on the C., O., & G. Ry., for the fiscal year ending

September 30th, 1897, showing a total of (\$2,922.10) twenty-nine hundred and twenty-two dollars and ten cents turned into the National Treasury is true and correct. The Committee also find that he paid (642.40) six hundred and forty-two dollars and forty cents which went into last year's report of the Treasury.

SEC. 2. *Be it Further Resolved:* That the report is hereby accepted and that this resolution take effect and be in force from and after its passage.

Approved this October 26, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 24.

A RESOLUTION Accepting the Report of John Harris.

Be it Resolved by the General Council of the Choctaw Nation assembled:

That the report of John Harris, District Collector for the 1nd District for the fiscal year ending September 30th, 1897, showing a total collection of (\$486.59) four hundred and eighty-six dollars and fifty-nine cents is true and correct and is hereby accepted, and that this Resolution take effect and be in force from and after its passage.

Approved this October 27, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 25.

RESOLUTION Accepting the Report of P. J. Hudson, Superintendent of Tushkahomma Female Seminary.

To the General Council:

Your Committee on Schools, to whom was referred the report of P. J. Hudson, Superintendent of Tushkahomma Female

BILL No. 27.

RESOLUTION Accepting the Report of J. P. Thompson.

To the General Council:

We, your Committee, to whom was referred the report of J. P. Thompson, District trustee for the First Judicial District, have examined the same and find that the expenditures exceeded the appropriation by three hundred and forty-two dollars and thirty cents, and your Committee would ask the passage of the following resolution:

Be it Resolved by the General Council of the Choctaw Nation assembled:

That the report of J. P. Thompson, District Trustee for the First Judicial District, be and the same is hereby approved and accepted as true and correct. This resolution to take effect and be in force from and after its passage.

Approved this October 29th, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 28.

AN ACT Accepting the Report of J. S. Forrest.

Be it Enacted by the General Council of the Choctaw Nation assembled:

That the report of J. S. Forrest, District Collector for the First District for the fiscal year ending September 30th, 1897, showing a total collection of (\$6,380.88) six thousand, three hundred and eighty dollars and eighty-eight cents is true and correct. We find also that he paid to the Treasurer the sum of three dollars and ten cents more than he ought to have, and we recommend that the Auditor issue his warrant for this amount in favor of J. S. Forrest and the Treasurer pay the same. And we recommend that his report be accepted and that this Act take effect and be in force from and after its passage.

Approved this October 29, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 29.

AN ACT for the Relief of Benton and Lewis.

Whereas a certificate was issued to S. E. Lewis, as District Attorney pro tem., for \$25.00, and one to Robert Benton for \$2.50 as Judge, pro tem., by the Circuit Clerk of the Circuit Court of the 1st Judicial District, at the May term, 1897, thereof, and whereas the Auditor would not issue his warrants on the Treasurer to pay these certificates as no appropriation had been made for that purpose, therefore,

Be it Enacted by the General Council of the Choctaw Nation assembled:

That the sum of \$27.50 is hereby appropriated out of any money in the Treasury not otherwise appropriated, to pay these said two certificates, and that this act take effect and be in force from and after its passage.

Approved this October 29, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 30.

A RESOLUTION Allowing the Chairman of the Committee on Schools to Appoint two Accountants to Assist the Committee,

SECTION 1. *Be it Resolved by the General Council of the Choctaw Nation:* That the Chairman of the Committee on Schools is hereby instructed and empowered to employ two competent accountants to assist the Committee in the examination of the accounts and reports of J. Sam Adams, former Superintendent of Jones Academy, and V. M. Locke, former Superintendent of Public Schools, and to make a true and correct statement of the same, and especially to state the amount received by each and the amounts paid out by each; also state

the amount of each outstanding account against them as officers of the Nation, and any and all other matters necessary to a full and complete understanding and settlement of said J. Sam Adams and V. M. Locke's accounts, and the Committee shall make such recommendations as they deem for the best interest of the Choctaw Nation.

SEC. 2, *Be it further Resolved:* Said Accountants shall receive five dollars each per day while engaged in the duties required of them under this resolution. And this resolution take effect and be in force from and after its passage.

Approved this October 29, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No 31.

AN ACT for the relief of Mrs. Jane F. McCurtain.

Be it enacted by the General Council assembled:

That the sum of ninety dollars (\$90.00) be and the same is hereby appropriated, out of any money now in the Treasury not otherwise appropriated, for the purpose of reimbursing Mrs. J. F. McCurtain for said sum of her own money which she paid for furniture at Jones Academy. And the Auditor shall issue his warrant for the same and the Treasurer shall pay it; and this Act take effect and be in force from and after its passage.

Approved this October 29, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 32.

A RESOLUTION accepting the report of J. B. Jeter, Superintendent of Spencer Academy.

To the General Council:

Your Committee on Schools, to whom was referred the repor

of J. B. Jeter, Superintendent Spencer Academy, has examined the same and find that he has on hand a balance of forty-seven dollars and thirty-eight cents (\$47.38), and your Committee would recommend the passage of the following Resolution:

Be it resolved by the General Council of the Choctaw Nation assembled: That the report of J. B. Jeter, Superintendent of Spencer Academy, be and the same is hereby approved and accepted as being true and correct. This Resolution to be in force from and after its passage.

Approved this October 29, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 33.

RESOLUTION accepting the report of J. W. Everidge, Superintendent of Public Schools.

We, your Committee on Schools, to whom was referred the report of Capt. J. W. Everidge, Superintendent of Public Instruction, has examined the same and find that his disbursements amounted to seven thousand, eight hundred and thirty-four dollars and sixty cents; and we would recommend the passage of the following Resolution:

Be it resolved by the General Council assembled: That the report of Capt. J. W. Everidge, Superintendent of Public Instruction, be and the same is hereby approved and accepted as true and correct; and this Resolution shall take effect and be in force from and after its passage.

Approved this October 29, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 34.

AN ACT relating to the reports of teachers in neighborhood schools.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* All teachers in neighborhood schools shall present their reports to their respective local Trustees. If the local Trustee approve the report he shall forward the same to the County Judge of the County, who shall examine the report: In such examination the Judge is authorized to summon the teacher, Local Trustee or any patron of that particular school before him and question the witness under oath about the correctness of the report. All persons examined under this Act shall be paid one dollar and fifty cents per day and five cents per mile for every mile traveled, out of the County Treasury.

SEC. 2. *Be it further enacted:* If the County Judge approve the report he shall forward the same to the District Trustee. If the County Judge, District Trustee or Local Trustee shall find in their examination of teachers' reports that fraud is being practiced upon the Nation, it shall be the duty of the one making the discovery to report such teacher; if he be a citizen, to the Grand Jury of his District, but if the teacher be a non-citizen then he shall be reported to a United States Commissioner.

SEC. 3. The Local Trustee shall furnish the County Judge with a list of all children in his neighborhood entitled to the benefit of the public school funds. Hereafter all teachers shall make two copies of their reports, one of which the County Judge shall keep for his own use and information, and the other to be forwarded as hereinbefore stated; and this Act shall take effect and be in force from and after its passage.

Approved this October 29, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL N^o. 35.

AN ACT authorizing the Principal Chief to carry out a certain contract made with Ira D. Oglesby,

To the members of the General Council:

Your Committee has had under consideration that portion of the Chief's message relating to certain contracts made by him with Judge Ira D. Oglesby, of Fort Smith, Ark., in which the said Ira D. Oglesby is to defend and protect the interests of the Choctaw Nation and its citizens, in a suit brought by the M., K. & T. Ry. and the C., O. & G. Ry. We find the contracts just and equitable and that the services of an attorney are necessary, and we recommend the payment of the fees as agreed on in said contracts, to-wit: Five hundred dollars in the matter of the suits of the M., K. & T. Ry., and two hundred and fifty dollars in the suits of the C., O. & G. Ry.; and that the Chief be instructed to carry out all the provisions of these contracts, and to this effect offer the following Act, and ask that it be enacted into a law:

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That the sum of seven hundred and fifty dollars is hereby appropriated and placed subject to the order of the Principal Chief to enable him to carry out the contracts made by him with Judge Ira D. Oglesby, of Fort Smith, Ark. And the Principal Chief is hereby instructed and empowered to carry out all the provisions of said contracts and use his best endeavors to protect the Nation's interests in these suits; and the Auditor shall issue his warrant for the above amount and the Treasurer pay the same; and this Act shall take effect and be in force from and after its passage.

Approved this October 29, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 36.

AN ACT establishing an election precinct in Wade County.
Be it enacted by the General Council of the Choctaw Nation assembled:

That an election precinct to be known as, and called Albion Precinct, is hereby established at a school house about three quarters of a mile south of Albion Station, on the Frisco Railway, in Wade County, Choctaw Nation, and the voters of said County may vote at said precinct at all future elections; and that this Act take effect and be in force from and after its passage.

Approved this October 29, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 37.

AN ACT providing for interpreters to the Circuit Courts.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That hereafter at each regular or special term of the Circuit Courts the Judge shall appoint some suitable person interpreter, whose duty shall be to attend each sitting of the Court and interpret its proceedings under the direction of the Judge. The Interpreter shall receive two dollars per day and mileage, payable out of the appropriation to pay jurors, on the Clerk's certificate; and this Act shall take effect and be in force from and after its passage.

Approved this October 29, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 38.

AN ACT amending certain Acts regulating royalty.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That the Act approved October 17, 1895, fixing the royalty on Bois d'arc posts, six feet long, at one dollar per M., is hereby so amended that the royalty on such posts shall be ten dollars per M. The royalty on Bois d'arc piling shall be two and one-half cents per running foot. Royalty on the following lumber shall be as follows: Walnut, ten dollars per M.; ash, two dollars per M.; cypress, three dollars per M.; the royalty on pine and all other kinds of lumber, one dollar per M.; the royalty on walnut timber shall be ten dollars per M.; the royalty on pit ties shall be one-half cent per tie. All royalties shall be due and payable quarterly.

SEC. 2. *Be it further enacted,* That Section 5 of Act approved October 15, 1896, directing Inspectors to collect royalties for timbers when loaded for shipment, is hereby repealed; and is hereby made the duties of Inspectors and District Collectors to collect such royalties quarterly. And all Inspectors are hereby directed to go over their respective lines of railroad and visit every saw mill and reckon up the amount of lumber on hand and collect royalty on all such lumber. If any contractor or saw mill company fail or refuse to pay the royalty on any lumber, timber, ties, etc., on hand on or before the last day of December, 1897, the Inspector shall report him to the National Agent who shall revoke his contract and shall not issue any other contract to such person until all royalties due, as provided in this section of this Act, shall have been paid. And the National Agent shall authorize the Inspectors to levy on all such lumber, timber, ties, etc., and hold the same for full payment of all such royalty.

SEC. 3. *Be it further enacted,* That hereafter all railroads shall take up quarterly and pay the royalty on all ties and other timber, used for railroad purposes, cut and placed on their line.

And all future contracts for ties and timber for railroad purposes shall contain a clause requiring the general manager of such railroad to file with the Principal Chief every month a statement showing the exact number of ties and other timber used for railroad purposes, received by his road for said quarter within the limits of the Choctaw Nation, and the exact amount of royalty paid thereon and the person or persons to whom it was paid.

SEC. 4. *Be it further enacted*, That if any saw mill company or contractor shall be found by any Inspector or District Collector to have cut pine or any other kind of logs and shall fail to saw them into lumber, the Inspector or District Collector shall scale all such logs and collect royalty thereon at the same rate as would be due under this Act if the logs were sawed into lumber; and this Act shall take effect and be in force from and after its passage.

Approved this November 2, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 39.

AN ACT amending Section 5 of the Permit Law.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled*: That hereafter any non-citizen engaging in any of the following businesses or callings shall pay to the District Collector, where his business is located, a tax, as follows, to-wit:

| | |
|--|---------|
| Life insurance agency, per annum. | \$25.00 |
| Fire insurance agency, per annum | 25.00 |
| Cotton compress, per annum. | 25.00 |
| Grain elevator, per annum. | 25.00 |
| Electric Plant, per annum. | 25.00 |
| Ice factory, per annum. | 25.00 |
| Bottling works, per annum | 25.00 |
| Circus, per day | 25.00 |
| Laundry, per annum. | 5.00 |

| | |
|---|-------|
| Opera house, to be paid by manager, per annum | 25.00 |
| For each gin stand, per annum | 10.00 |
| For each chair in barber shop, per annum..... | 5.00 |
| Planer, per annum | 10.00 |
| Show, for each day | 5.00 |
| For each side show with circus, each day..... | 5.00 |

And said non-citizens shall comply in all respects with the requirements of this Section 5 of the Permit law. And all collections under this Section, as amended, shall go into the National Treasury for National purposes; and this Act shall take effect and be in force from and after its passage.

Approved this November 2, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 40.

AN ACT for the relief of Frank Webb and J. W. Leflore.

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

That the sum of one hundred and fifty dollars is hereby appropriated, out of any money in the National Treasury, and placed subject to the order of the Principal Chief to be used by him to employ an attorney to defend Frank Webb and J. W. Leflore, charged in the United States Court with assault and intent to kill. And the National Auditor shall issue his warrant for the above amount and the Treasurer shall pay the same; and this Act shall take effect and be in force from and after its passage.

Approved this November 2, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 41.

AN ACT creating a Commission to make the final roll of all the citizens of the Choctaw Nation.

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

The Principal Chief is hereby authorized by and with the advice and consent of the Senate, to appoint a Commission of six members. The Principal Chief is hereby made a member, and shall be ex-officio Chairman of said Commission. The Commission thus authorized shall make a final and complete roll of all the citizens of the Choctaw Nation.

SECTION 1. The decision of a majority of the Commission on all questions shall be final and binding on all the members. The Chairman shall name the times and places for all the meetings of the Commission, and also appoint a clerk to keep a record of all its proceedings. The Principal Chief shall fill all vacancies occurring in the Commission, and all members thereof shall be commissioned by the Principal Chief and take the oath of office.

SEC. 2. *Be it further enacted:* The Commission shall thoroughly revise the roll of citizens, made under an Act entitled "An Act creating three Commissioners to make a complete roll of the citizens of the Choctaw Nation," approved October 30, 1896. In such revision the Commission shall strike from said roll all names found, after proper investigation by them, wrongfully thereon; and it may add names thereto, in like manner, found entitled to enrollment. In such revision the Commission shall conduct all investigations according to the Constitution and Laws of the Choctaw Nation. The Commission shall allow any person before it an attorney, if he desire one. The Chairman shall procure all rolls of citizens of the Choctaw Nation heretofore made, for the use and information of the Commission and other interested persons.

SEC. 3. *Be it further enacted:* The Commission shall pro-

cure proper testimony to establish any fraud practised on the Choctaw Nation by persons claiming citizenship under decisions of the Dawes Commission and the United States Courts in the Indian Territory; and for this purpose the Commission shall summon before it all persons who were witnesses for applicants, either before the Dawes Commission or the United States Courts. Where a witness is unable to appear before the Commission, or if the Commission deem it best from any cause, the Chairman may authorize any Commissioner to examine any such witness where he may be found; and all Commissioners, under this Act, and the Clerk, are hereby authorized to administer oaths to witnesses. All testimony thus procured shall be used to reopen cases in the United States Courts where applicants have been declared citizens.

SEC. 4. *Be it further enacted:* The Principal Chief shall employ some competent attorney or attorneys to attend the Commission and assist in all its investigations, and also represent the Nation in all cases before the United States Courts, and especially to obtain a rehearing of all cases heretofore passed on in said Court. Said attorney shall receive for his salary the amount agreed on between him and the Principal Chief, payable quarterly out of the National Treasury. The Chief shall have the authority to remove said attorney when he deems it for the Nation's best interest, and to appoint another in his stead.

SEC. 5. *Be it further enacted:* The Principal Chief shall take such steps, as in his judgment are proper and necessary, to have the Supreme Court of the United States declare void so much of the law of Congress giving the Dawes Commission, with right of appeal to the United States Court, the right to have and determine the petitions of persons claiming citizenship in the Choctaw Nation. He shall secure the cooperation of the other Nations, as far as he can, in this matter. And the said attorneys shall use their best endeavors to have said law repealed at the next session of Congress. All services rendered

under this Section shall be paid out of the amount appropriated in Section 9 of this Act.

SEC. 6. *Be it further enacted:* The Principal Chief is hereby empowered and directed to remove any appointee under this Act found drunk, and he shall suspend any Commissioner charged with bribery and report him to Council. The House of Representatives shall, at its first sitting, prefer articles of impeachment, and if found guilty such person shall ever thereafter be debarred from holding any office of trust or honor in the Choctaw Nation.

SEC. 7. *Be it further enacted:* The Commission shall also have authority and is hereby especially instructed to inquire into any and all cases of persons who have been heretofore admitted to citizenship by the General Council, and if the Commission finds that bribery was used with the Committee on Citizenship, or with any member of Council, or if perjured testimony was used in the case, the Commission shall report all such cases to the General Council and ask the repeal of the laws granting such persons citizenship, and shall strike the names of all such persons from the roll.

SEC. 8. *Be it further enacted:* Each Commissioner under this Act shall receive \$1,800 per annum, and the Clerk \$1,800, and all payments shall be quarterly on the certificate of the Principal Chief to the Auditor, whose warrant the Treasurer shall pay. All witnesses under this Act shall receive \$2.00 per day and five cents for every mile traveled, on the certificate of the Chairman.

SEC. 9. *Be it further enacted:* The sum of \$32,000, or so much thereof as may be necessary, is hereby appropriated and placed subject to the orders of the Principal Chief to enable him to carry out the provisions of this Act; and this Act take effect and be in force from and after its passage.

Approved this November 4, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 42.

AN ACT ratifying and confirming the agreement between the Choctaw and Chickasaw Nations and the United States.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That the agreement made and concluded at Atoka, Indian Territory, on April 23, 1897, by the Commission composed of Hon. Green McCurtain, Principal Chief, Choctaw Nation, and ex-officio Chairman thereof, and J. S. Standley, N. B. Ainsworth, Ben Hampton, Wesley Anderson, Amos Henry, D. C. Garland and A. S. Williams, appointed and commissioned under an Act of the General Council approved October 22, 1896, on the part of the Choctaw Nation; and Hon. R. M. Harris, Governor of the Chickasaw Nation and ex-officio Chairman of the Commission, and Isaac O. Lewis, Holmes Colbert, Robert Murray, William Perry and R. L. Boyd, appointed and commissioned under an Act of Legislature, approved—————, on part of the Chickasaw Nation; and the Hon. Frank C. Armstrong, acting Chairman, and Archibald S. McKennon, Thomas B. Cabaniss, and Alexander B. Montgomery, Commission to the Five Civilized Tribes, under an Act of Congress approved March 3, 1893, on part of the United States, is hereby ratified and confirmed.

SEC. 2. *Be it further enacted:* The Choctaw Nation hereby reserves all her rights, privileges and immunities as a Government and a Nation, not specifically modified or surrendered in said agreement, together with her right to damages either in law or equity resulting to her as a Nation or to her individual citizens by reason of the non-performance or non-compliance by the United States, from any cause whatsoever, with the terms of said agreement. This Act is passed with confidence in the good faith of the United States, and Congress is hereby asked to adopt the said agreement as a whole and to carry out its provisions according to their express intent and

meaning, and to give to each member of the Choctaw Nation his equal and fair share of all the common property intended to be divided under this agreement.

SEC. 3. *Be it further enacted:* We ask the concurrence of Congress in the following explanatory amendment: At the bottom of page 11 (printed copy) where these words occur, to-wit: "All leases under this agreement shall include nine hundred and sixty acres, which shall be in a square as nearly as possible, and shall be for thirty years," insert words so as to have the clause read: "All leases under this agreement shall include nine hundred and sixty acres of coal or asphalt only and shall not include any land, and shall be in a square as nearly as possible, and shall be for thirty years;" and this Act shall take effect and be in force from and after its passage.

Approved this November 4, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 43.

AN ACT accepting the report of J. H. Miller.

SECTION. 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That the report of J. H. Miller, District Collector for the Third District, for the fiscal year ending September 30, 1897, showing the total amount collected to be seven thousand and fifty-four dollars and forty cents is true and correct and is hereby accepted.

SEC. 2. *Be it enacted,* That the Auditor is hereby directed to issue his warrant in favor of J. H. Miller for six dollars and forty cents, amount overpaid into the Treasury on account of lack of change, and the Treasurer shall pay the same; and this Act shall take effect and be in force from and after its passage.

Becomes law by limitation.

BILL No. 44.

AN ACT regulating the number of Deputy Sheriffs in certain Counties.

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

That hereafter at all sessions of the Circuit Court of the First Judicial District, the County of Sugar Loat shall be entitled to four deputies, and the County of Gains shall be entitled to one deputy, to help wait on the Court. All Acts or part of Acts heretofore passed coming, in any manner, in conflict with the provisions of this Act, be and are hereby repealed; and this Act shall take effect and be in force from and after its passage.

Becomes law by limitation, November 8, 1897.

BILL No. 45.

AN ACT appropriating money for the benefit of the Baptist Orphan School at Atoka.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That the sum of five thousand and five hundred dollars is hereby appropriated out of the National Treasury for the use and benefit of the thirty orphan boys and twenty orphan girls placed by proper contract between the Superintendent of Public Schools and the Superintendent of said Baptist Orphan School, in said school; and this sum shall be expended strictly according to the contract above mentioned.

SEC. 2. *Be it further enacted,* That if the Superintendent of said Baptist Orphan School desires it, he may have the benefit of Section 5, Chapter 6, of the school law, as found in the Durant Code, by notifying the County Judge, of any County, who shall order the sheriff to deliver at the school the orphans selected in his County.

SEC. 3. The National Auditor shall issue his warrant for such amounts each quarter as shall be directed by the Superintendent of Public Schools in order to carry out his contract, and the Treasurer shall pay the same; and this Act shall take effect and be in force from and after its passage.

Becomes law by limitation, this November 8, 1897.

BILL No. 46.

AN ACT providing a punitive clause to the Permit Law.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That sixty days shall be allowed all persons having non-citizens in their employ to make application for a permit or record of name.

SEC. 2. *Be it further enacted,* That the Sheriff or any other person seeing such non-citizen at work on the citizen's place shall be *prima facie* evidence that such citizen is hiring in violation of this Section, and such citizen shall be indicted accordingly, and on conviction thereof shall be fined not less than ten dollars nor more than fifty dollars, in the discretion of the Court.

SEC. 3. *Be it further enacted,* That upon the failure of said offenders to pay their fines, they shall each receive not less than fifteen nor more than thirty-nine lashes on his bare back, and be discharged from further obligation in that particular case.

SEC. 4. *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 be and they are hereby repealed; and that this Act take effect and be in force from and after its passage.

Becomes law by limitation.

BILL No. 47.

AN ACT entitled an Act to provide for the repair and improvement of certain buildings, for the purchase of furniture, and for the erection of a warehouse at Armstrong Academy.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That Thomas W. Hunter, Superintendent of the Armstrong Academy, is hereby authorized to make the following improvements and repairs to the old brick Academy, to-wit: To remove and replace with new material the foundations and supports of the two porches, and to renew the two porches and all the pillars of said porches, using the same class of material as was originally used in their construction; to put in five (5) new doors and replace such window sills and lights as are in a dilapidated condition; to have certain portions of the walls of the class-rooms plastered, calsomined and painted for use as black-boards; to tear down and renew the two old barns and stables into one, adding such new material as may be necessary for their substantial construction; to erect a new warehouse, 16x18, and to purchase one set of dining room tables and chairs.

SEC. 2. *Be it further enacted,* That the sum of eleven hundred dollars (\$1,100) is hereby appropriated out of any money in the National Treasury, not otherwise appropriated, in order to enable the said Thomas W. Hunter to make the said improvements, purchases and repairs.

SEC. 3. *Be it further enacted,* That the said Thomas W. Hunter is hereby required to make a detailed and itemized statement of all improvements, repairs and purchases, made under the provisions of this Act, to the next General Council, together with vouchers or receipts for all expenditures made, which report shall be properly audited and a balance, if any, of the amount herein appropriated, shall be paid by the said Thomas W. Hunter back into the Treasury of this Nation.

SEC. 4. *Be it further enacted,* That the National Auditor is

hereby required to issue his warrant on the National Treasurer for the above amount, payable to the order of the said Thomas W. Hunter, Superintendent of Armstrong Academy.

SEC. 5. *And be it it further enacted*, That this Act be in force from and after its passage.

Approved this November 9, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 48.

AN ACT for the relief of Henry C. Wilson, Guardian, etc.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled*: That the National Auditor is hereby instructed to issue his warrant, and the Treasurer pay the same, in favor of Henry C. Wilson, Guardian of Thomas McIntosh, a minor, for the sum of one hundred and three dollars, with proper interest. This being the amount due Thomas McIntosh out of the Leased District Money. The said Thomas McIntosh has been attending Armstrong Academy, but withdrew on account of failing health. And this Act shall take effect and be in force from and after its passage.

Approved this November 9, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 49.

AN ACT allowing the Auditor to issue his duplicate warrant in favor of certain persons.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled*: That the National Auditor is hereby allowed and directed to issue duplicates of the following warrants, the originals having been lost by Dr. J. H. Miller:

No. 118, Henry McGahey, Deputy Sheriff, Jacks Fork County, January 1 to March 31, 1897, \$25.00.

No. 162, Robert Jackson, Deputy Sheriff, Jackson County, from January 1 to March 31, 1897, \$25.00.

A. J. Moore, school warrant, September and October, each \$20.00, in Third District, \$40.00.

SEC. 2, *Be it further enacted*, The Auditor shall issue to Judge N. J. Holson his duplicate on No. 67, N. J. Holson, Circuit Judge, First District, from February 1 to April 31, 1897, \$125.00: and this Act shall take effect and be in force from and after its passage.

Becomes law by limitation, November 9, 1897.

BILL No. 50.

AN ACT for the relief of William Frazier.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That the National Auditor is hereby directed to issue his warrant, and the Treasurer pay the same, in favor of William Frazier, to reimburse him for money expended in a Doctor's bill, caused from a wound received by him while assisting Nelson Harkins, former District Light Horseman of the Third District, in arresting a whiskey peddler; that the said warrant shall be for thirty-five dollars, and shall be in full of all demands of William Frazier on this behalf; and this Act shall take effect and be in force from and after its passage.

Approved this November 9, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 51.

AN ACT making an appropriation for Harrell International Institute.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That the sum of five thousand, six hundred and twenty-five dollars is hereby appropriated to defray the expenses of thirty boys and fifteen girls at Harrell International Institute, at Muskogee, Ind. Ter., during this present session. The above sum shall be placed subject to the orders of the Superintendent of Public Schools; and the National Auditor shall issue his warrants quarterly for the above amount in favor of said school and the Treasurer shall pay the same; and this Act shall take effect and be in force from and after its passage.

Approved this November 9, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 52.

A RESOLUTION directing the Principal Chief to send a Light Horseman after the person and papers of E. S. Bowman.

Be it resolved by the General Council of the Choctaw Nation assembled:

That the Principal Chief is hereby authorized and required to send one of the National Light Horsemen after the person and papers of E. S. Bowman, former Inspector of K. C., P. & G. R. R., who has failed to report the royalty collected by him as Inspector aforesaid; and that this Resolution take effect and be in force from and after its passage.

Approved November 9, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 53.

AN ACT appointing a special agent and attorney to investigate royalty and permit accounts, and collect money due for royalty or permits.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That S. Guerrier is hereby employed and appointed as special agent and attorney of the Choctaw Nation, with such powers and duties only as hereinafter set forth.

SEC. 2. He shall have power to examine the books and accounts of any official of the Choctaw Nation, and demand an investigation of the books and accounts of any coal company, railway company, lumber company or any other person, company or corporation doing business within the Choctaw Nation, or from whom royalties are now, or may become, due to the Choctaw Nation on account of any coal mined, stone quarried, or lumber, timber or other material used or shipped, or from whom amounts for permits are due, or may become due, either on their own account or on account of their employees, or who are engaged in the transportation of products on which royalty is collectable by the Choctaw Nation.

SEC. 3. He is hereby authorized to collect all money due the Choctaw Nation, for royalties or permits which became due on or before October 1, 1897, and which have not been reported to the royalty collector, inspectors or other officials to whom such reports are required to be made, or paid to the Treasurer of the Choctaw Nation at the time of the passage of this Act, and is further authorized to institute legal proceedings and maintain suit, in the name of the Choctaw Nation, to enforce collections of all money so due and unpaid.

SEC. 4. He shall report to the Treasurer of the Choctaw Nation monthly, from and after the passage of this Act, paying over to the Treasurer the amounts due by him to the Choctaw Nation as herein provided. He shall report to the Principal

Chief of the Choctaw Nation every three months all business transacted and moneys collected, as herein provided, and shall make a full report of all business transacted and moneys collected to each ensuing Council of the Choctaw Nation.

SEC. 5. He shall be entitled to one-half of all sums collected by him or paid into the National Treasury in accordance with Section 3 of this Act, and may retain, from any funds belonging to the Choctaw Nation in his possession, such sums as may be due him for his services under this Act.

SEC. 6. He shall give a good and sufficient bond to the Choctaw Nation, in the sum of \$5,000, to be approved by the Principal Chief of the Choctaw Nation, for the payment of the sums due by him to the Choctaw Nation, as herein provided, and shall be qualified to enter upon his duties, with the authority granted him by this Act, from and after the approval of said bond.

SEC. 7. This Act shall take effect from and after its passage.

Approved November 9, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 54.

AN ACT making provision for additions to Tushka Homma Female Seminary.

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

That the sum of seven thousand dollars (\$7,000), be and the same is hereby appropriated, out of any money in the Treasury, for the purpose of making improvements and additions to the buildings at Tushka Homma Female Seminary. That said sum shall be paid to the Board of Education, and said Board shall control and supervise the said improvements. And the Auditor is hereby authorized and instructed to issue

his warrant for the aforesaid amount, and the Treasurer shall pay the same. This Act shall take effect and be in force from and after its passage.

Approved this 10th day of November, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 55.

A RESOLUTION accepting the report of J. R. Phillips, Coal Inspector.

Your Committee, to whom was referred the report of J. R. Phillips, Inspector of Coal Companys' Books, have carefully examined the same and find the total amount of royalty on coal inspected by him as ninety-two thousand, four hundred and forty-seven dollars and seventy-four cents (\$92,447.74), and would recommend the passage of the following Resolution:

Be it resolved by the General Council of the Choctaw Nation assembled: That the report of J. R. Phillips, Inspector of Coal Companies' Books, be accepted as true and correct; and that this Resolution take effect and be in force from and after its passage.

Approved this November 10, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 56.

AN ACT authorizing the Board of Education to repair Jones Academy.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That the Board of Education is hereby authorized to have Jones Academy repaired in such a manner as to make it perfectly safe; and while this work is being done they shall direct the Superintendent, Mrs. Jane

McCurtain, to transfer the school to the capitol building and continue the school here until the Academy is repaired as above directed. And this Act shall take effect and be in force from and after its passage.

Approved this November 10, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 57.

AN ACT appointing a Commission to pay the claims adjudicated in 1876 against the Net Proceeds.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That the Principal Chief is hereby authorized, by and with the advice and consent of the Senate, to appoint three Commissioners, one from each District, to adjudicate and pay the old unpaid Net Proceed Claims, adjudicated by the Board of 1876. When the Commission meets it shall elect one member Chief Commissioner, who shall approve all minutes of the Commission. The Commission shall appoint its own Clerk, who shall receive the same pay as a Commissioner. The Commission shall sit at three different places, to be determined by the Commission, in each District. They shall sit during ten days at each place, not counting Sunday. Commissioners under this Act shall receive five dollars per day.

SEC. 2. *Be it further enacted:* The Commission shall take the old books, made by the Board of Commissioners in 1876, and shall use their best efforts to find the true, proper and legal heirs to all the claims in said books that have not been paid. The Commission shall use due dilligence to see whether a claim has been paid even though it is not marked "paid" on the books. When the Commission is satisfied it has found the true, proper and legal heirs to a claim, it shall issue to such heirs certificates, under the hands of all the Commisssoners, attested by the Clerk. On these certificates the Auditor shall

issue his warrants on the National Treasury, but the Auditor shall not issue his warrants until all claims have been adjudicated and a list of claims allowed by the Commission is filed with him for his guidance, and the Treasurer shall pay these warrants, out of the unexpended balance in the Treasury, of the Net Proceeds money.

SEC. 3. *Be it further enacted*, That all certificates issued and unpaid by a Commission appointed under an Act approved November 6, 1888, and amended January 18, 1889, and again amended October 14, 1889, be and they are hereby repudiated and the Choctaw Nation will not pay any of them.

SEC. 4. *Be it further enacted*, That if after the Commission shall have adjudicated all the old claims, under 1876 Boards, it is found that the amount of Net Proceeds money now in the National Treasury is not sufficient to pay the claims in full, then the Commission shall pro rate and pay the claims as far as the Net proceeds money on hand will go.

SEC. 5. *Be it further enacted*: The Chief shall fill all vacancies occurring under this Act; and the National Auditor shall issue warrants monthly on the certificate of the Chief Commissioner, attested by the Clerk, and the Treasurer shall pay the same. And the sum of two thousand and forty dollars is hereby appropriated to carry out the purposes of this Act; and this Act shall take effect and be in force from and after its passage.

Approved this November 10, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 58.

AN ACT authorizing the Principal Chief and National Treasurer to borrow money.

SECTION 1. *Be it Enacted by the General Council of the Choctaw Nation assembled*: That the Principal Chief and the

National Treasurer are hereby authorized and instructed to borrow one hundred and fifty thousand dollars to meet the Nation's present needs, for a term not less than one year nor to exceed eight years, and at a rate of interest not to exceed 9 per cent. per annum. And they are authorized to pledge our income from our royalties and our invested funds as payment for said loan.

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

Approved this 10th day of November, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 59.

AN ACT to rebuild Spencer Academy.

Be it Enacted by the General Council of the Choctaw Nation assembled:

That the sum of seven thousand dollars (\$7,000) be and the same is hereby appropriated out of any money in the National Treasury, not otherwise appropriated, for the purpose of re-building and making additions to the buildings at Spencer Academy sufficient for the accommodation of one hundred boys, with and including the buildings already there.

That the said sum shall be paid to the Board of Education, and that said Board shall control and oversee the work.

And the National Auditor is hereby instructed and authorized to issue his warrant for said sum, and the National Treasurer shall pay the same.

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

Approved this November 11, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No 60.

AN ACT providing for certain improvements at Jones Academy.

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

That the sum of seven thousand dollars (\$7,000.00) be and the same is hereby appropriated out of any money in the National Treasury, not otherwise appropriated, to make improvements and additions to Jones Academy buildings.

That said sum shall be subject to the control of the Board of Education, and that said improvements and additions shall be made under the supervision of said Board. And the Auditor shall issue his warrant for the same, and the Treasurer shall pay it.

This Act to take effect and be in force from and after its passage.

Approved this November 11th, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 61.

AN ACT providing for extra students at Jones Academy.

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

That the amount of one thousand and eighty dollars be and the same is hereby appropriated out of any money in the Treasury for the purpose of paying Mrs. J. F. McCurtain, Superintendent of Jones Academy, for ten additional students at Jones Academy, and for four other students who remained at the Academy two months. And the Auditor is hereby authorized and instructed to issue his warrant for the aforesaid amount, and the Treasurer shall pay the same.

This Act to take effect and be in force from and after its passage.

Approved this November 11th, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 62.

AN ACT appropriating money to pay certain persons for hauling corn.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That the following sums of money be appropriated out of any money in the National Treasury not otherwise appropriated to pay for the hauling of corn, distributed among the indigent Choctaws, from the railroad to different counties:

| | |
|--------------------|-----------|
| John Woolery | \$396.90. |
| James Dyer..... | 17.2. |
| E. E. Dyer..... | 14.00. |
| N. J. Holson..... | 24.50. |
| Wallace Bond | 87.34. |

Also that the sum of \$200 be appropriated to pay D. N. Robb for his services as special agent in distributing this corn.

SEC. 2. *Be it further enacted:* That the Auditor is hereby instructed to issue his warrants for the above amounts, and Treasurer to pay the same, and that this Act take effect and be in force from and after its passage.

Approved this November 11th, 1897.

GREEN MCCURTAIN, P. C. C. N.

BILL No. 63.

AN ACT for the relief of Mrs. M. Dyer.

SECTION 1. *Be it enacted by the General Council of the Choctaw Nation assembled:* That the sum of sixty-five dollars is hereby appropriated out of the National Treasury to pay Mrs. M. Dyer, of Fort Smith, Arkansas, for boarding J. H. Bond while a student at Fort Smith Commercial College, under appointment of the Board of Education, and which amount his appropriation failed to cover.

And the Auditor shall issue his warrant for the above amount

and the Treasurer shall pay the same. And this Act shall take effect and be in force from and after its passage.

Approved November 11th, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 64.

RESOLUTION accepting the report of Simon H. Woods, National Auditor.

SECTION 1, *Be it resolved by the General Council of the Choctaw Nation assembled:* That the report of Simon H. Woods, National Auditor, for the fiscal year ending September 30th, 1897, be and the same is hereby accepted as true and correct. And this Resolution shall take effect and be in force from and after its passage

Approved this November 11th, 1897.

GREEN McCURTAIN, P. C. C. N.

BILL No. 65.

AN ACT making appropriations for the fiscal year commencing October 1st, 1897, and ending September 30th, 1898.

Be it Enacted by the General Council of the Choctaw Nation assembled:

That the following sums of money are hereby appropriated out of the National Treasury to defray expenses for the fiscal year ending September 30th, 1898:

| | | | | |
|------------------------------|---|---|---|-------------|
| Principal Chief's salary, | - | - | - | \$ 2,000.00 |
| National Secretary's salary, | - | - | - | 600.00 |
| National Auditor's salary | - | - | - | 600.00 |
| National Treasurer's salary, | - | - | - | 600.00 |
| National Agent's salary, | - | - | - | 800.00 |

| | | | | | |
|---|---|---|---|----|-----------|
| National Attorney's salary, | - | - | - | \$ | 400.00 |
| Private Secretary to Chief's salary, | - | - | - | | 500.00 |
| National Lighthorsemen's salary, | - | - | - | | 1,700.00 |
| Three Supreme Judges salary, | - | - | - | | 1,200.00 |
| Three Circuit Judges salary, | - | - | - | | 1,500.00 |
| Seventeen County Judges salary, | - | - | - | | 4,250.00 |
| Three District Chiefs salary, | - | - | - | | 150.00 |
| Three District Chief's Lighthouse salary, | - | - | - | | 150.00 |
| Three District Attorneys salary, | - | - | - | | 1,500.00 |
| Election Judges and Clerks salary, | - | - | - | | 680.00 |
| Grand and Petit Jurors | - | - | - | | 14,900.00 |
| Witnesses at Circuit Court, | - | - | - | | 6,000.00 |
| Contingent Fund for Principal Chief, | - | - | - | | 400.00 |
| Contingent Fund for Auditor, | - | - | - | | 400.00 |
| Contingent Fund for Treasurer, | - | - | - | | 400.00 |
| Contingent Fund for National Secretary, | - | - | - | | 450.00 |
| Clerk of Supreme Court salary, | - | - | - | | 100.00 |
| Three Clerks Circuit Court salary, | - | - | - | | 900.00 |
| Seventeen Clerks County Court salary | - | - | - | | 1,700.00 |
| Seventeen County Sheriffs salary, | - | - | - | | 5,100.00 |
| Seventeen County Rangers salary, | - | - | - | | 850.00 |
| Sheriffs and Deputies attending Circuit Courts, | - | - | - | | 6,800.00 |
| Sheriffs and Deputies attending Supreme Courts, | - | - | - | | 50.00 |
| Expenses of General Council, | - | - | - | | 10,986.60 |
| Lighthorsemen attending General Council, | - | - | - | | 1,620.50 |
| Draftsman, | - | - | - | | 185.00 |
| Clerk to Citizenship Committee, | - | - | - | | 136.00 |
| Clerk to Finance Committee, | - | - | - | | 140.00 |
| Clerk to School Committee, | - | - | - | | 140.00 |
| Jones Academy, | - | - | - | | 10,000.00 |
| Tushkahomma Institute, | - | - | - | | 10,000.00 |
| Armstrong Academy, | - | - | - | | 7,700.00 |
| Wheelock Academy, | - | - | - | | 5,500.00 |
| Tushkalusa Academy, | - | - | - | | 3,000.00 |
| Superintendent Jones Academy, salary, | - | - | - | | 1,200.00 |

| | |
|--|------------|
| Superintendent Tushkahomma Institute, salary, | \$1,200.00 |
| Superintendent Armstrong Academy, salary, - | 1,200.00 |
| Superintendent Wheelock Orphan Home, salary, | 1,200.00 |
| Superintendent and one Teacher, Tushkalusa Academy, salary, - - - | 750.00 |
| Teachers Tushkahomma and Jones Academy, salary, - - - - - | 3,900.00 |
| Teachers Armstrong and Wheelock Academy, salary, - - - - - | 3,000.00 |
| Superintendent of Schools and three District Trustees, salary, - - - - - | 1,800.00 |
| Contingent Fund, Superintendent of Schools, | 750.00 |
| Contingent fund, three District Trustees, - | 225.00 |
| Neighborhood Schools, 1st District, - - | 11,342.30 |
| Neighborhood Schools, 2nd District, - | 9,000.00 |
| Neighborhood Schools, 3rd District, - | 15,536.00 |
| Students in States, - - - - - | 13,225.00 |
| For William Leflore, in College, - - | 300.00 |
| Three deaf and dumb boys, - - | 375.00 |
| N. J. Holson, services rendered in 1893, - | 25.00 |
| Circuit and County Judges pro tem,, - | 250.00 |
| Indian Police attending Council: | |
| Alf McKay, 6 days, - - - | 21.00 |
| Jack Ellis, 4 days, - - - | 14.00 |
| Joe Ward, 6 days, - - - | 21.00 |
| Tandy Folsom, 39 days, - - - | 136.50 |
| Ellis McGee, 39 days, - - - | 136.50 |
| Charles Plummer, 11 days, - - - | 38.50 |
| Publication Fund National Secretary, - | 350.00 |
| Mrs. Jane McCurtain, - - - | 1,279.42 |
| Ed Wilson, - - - - - | 163.00 |
| T. W. Hunter, - - - - - | 21.40 |
| Wm. Hailey and S. E. Lewis, - - | 90.00 |
| S. E. Lewis and Wesley Anderson, - | 10.00 |
| Census Enumerators, for corn, - - | 850.00 |

| | |
|--------------------------------------|-------------|
| School Books and Charts, - - - | \$ 7,835.00 |
| Expenses for examining Teachers, - - | 420.00 |
| For opening up Spencer School, . - | 5,000.00 |
| Stationery for Council, - - - | 13.45 |

Approved November 11th, 1897.

GREEN McCURTAIN, P. C. C. N.

This is to certify that the above and foregoing Acts and Resolutions are full, true and correct copies of the original Acts and Resolutions of the General Council of the Choctaw Nation, passed at its regular session for October, 1897, at Tushka Homma, the Capital of said Nation, and that the original of the above copies are now on file in my office.

In testimony whereof I have herewith affixed my hand and the Seal of the Choctaw Nation; done at the office

[SEAL] of the National Secretary this the 20th day of November, in the year 1897.

SOLOMAN J. HOMER,

National Secretary Choctaw Nation.

AN ACT relating to the School System of the Choctaw Nation.

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

BOARD OF EDUCATION.

CHAPTER I.

SECTION 1. There is hereby created a Board of Education of the Choctaw Nation, to be composed of the Principal Chief, who shall be ex-officio president of said Board, one Superintendent of Schools, and three (3) District Trustees, one from each District. The Superintendent of Schools and the District Trustees shall be elected by both houses of the General Council in joint session; shall hold office for the term of two

years, and until their successors are qualified, and shall receive for compensation an annual salary as follows: The Superintendent, six hundred dollars (\$600); each District Trustee, four hundred dollars (\$400), to be paid quarterly out of the general funds of the Nation.

SEC. 2. Said Superintendent and District Trustees shall each, before entering upon the duties of their respective offices, give bond to the Choctaw Nation, with at least two good sureties, in the sum of five thousand dollars (\$5,000), to be approved by the Principal Chief, conditioned upon the faithful performance of all duties imposed upon them by law. They shall each take the usual oath of officers of the Choctaw Nation.

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

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

2. To make all necessary rules and regulations, not inconsistent with this Act, for its own government and the government of the various academies, seminaries and neighborhood schools.

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

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

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

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

7. To suspend any academy or seminary in case of general sickness or epidemic.

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

9. To designate permanent locations for any or all of the neighborhood schools, if in their judgment such action would

promote the cause of education. Powers in paragraphs 8 and 9 may be delegated to respective District Trustees.

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

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

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

SEC. 4. It shall be the duty of the Board of Education to select one Superintendent and at least two teachers for each public school, now or hereafter to be erected in the Choctaw Nation. Advertisements shall be inserted in papers in at least three different States, and in one paper in the Choctaw Nation, setting forth the duties, qualifications and emoluments of such Superintendents and teachers; other things being equal, preference shall be given to applicants professing Christianity. The teachers shall have at least ten years' experience in their profession, and must bring ample testimonials as to competency and morality. The male teachers must be graduates of some college of established reputation and capable of giving instruction in Greek, Latin, German and French. The females must be graduates of some higher institution of learning or some reputable normal school, and capable of instructing in two modern languages other than English. Upon the approval

of this Act, it shall be the duty of the Superintendent of Schools at once to notify the Superintendent of Public Schools in writing that the Choctaw Nation elect to cancel all existing contracts at the expiration of the current scholastic year. He shall then begin to negotiate for new contracts. As to academies, seminaries or high schools hereafter to be established, contracts will be made in accordance with the first paragraph of this Section, and Section 5 of this Chapter.

Paragraph 2; as to public schools now in existence. The Board of Education may, in its discretion, make contracts as heretofore subject to the general provisions of this Act, with Boards of Home Missions, in which latter event, however, paragraph 1 of this Section and Section 5 of this Chapter shall not apply, nor will the Nation engage to pay the salaries of Superintendents or teachers in such schools. Such contracts shall also contain a clause authorizing either party to rescind the same, upon six months' notice in writing, to the other, and the absence of such stipulations shall render such contract void *ab initio*.

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

SEC. 6. All sums appropriated for the support and main-

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

SEC. 7. The Board of Education shall examine all applicants for the position of teacher in the neighborhood schools, but for this purpose the Principal Chief and each District Trustee may each select a proxy to represent him at such examination. such proxies need not be citizens of the Choctaw Nation, but must be competent to conduct such examination. The applicants shall be examined in reading, writing, spelling, and grammar of the English language, in geography and history, particularly of the United States; a fair knowledge of the Constitution of the United States and of the Choctaw Nation shall also be required. It is particularly enjoined upon the Board, in selecting teachers, that regard can be had to the disposition of applicants as far as the same can be determined by personal observation at the time of such examination. Upon the conclusion of the examinations in each District, each successful candidate shall be required to enter according to merit into one of the three grades, to be known as "First," "Second," and "Third" grades, the first being the highest. Each successful candidate shall receive a certificate from the Board, specifying his or her grade. Teachers shall be assigned by the Board, as near as may be, to the neighborhood school whence they are sent by the respective Local Trustees; but if any Local Trustee

fails to send a candidate, or having sent one such candidate fails to secure a certificate, then the Board shall send some other competent person to such neighborhood. The foregoing examination shall be conducted at least once in each District annually, and for their services in this behalf the members of the Board doing the actual labor shall receive each the sum of \$5.00 per day and mileage at the rate of five (5) cents per mile for each mile actually traveled. The applicant shall pay to the person conducting the examination the sum of two dollars and fifty cents; provided, citizens shall not be required to pay anything. (November 4, 1892) Such examinations shall not be held more than five (5) days each year in each district. The times and places of such examinations shall be fixed previously by the Board, and at least three months' notice given thereof, by advertisement in one newspaper published in the Nation, the expense to be paid out of the contingent fund of the Superintendent of Schools.

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

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

SEC. 10. The full Board of Education shall meet at least once in every year in regular annual session. This meeting shall be at Tushka Homma, and shall begin during the first week of the regular annual session of the General Council; at

such meeting the Board shall make up its annual report to said Council. Such report shall contain an itemized account of all expenditures on account of schools by said Board or any of its members. It shall also contain a general review of the last scholastic year, the condition, progress and attendance at all schools, and such recommendations as to legislation as the Board may deem expedient or necessary. The Board shall transmit with its own report the reports of the various Superintendents of Public Schools.

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

SUPERINTENDENT OF SCHOOLS.

CHAPTER II.

SECTION 1. The Superintendent of Schools shall be the executive officer of the Board of Education, and is charged with carrying into effect all orders, rules and regulations of said Board.

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

DISTRICT TRUSTEE.

CHAPTER III.

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

Trustee shall be signed in person and his seal of office affixed to the same.

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

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

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

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

LOCAL TRUSTEES.

CHAPTER IV.

SECTION 1. There shall be a Local Trustee in each neighborhood, who shall be the head of a family; shall be appointed by the District Trustee of his District; shall hold office for one scholastic year.

SEC. 2. It shall be the duty of the Local Trustee to select one competent person in his neighborhood, who may be a non-citizen, and send him or her to the annual teachers' examination in his District. He shall visit his school at least once a month, and at the end of each month he shall examine the teacher's report and account, and if the same be correct, he

shall so certify. Such account and certificate shall be sent by the teacher to the District Trustee. He shall report to the District Trustee any improper conduct on the part of the teacher, for investigation, as provided in the Act. It shall be the duty of all Local Trustees to uphold teachers in enforcing proper discipline in the neighborhood school, and to enjoin upon pupils the necessity of showing due respect to the teacher.

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

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

NEIGHBORHOOD SCHOOLS.

CHAPTER V.

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

SEC. 2. Neighborhood schools shall be taught at least six (6) hours daily, Saturdays and Sundays excepted, during the term, and shall have regular hours of opening and closing. They shall open for the term on the first Monday of September and close on the last day of May of each year; but the District Trustee shall have power to grant short vacations and holidays at stated times during the term.

SEC. 3. The benefits of a free neighborhood school shall extend only to such Choctaw children as attend the schools within the Choctaw Nation established; and is hereby made

the duty of all Choctaw parents or guardians to send their children to school.

SEC. 4. The parents or guardians of all enrolled children who fail to send them to school shall be fined ten cents per day for each child enrolled who shall fail in attendance (not, however, to exceed \$2 00 per child per month,) except in cases of sickness, bad weather or other casualty. The money shall be collected as provided in Section 5, Chapter VI, of this Act, (but in no case shall any sum be paid out of the County Treasury on this account), shall be paid into the contingent fund of the District Trustee of that District. In case of necessity or other good cause, shown to the District Trustee, he may excuse any child from attendance upon the neighborhood schools for reasonable periods of time.

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

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

BOARDING SCHOOLS.

CHAPTER VI.

SECTION 1. The Superintendent of each boarding school in the Nation shall give a bond with at least two sureties, payable to the Principal Chief and to be approved by him, in the sum of five thousand dollars (\$5,000), conditioned upon the

faithful performance of his duties, as imposed by law, and observance of his contract with the Board of Education.

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

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

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

SEC. 5. Upon selecting the scholars from his County each Judge shall forthwith notify the proper Superintendent of Public Schools of names and postoffice addresses of such scholars,

and also the name and address of the Sheriff of his County. If any pupil to whom a certificate has been issued shall fail for ten (10) days after the opening of school, or when the certificate was issued after the opening of school, for ten days after the proper Superintendent has been notified, to report to his or her school, it shall be the duty of the Superintendent of such school to notify the proper Sheriff of such failure. The Sheriff shall at once investigate the case, and if the pupil was not detained by high water or sickness of self or family, then he shall take such pupil, within five days, to the proper school at the expense of parent or guardian. For this duty he shall be allowed \$2.00 per day and five cents per mile for each mile actually traveled by each student and by himself by the usual traveled route. The Sheriff's account must be verified under oath, and if on demand the parent or guardian refuse to pay the same, the Sheriff may take summary judgment in the Circuit Court of his district, upon a satisfactory showing to the Judge thereof, that the expenses were lawfully incurred, for the amount of his bill and costs, without further notice or demand against such parent or guardian. Upon such judgment execution shall issue forthwith. If such execution cannot be satisfied, then the Sheriff shall be paid out of the County Treasury, where such execution debtor resides, upon the County Judge being satisfied of the correctness of the account. The County paying the account shall be subrogated to the Sheriff's rights under the execution. If there be more than one delinquent pupil in the same County, it shall be the duty of the Sheriff to take all such in one trip, and the Circuit Court shall not give judgment in any case where this provision appears not to have been complied with.

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

ORPHAN SCHOOLS.

CHAPTER VII.

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

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

SEC. 3. The County Judges shall select the pupils, apportionment having been made by the board of Education, as provided for in the case of boarding schools. Regard shall be had in selections to the most needy, and more than one pupil may be sent from the same family.

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

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

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

Approved October 31, 1890.

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

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