

ACTS AND RESOLUTIONS

OF THE

CREEK

NATIONAL COUNCIL

OF THE EXTRA SESSION OF APRIL, 1894.

AND THE REGULAR SESSION OF OCTOBER, 1894.

## ACT OF APRIL, 1894.

## INTERMARRIED NON-CITIZENS.

*Be it Enacted by the National Council of the Muskogee Nation:* That the courts of this Nation shall have and exercise jurisdiction over all controversies arising out of or pertaining to property rights acquired in this Nation, and situated in the same, by non-citizens who have intermarried with citizens of this Nation and by reason of such marriage secured rights and privileges in this Nation under which such property was acquired and accumulated by them. The jurisdiction of our courts shall extend to controversies over property and property rights acquired by intermarried non-citizens of our Nation who, by virtue of this intermarriage with citizens, acquired such property rights and privileges, and that irrespective of whether such controversies are between non-citizens and citizens of the Muskogee Nation or between any person whomsoever, who claim in this Nation property rights under and through such intermarried non-citizens which are by them acquired in the manner aforesaid; and all persons hereafter intermarrying with citizens of this Nation shall thereby be deemed to consent that the courts of this Nation exercise jurisdiction over all property rights and privileges that they acquire in this Nation by virtue of their said marriage.

*Be it further Enacted:* That all property brought into this Nation by non-citizens in consequence of intermarriage of such non-citizens with citizens of this Nation shall likewise be under the jurisdiction of the courts of this Nation.

Approved April 6, 1894.

# ACTS AND RESOLUTIONS

OF THE GENERAL SESSION, 1894.

## AMENDATORY TO TERMS OF BOARD OF EDUCATION FOR ENSUING YEAR.

*Be it Enacted by the National Council of the Muskogee Nation:* That the law providing for election of Superintendents of Boarding Schools, found in the pamphlet edition, April, 1894, be so amended as to make the next ensuing term of their office one year instead of two.

*Be it further Enacted:* That after the next general election the said law shall resume its full force and virtue.

Approved October 9, 1894.

## PENALTY FOR DISINTERRING THE DEAD.

1. *Be it Enacted by the National Council of the Muskogee Nation:* That every person who shall remove the dead body of any human being from the grave or other place of interment for the purpose of stealing the same or for the purpose of dissection or from mere wantonness, shall be deemed guilty of a misdemeanor.

2. Every person who shall purchase or receive the dead

body of any human being knowing the same to have been disinterred contrary to law, shall be guilty of a misdemeanor.

3. Every person who shall open a grave or other place of interment with the intent to remove the dead body of any human being, for the purpose of stealing the coffin or any part thereof, or the vestments or other articles or money interred with any dead body, shall be deemed guilty of a misdemeanor.

4. Persons convicted of any offense specified in the preceding sections shall be fined one hundred dollars, and in addition thereto suffer the penalty of fifty lashes on the bare back. Fifty Dollars of said fine to be paid to the heirs of the deceased and fifty dollars to be transmitted to the National Treasurer. It shall be the duty of the Prosecuting Attorneys of the several Districts to prosecute all persons violating this act.

Approved October 12, 1894.

## DEBARRING ADOPTED CITIZENS FROM RECEIVING COMPENSATION FOR PROPERTY CONFISCATED.

*Be it Enacted by the National Council of the Muskogee Nation:* That any person making application for indemnity occurring by confiscation of property or improvements that has occurred before his or her admission to citizenship to this Nation is hereby debarred from receiving any compensation out of the National Treasury on account of said loss.

This act shall be in force from and after its approval.

Approved October 12, 1894.

## AN ACT AMENDATORY OF MILEAGE FEES.

*Be it Enacted by the National Council of the Muskogee Nation:* That the law found on page 36, section 77, of the edition

of 1893, be and-is hereby so amended as to make the mileage of the members of the National Council and the regular clerks and interpreters ten (10) cents per mile each way instead of twenty (20) cents.

*Be it Enacted:* That section 97, found on page 43, edition of 1893, be so amended as to allow the Clerk and Caller ten (10) cents per mile each way going to and returning from the sessions of the Supreme Court.

*Be it Enacted:* That section 115, on page 49, edition of 1893, be so amended as to make the mileage of jurors and witnesses in criminal cases ten (10) cents per mile going to and returning from court.

This act shall be in full force from and after the first of November, 1894, and the Principal Chief is hereby authorized and instructed to furnish the several District Judges with a copy of this act.

Approved October 16, 1894.

### EACH DISTRICT COURT TO HAVE THREE SESSIONS ANNUALLY IN CRIMINAL CASES.

*Be it Enacted by the National Council of the Muskogee Nation:* That, for the trial of such criminal cases as may arise, each District Court shall have three sessions annually, to commence as follows :

#### EUFAULA DISTRICT.

First session.....Second Monday in February.  
Second session.....First Monday in June.  
Third session.....Second Monday in November.

#### WEWOKA DISTRICT.

First session.....Second Monday in April.

Second session.....Third Monday in July.  
Third session.....First Monday in December.

#### MUSKOGEE DISTRICT.

First session.....First Monday in January.  
Second session.....Third Monday in May.  
Third session.....Second Monday in September.

#### OKMULGEE DISTRICT.

First session.....Third Monday in March.  
Second session.....First Monday in July.  
Third session.....Fourth Monday in November.

#### DEEP FORK DISTRICT.

First session.....Third Monday in January.  
Second session.....First Monday in May.  
Third session.....Second Monday in August.

#### COWETA DISTRICT.

First session.....First Monday in February.  
Second session.....First Monday in June.  
Third session.....First Monday in November.

*Be it further Enacted:* That should any District Judge, by sickness or other hindrance, be prevented from holding court at any time specified by this law, he shall call a session at as near that time as he may deem best; but no District Court shall sit at one session for a longer time than fifteen days; *Provided,* that murder cases may be tried at any time.

Approved October 19, 1894.

### ACT CORRECTING DATE OF APPROVAL OF MARRIAGE AND DIVORCE LAW.

*Be it enacted by the National Council of the Muskogee Nation:* That the date of approval of the Marriage and Divorce law of the Muskogee Nation, found on pages 108 and 109 of

the English compilation and codification of the Laws of the the Muskogee Nation, of 1893, is hereby declared error of print and is hereby corrected and fixed at October 22, 1881, instead of 1891.

Approved October 19, 1894.

### PROVIDING PENALTY FOR WITNESSES DISOBEY- ING WHEN LEGALLY SUBPŒNED.

*Be it Enacted by the National Council of the Muskogee Nation:*

SECTION 1. That if any witness shall fail to appear before the District Courts or the Supreme Court, either in criminal or civil cases, on the day on which he was subpœned to appear, he shall be fined in the sum of twenty-five (\$25.00) dollars.

SEC. 2. The Judges of the District Courts and the Chief Justice of the Supreme Court shall assess the fines against the delinquent witnesses before their respective courts, and they shall order the Light Horsemen to collect the fines, which shall be paid within ten days after the assessment is made, and no property shall be exempt from seizure and forced sale to satisfy said fine.

SEC. 3. The District Judges and the Chief Justice of the Supreme Court shall each file a bond in the penal sum of five hundred (\$500.00) Dollars with the Principal Chief with approved security, conditioned that they will faithfully collect all fines due and make proper disposition of same.

SEC. 4. That all fines collected under this act by the District Judges shall be expended under their direction for the repairs and improvement of the court houses and for buying necessary furniture and fixtures for same and for building fences around the court house and other like improvements; and all fines col-

lected by the Chief Justice of the Supreme Court shall be turned over to the National Treasurer.

SEC. 5. The Nation shall not pay the mileage and per diem of more than three witnesses in criminal cases on part of the Government and the same on part of the defendants.

SEC. 6. The District Judges and the Chief Justice of the Supreme Court shall each report annually to the National Council the amount of fines collected and the disposition made of same.

SEC. 7. Nothing herein contained shall be construed as to assess a fine against any person who fails to obey a legal subpœna by reason of sickness of himself or family.

Approved October 22, 1894.

### LAND SET ASIDE FOR CREEK ORPHAN ASYLUM.

*Be it Enacted by the National Council of the Muskogee Nation:* That there be and is hereby set apart a tract of land, not to exceed 640 acres, for the Creek Orphan Asylum, to be used as farm, garden, orchard and pasture. Said land to be measured and set apart by the Board of Education before the first day of January, 1895.

Approved October 23, 1894.

### ACT PROHIBITING ENCLOSURES WITHIN ONE- HALF MILE OF CAPITOL BUILDING.

*Be it Enacted by the National Council of the Muskogee Nation:* That the Light Horse Company of Muskogee District be, and they are hereby, directed to at once enforce the law pro-