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Letter from the Secretary of the Interior,  
transmitting, in response to Senate resolution of  
March 11, 1890, report in relation to authorizing a  
lottery company by the Creek Nation

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L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING,

*In response to Senate resolution of March 11, 1890, report in relation to authorizing a lottery company by the Creek Nation.*

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MARCH 18, 1890.—Referred to the Committee on Indian Affairs and ordered to be printed.

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DEPARTMENT OF THE INTERIOR,  
*Washington, March 15, 1890.*

SIR: I have the honor to acknowledge the receipt of Senate resolution of 11th instant in the following words:

*Resolved,* That the Secretary of the Interior be directed to report any information in the possession of the Department in relation to authorizing any lottery company by the Indian territorial government of the Creek Nation.

In response thereto I transmit herewith copy of a communication of 14th instant, from the Commissioner of Indian Affairs, and accompanying papers, which contain all the information in the possession of the Department in relation to the matter.

Very respectfully,

JOHN W. NOBLE.  
*Secretary.*

The PRESIDENT OF THE SENATE.

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, March 14, 1890.*

SIR: I have received, by Department reference of the 12th instant for report, a copy of the Senate resolution of the 11th instant, which provides as follows:

That the Secretary of the Interior be directed to report any information in the possession of the Department in relation to authorizing any lottery company by the Indian territorial government of the Creek Nation.

In reply I have the honor to state that this office has no information that the Creek Nation has authorized the incorporation of such a company. This office is, however, in receipt of a communication, dated the 28th ultimo, from Agent Bennett, of the Union Agency, with which was inclosed a certified copy of an act of the Choctaw council, approved

2 AUTHORIZING LOTTERY COMPANY BY THE CREEK NATION.

December 24, 1889, entitled "An act for the betterment of the condition of the orphans of the Choctaw Nation, and for the incorporation of the Orphans' Asylum Lottery Company."

A telegram, dated the 10th instant, has also been received from Agent Bennett, setting forth that arrangements have been perfected by the said company for an early drawing, and that immediate action by the Department is necessary to suppress it.

This office replied by telegram of the 14th instant, directing Agent Bennett to advise the Choctaw authorities that no lottery drawing would be permitted there; that the presence among the Choctaws of persons attempting to engage in such proceedings would be considered as detrimental to the peace and welfare of the Indians, and that such persons would be dealt with under the law accordingly.

In compliance with the Senate resolution, above referred to, I have the honor to inclose herewith copies of the said act and correspondence.

Very respectfully, your obedient servant,

T. J. MORGAN,  
*Commissioner.*

The SECRETARY OF THE INTERIOR.

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UNITED STATES INDIAN SERVICE,  
UNION AGENCY, MUSKOGEE, IND. T., February 28, 1890.

SIR: I have the honor to transmit, for your information, copy of an act of the Choctaw council entitled "An act for the betterment of the condition of the orphans of the Choctaw Nation, and for the incorporation of the Choctaw Orphan Asylum Lottery Company."

It is generally believed that this is a scheme to be sold to the Louisiana Lottery Company, whose charter will soon expire in that State. There has been a great deal of secrecy regarding the passage of this act. It came to my hearing some two months ago, but I have only a few days since been able to procure this copy. I do not know that any action by this agency is needed, except to inform the authorities of the Choctaw Nation and parties interested, that the United States Government will not allow the Choctaw Nation to prostitute itself in the manner proposed. This seems to me the proper course, and if it meets your approval I will so advise the parties and the Nation.

Very respectfully, your obedient servant,

LEO E. BENNETT,  
*United States Indian Agent.*

The COMMISSIONER OF INDIAN AFFAIRS,  
*Washington, D. C.*

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AN ACT for the betterment of the condition of the orphans of the Choctaw Nation, and for the incorporation of the Choctaw Orphans Asylum Lottery Company.

*Be it enacted by the general council of the Choctaw Nation assembled, That John G. Farr and A. G. Morris, Ed. Spring, C. H. Harris are hereby incorporated, as a body politic and corporate, to be known and designated as the Choctaw Orphans Asylum Lottery Company, and they and their successors and assigns shall have corporate existence for and during the term and period of thirty years from and after the passage of this act.*

2. Its principal place of business shall be at Antlers, in the Choctaw Nation, or at such other place as its board of directors may provide.

3. Said corporation is hereby authorized and empowered to do and transact a general lottery business under such regulations as may be prescribed by its constitution and by-laws, and for the exclusive privilege of carrying on said business in said Choctaw Nation said corporation shall pay annually into the treasury of the Choctaw Nation the sum of five thousand dollars to be used and appropriated under the direction of the general council of the Choctaw Nation for the establishment of a permanent orphans' home in said nation.

AUTHORIZING LOTTERY COMPANY BY THE CREEK NATION. 3

In consideration whereof, the exclusive privilege is hereby granted to said corporation to conduct said business in said Nation for the period aforesaid.

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

5. The officers of said corporation shall consist of one president, two vice-presidents, one secretary, and one treasurer, who shall be elected from the board of directors, in the manner, and hold their offices for the terms, and perform such duties, as shall be prescribed by the constitution and by-laws of said corporation.

6. The amount of the capital stock of said corporation shall be one hundred thousand dollars, divided into shares of one hundred dollars each, provided that the capital stock of said corporation may be increased to whatever amount the board of directors may deem proper by the vote of the stockholders of said corporation.

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

8. The Paris Exchange Bank of Paris, Texas, is hereby designated as the depository for the funds of said corporation, and said corporation shall be empowered to commence business whenever it has been duly organized under the provision of this act and twenty-five per centum of said capital stock has been paid into the treasurer of said corporation, which shall be proven by the certificate of the president, secretary, and treasurer of said corporation signed by each of said officers and filed with the national secretary of the Choctaw Nation.

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

CONTINUATION OF ARTICLE EIGHT.

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

AMENDMENT TO ARTICLE THREE.

On line 6 after the words "Choctaw Nation," the sum of five thousand dollars for first year, and after increase one thousand each year until ten thousand is reached, and to remain at ten thousand annually until the expiration of the charter.

Approved December 24, 1889.

B. F. SMALLWOOD,  
*Principal Chief, C. N.*

This is to certify that the foregoing acts are true and correct copies taken from the original now on file in the secretary's office at Tushka Humma.

In witness whereof I have caused the grand seal of the Choctaw Nation to be affixed, this February 19, A. D.

{SEAL.]

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

[Telegram.]

MUSKOGEE, IND. T., March 10, 1890.

COMMISSIONER OF INDIAN AFFAIRS,  
*Washington, D. C. :*

Arrangements perfected by Choctaw Lottery Company for early drawing. Immediate action by Department necessary for suppression.

BENNETT,  
*Agent.*

[Telegram.]

OFFICE OF INDIAN AFFAIRS,  
*Washington, D. C., March 14, 1890.*

Agent BENNETT,  
*Muskogee, Indian Territory :*

Advise Choctaw authorities that no lottery drawing will be permitted there; that presence among Choctaws of persons attempting to engage in such proceedings will be considered as detrimental to peace and welfare of Indians, and they will be dealt with under law accordingly.

T. J. MORGAN,  
*Commissioner.*